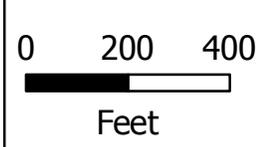


15-116AFDP  
 Amended Final Development Plan  
 Village at Coffman Park III  
 Post Road & Discovery Boulevard





City of Dublin

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## PLANNING AND ZONING COMMISSION

### RECORD OF ACTION

DECEMBER 5, 2013

The Planning and Zoning Commission took the following action at this meeting:

**3. The Village at Coffman Park – Ganzhorn Suites      Discovery Boulevard & Wall Street  
13-058Z/PDP/PP      Informal**

**Proposal:** Different subareas within the 22.66-acre Village at Coffman Park Planned District to permit a memory care facility, additional residential condominiums and open space within a new Planned District. The site is located on the south side of Post Road at the intersection of Wall Street and Discovery Boulevard.

**Request:** Informal review and non-binding feedback on this proposal prior to a future rezoning and preliminary plat application.

**Applicant:** Coffman Partners, LLC; represented by Ganzhorn Real Estate Dublin, LLC and Mike Close, Isaac Wiles.

**Planning Contact:** Claudia D. Husak, AICP, Planner II.

**Contact Information:** (614) 410-4675, chusak@dublin.oh.us

**RESULT:** An informal review and non-binding discussion regarding different subareas within the 22.66-acre Village at Coffman Park Planned District to permit a memory care facility, additional residential condominiums and open space prior to the review of a formal application for a new Planned Unit Development District. The Commission appreciated the work the applicant had done since the concept plan review of this proposal, however the Commission was sensitive to the concerns of adjacent residents regarding the introduction of a different use to their neighborhood and the elimination of additional condominiums.

#### STAFF CERTIFICATION

*Claudia D. Husak*  
Claudia D. Husak, AICP  
Planner II

opposite, tall and colorful. He was concerned that the sides that will face the golf course are the worst sides of the buildings. He could not imagine a big row of those along the golf course. He said some of the houses were almost in the water on Water's Edge Drive. He said the site plan shows the rear of some of these actually going down the slope. He said that somebody mentioned tonight that these are shoehorned and that is how it feels to him. He could not understand the street layout either, with lots on the north side. He agreed with Ms. Krumb, there is no room for patio development. He said for some of these, walking out the back will put you in the pond. He understands the economics of these not selling but believes there must be some middle ground.

Ms. Amorose Groomes agreed that there is a lot to be proud of in Ballantrae, an architecturally interesting neighborhood with nice vistas as you are driving through. She stressed that none of those elements were found in this proposed development. She said to her, the 52 units at Estates at Scioto are almost unbearable and if you add 40 percent more to that, it would be virtually crushing just by the experience of being there. She explained that in the existing development pattern, you have open space areas, although the density is significant, it is broken up by different open spaces and we have almost none of that here; jam packed without vistas. She said she was not opposed to detached condominiums, but they would have to have the same character as the existing development. She said houses lined up directly back-to-back with one another gets us in trouble. She said the proposal might get there if significant changes were made but would not get the feel of the community unless there were significantly fewer units.

Ms. Amorose Groomes asked the applicants if they had any questions for the Commission or points of clarification needed. The applicant said no and thanked them for their comments.

**3. The Village at Coffman Park – Ganzhorn Suites      Discovery Boulevard & Wall Street  
13-058Z/PDP/PP      Informal**

Chair Chris Amorose Groomes introduced this application requesting an informal review and on-binding feedback to define subareas within the 22.66-acre Village at Coffman Park Planned District to permit additional residential condominiums, opens space, and a memory care facility within a new Planned District.

Claudia Husak said this was an informal review of a rezoning application received in June 2013. She said the Planning and Zoning Commission had previously reviewed a concept plan on that site in April of his year. She stated that the applicant is back to obtain feedback and see if they sufficiently addressed the comments the Commission made in April before returning to the Commission for a formal rezoning application; which then would be forwarded to City Council for final review and approval; and followed by a final development plan that would come back to the Commission at some point.

Ms. Husak asked Jennifer Readler to address the communications received with copies provided now to the Commission.

Jennifer Readler said there have been some challenges to the application surrounding the notice requirement. She said they have met with the applicant's attorney and another attorney

who is a resident and talked through some of the procedural issues, satisfying the legal requirements but still working through some of the concerns raised. She asked that procedural issues be reviewed outside this hearing tonight as this is just an informal where the applicant is seeking input on land use from the Commission.

Ms. Husak stated that the site is bound by Post Road, Discovery Boulevard, and Wall Street. She explained that to the north, there are two single-family lots and portions of Coffman Park, zoned R-1, Restricted Suburban Residential District; to the west and south, they are all commercial uses, zoned PCD as part of Perimeter Center, which was zoned in the 1990's and includes a 1.7-acre daycare site; to the east are offices, zoned SO, Suburban Office District. She said there is mounding and landscaping along Post Road, which is City owned parkland that was dedicated when the zoning for the site, outlined in yellow, was approved in 2004. There are 11 existing condominium buildings off a private street called Kenzie Lane that has access off Wall Street and includes this larger functioning stormwater management pond also serving as a site amenity with a clubhouse adjacent.

Ms. Husak shared the 2004 Approved Development Plan that included a total of 63 single-family detached condominium units with rear garage access. She said at the time the 1999 Community Plan was in place, the site was shown as Commercial/Office on that Future Land Use Map. Today, the Community Plan, recently updated and adopted over the summer - updated from the 2007 plan, which showed high-density residential land use for the site, which equated to 2 to 5 units per acre. She said in the most recent version of the plan, they re-categorized the land use classifications, but the unit density is the same. She said that Land Use classification is more clustered than what is typically seen in a less dense single-family development.

Ms. Husak said the applicant is proposing to retain the condominium zoning classification and proposing three Subareas (A1, A2, A3) within a new PUD to accommodate the different portions of the condominiums proposed. Subarea A2 has also been recently platted so the development can continue and not affected by any of the proposals for the west on the site. She said the applicant is requesting the development text is cleaned up for Subareas A1, and A2, removing duplication and changing the layout of Subarea A3 to give it egress and access to finish out that residential portion of the development for a total of 39 units. She showed that on the western edge of Subarea A3 is a tree row, creating a natural boundary, which ends the single-family development. She said that the applicant is proposing Subarea B for a memory care facility, which is intended to have access off Wall Street and substantial buffering along existing tree row as well as along the common boundary with the daycare at the southwest corner. The City owns the open space is incorporated into Subarea C. The applicant is revising the existing PUD but keeping the boundaries of the PUD the same.

Ms. Husak highlighted a few of the assisted living senior housing developments that have recently been approved by the Planning and Zoning Commission, some more recent than others. She noted the wide variety of Land Use classifications but most common characteristic being adjacency to residential. She said similar to the Zoning Code it is hard to classify and categorize with the variety reflected in the Community Plan.

Ms. Husak said Engineering staff has requested more information from the applicant regarding the proposed Discovery Boulevard curb cut and assurance that this will be limited access, due to adjacency of a curb cut to the existing one for the daycare to the south.

Ms. Husak pointed out Subarea B is approximately 5 acres proposed as the memory care facility. She said there are two parking areas off the main drive on Wall Street to the south, with smaller access off Discovery Boulevard. She reported that Planning is concerned with the compactness of the central portion of the site. She mentioned that, as outlined in the Planning Report, the applicant is proposing outdoor facilities on either side of that and needs to determine appropriate setbacks buffering against these condominium units to be built and against the existing daycare. She said the applicant is proposing a solid, 6-foot tall fence to enclose the garden areas on either side of these two wings, which is taller than the Code would normally allow. She said Planning is requesting feedback about the fence.

Ms. Husak said the architecture has not changed from what was reviewed in April, a one-story facility with residential character with brick and stone as the main building materials.

Ms. Husak read the proposed Discussion Questions:

1. Should this proposal include a change to the Community Plan to allow a memory care facility?
2. Does this project meet the spirit and intent of the Plan's Land Use Principles?
3. Are the proposed uses, building, and open spaces appropriately arranged on the site?
4. Would the Commission support the desire for a six-foot tall solid fence for the memory care facility?

Mr. Taylor requested clarification on ownership, now called Subarea A3, and the relationship between Davidson Phillips and the applicant.

Ms. Husak said Davidson Phillips is the condominium association owner of the condominium area and Coffman Partners, LLC have the majority of the land to the west. The City owns all of Subarea C.

Ms. Kramb asked if the applicant is Coffman Partners, LLC.

Ms. Husak said the application has been authorized by all the people necessary.

Ms. Kramb asked why this process.

Ms. Husak explained that it was suggested by Planning to rezone the entire PUD as a unified development to ensure there are no different and potentially conflicting standards with one other, ensuring the area stays as a whole, working together ensuring buffering is built in from both sides.

Ms. Amorose Groomes invited the applicant to come forward.

Tom Hart, Two Miranova Place, said he represents the applicant of Ganzhorn Suites and with him tonight is Eleanor Alvarez, CEO of Ganzhorn and then introduced Mike Close, who addressed the Commission.

Mike Close, 7360 Bellaire Drive, said they are back for an informal review of an application on the appropriateness of the proposed Land Use. He said they want to create a sustainable condominium development with a state-of-the-art memory care facility.

Mr. Close stated that prior to 2007, this transition area was zoned commercial & light industrial and in 2007, the Master Plan/Community Plan changed. He said that when Pat Grabill developed this, it did not get off the ground because of the economy. He said the price point would not support what the units were worth. He said he believes a memory care facility is an appropriate transition. He said they have had a number of significant meetings with the residents to explain what this issue is about, which comes down to with 63 units, this site will not develop. He said if the site were to continue, the anticipated build out is approximately 30 years. He said the applicants believe that at the price point proposed, it will take a significant amount of time to build out, if at all.

Mr. Close said he heard the Commission say last time that they wanted to see a significant mass and be a viable community. He said that today they are proposing 39 units, which the builder said is the right size, he can build it, and sell it at this price point because of the blended price between what Ganzhorn is paying and what he paid for the land. He said 64 units is too big for the land there, taking decades to build, creating too much traffic. Mr. Close said in 2013, condo sales were down and price points were up. He said he believes the quality in Dublin will bring a higher price and that the market has softened because too many condos were built and not selling.

Mr. Close said when they were heard last time, the Commission was concerned about the maintenance of the pond and we propose to take care of 50 percent of the maintenance. He said current residents will be paying less than they would otherwise. He said this project is sustainable and compatible with the transition area. He said it is important to the people we serve, to provide local service. He stated that the intergenerational component is important and achieved with the memory care and daycare center next door. He said the memory care community will be a maximum of 64 people, not acute but chronic, with relatively few runs for the emergency squads. He recognized that concerns from residents have been legitimate. He said they conducted seven meetings, including with Amy Salay, the condo owners including Post Road Association members, and met every legal requirement the Dublin Code has for notice requirements. He asked if we should take decades more to do 64 units or under two years for their proposal.

Eleanor Alvarez, 192 E. Beck Street, operator potentially of Ganzhorn Suites, said that Planning's presentation showed senior living projects done recently in the Dublin area, three of those being skilled nursing facilities. She said that her proposed facility will potentially be licensed as an assisted living facility, offering all private rooms and baths, much higher level of care, specifically state-of-the-art memory care, Alzheimer's, and dementia patients. She said this building design is unique with four separate neighborhoods under one roof, homelike environments, not an institution. She said nurses will be scheduled 24/7, which is not typical for assisted living. She stated that residents do much better when they feel they are closer to friends and family, in a residential environment, close to shopping, and easy access for families to visit our residents.

Mr. Close reiterated that as originally approved there was an exit drive onto Discovery Boulevard from this property. He said they have since learned that the engineering staff would object to a curb cut next to the daycare center so there is no proposal as to what is going to be there. He said that the applicants request to focus on the proposed memory care facility.

Ms. Amorose Groomes started to call up speakers for public comment from the sign-in sheet.

Gary Gray, 6022 Kenzie Lane, said he and other neighbors had sent a letter to the Commission dated November 11, 2013 stating that they agreed this is a needed service in the community, but not at this location. He said for the facilities shown that were recently approved, none of those locations had taken single-family inventory to replace with these uses. He said they were zoned commercial but happened to be next to residential whereas the residents were aware, unlike this case. He stated that within the Dublin code, assisted living is not specifically defined in suburban office institutional category and that within the Ohio Basic building code, it is an institutional use.

Mr. Gray said that Mr. Close said this is a transitional use but at the same time requires a 6-foot high fence to separate the two uses from each other. He said not being able to see or transport between the two is not a natural transition. He reported that when they purchased their property, they thought they were buying into an area with 64 properties, seeing neighbors out on street, getting to know them. He was concerned that residents of this facility will not be a part of the exterior community. Mr. Gray said this proposal is not consistent with the Community Plan. He noted there are other sites that are appropriately nearby. He said the residents that have purchased there relied on the existing zoning and heard that the Commission was not in support for changing PUDs and purchased their properties, but six to eight months they are told it might change.

Mr. Gray said per Mr. Close, the condo market was down but per his friend, Mr. Danter, a well-known market researcher, said prospects for selling at this time depends on demand and supply. He said all of the units have been sold, showing fantastic track record. He said that Mr. Close referred to the notice that was given out, as a resident in Subarea A1, he is a property owner. He said he was given notice as a neighbor but not informed that my property was included in the application to be rezoned. He said they were emotional as this was not explained.

Phil Weisenbach, 6013 Kenzie Lane, part of Subarea A1 said he purchased a home in August based on the location, meaning environment. He was never informed there was a proposed development and was told new units would be well over \$400,000 but tonight hearing \$330,000 - \$350,000, which adds to his concerns, hearing so much speculation from all parties. He reported that he is an engineer and does not understand zoning and asked that he be protected as a homeowner. He said he was a runner, biker, who used the recreation center, loves the community and wants it to stay that way.

Jim Frazier, 6017 Kenzie Lane, said his wife and he have lived and worked in Dublin, most of their lives. He stated that since the development was not finished, they have not had a vote on the board and Mr. Ruma has full control of the association. He understood that the Association was responsible for some pond expenses with City of Dublin covering the rest. He asked how

rezoning affects their deeds, homeowner documents, and relationship with current or future mortgage holders.

Cheryl Frazier, 6017 Kenzie Lane, said in April, she asked specifically of a possible Alzheimer's acute care facility being built and asked the Commission if they were considering changing from residential to institutional to let them know. She said they were given the impression this would stay a residential area and she felt that the Planning and Zoning Commission advised them to close. She said she did not believe this is in line with the spirit and intent for neighborhood quality, property values, and not looking forward to taller fences and emergency runs. She understands there is a need for this type of service, just not in our area where residential is expected.

Bill Loveland, 3300 Riverside Drive, said he had been retained by several of the homeowners. He asked to address what has been deemed a side show. He said Charlie Ruma has no power to speak on the behalf of the association as a developer can retain control for no more than five years from the creation of a condominium, which in this case, expired in 2011. He has been referred to as the owner but the residents are the owners and they are being asked to suffer a rezoning without their consent.

Jennifer Readler asked to interject since he was referring to legal requirements. She said that the code section on rezoning applications says that one or more owners can file an application.

Mr. Loveland said this application has attached to it what reports to be the consent of the condominium.

Ms. Amorose Grooms said we are a commission of volunteers to hear an application on its merit. She said they are not equipped and not charged with judging the validity of any specifics and information which they received from staff has stated that this is an application that has been vetted through the legal process, and therefore is for our review. Ms. Amorose Grooms said if there were questions regarding zoning, we would welcome to hear those.

Mr. Loveland said those expectations were also started by deed restrictions to residential condominium use. He said these were single-family homes, classified as condominiums. He said the plan was fixed and the use of that property was limited a number of years ago; plan implemented; units built and sold to good people who relied on the fixed nature of that plan.

Mr. Loveland said common areas that have been added are owned by the individual unit owners, collectively. He said the condo association owns no property. He said the issue is not having received notice as soon as an application is filed, which the Code requires.

Ms. Readler said that the only notice our Code speaks to is notice for the public hearing for a rezoning so that is the hearing before City Council.

Mr. Loveland said the other issue that was belittled was the deed restriction issue. He asked that they consider this from an owner's perspective and not the legal perspective. He said the deed states use is residential and you are proposing institutional use. He said stressed the expectations of the property owners are being interfered with.

Mr. Loveland said lastly, he opposes spot zoning, putting different incompatible uses in various places, alleging economic reasons. He said the proposal is to change residential to institutional without any compelling reason.

Sandra Augustine, 6300 Post Road, president of the Post Road Residents' Association said she reviewed the report and agreed with the staff concerns on the unusually high density of the land proposed for the memory care facility and shares Engineering's concern for the safety and operation of the streets with the proposed traffic access for this facility especially on Discovery Boulevard. She noted the current Community Plan designates this property as residential, high density. She hopes the Commission will decide against spot rezoning for institutional and incompatible use and will support the development of this property for residential condominiums, which are proving to be in substantial demand at this site.

Chris Cline, 6060 Post Road, said he sent the Commission a letter. He said and his wife have owned the land on Post Road since 1980. He said they have been intricately involved with everything that has taken place and provided a history. He recommends they follow the Community Plan and not be in favor of spot zoning. He said the Commissioners already heard Coffman Park residents mention they walk and bike. He said what was not mentioned in the Planning Report was the Village of Coffman Park, this is where the pedestrian bridge is, built to bridge the residential area with the park system. He asked how many people have access to such a wonderful amenity. He urged the Commission not to change the Land Use. He said this is a unique place in the center of Dublin and asked that they stick with the Community Plan, respecting the multiple decisions made in the past.

Ms. Amorose Groomes said that concludes everyone that placed their names on the sign-in sheet, if there are others that would like to speak, please come forward.

John Bender, 6025 Kenzie Lane, a lawyer, said he knows nothing about zoning. He said he has tremendous respect for my neighbors; they have legitimate beefs as to what they were led to believe. He said his observation is that issue should be between the developer and these owners. He said they bought in April, with very little talk of a memory care center but that it might grow to 64 units. He said he is not upset about a minor change for the use of this plan and he supports the proposal.

Ms. Amorose Groomes asked if there were others that would like to speak with respect to this application. Hearing none we will close it off and have our discussion of this case.

Mike Close requested two minutes. He said they were asked to include the entire area as a single PUD. He said it is essential a not a rezoning for the condominiums as they exist but rather an inclusion in a larger PUD with the same zoning. As legal requirements come up, we will work with Jennifer and the City.

Ms. Amorose Groomes asked Ms. Husak that discussion points be posted and asked fellow members who would like to lead off.

Amy Kramb said she is assuming the application is proper. She said when the applicant came to us last time, she reviewed the minutes from that meeting and what she said, and she was glad to see a memory care wanting to come to Dublin; but was not convinced it was the right

location. She appreciated the applicant having provided for additional condominiums and the fact that we have someone that wants to develop this land and close to a viable community; she is willing to consider adding the memory care facility. Ms. Kramb urged the applicant to be careful the way it is done. She preferred a development text written very tightly with not a long list of uses for the memory care Subarea. She said she was opposed to a big solid fence between the two and needs to be a softer buffer/transition. She said she was against the office building in the northwest corner when originally came to us, taken off now but might come back later, she would still be opposed.

Warren Fishman said he was definitely against changing the use in the Community Plan. He said it took a long, arduous time to process, including neighbors, city staff, and residents. He said that memory care is a wonderful use. He said he thought there are a lot of properties around Dublin this care center could go. He did not think it was appropriate for this site. He said it was the Commission's responsibility to be consistent and fair to the residents and those representing the residents. He said he was not convinced that changing the use because of developer claims. The larger the condo project is, the more viable it is. He does not support a solid fence, not in Dublin.

Joe Budde said he was absent for the April 4 meeting. He said he was empathetic to both the developer and the residents. He did not think this proposal requires a change to the Community Plan. He said the project does not meet the spirit and intent of the Plan's Land Use Principles and that a six-foot fence is not an issue but a solid fence would be. He thought it was possible this facility was appropriately arranged on the site but required a lot more detail.

Victoria Newell said area as zoned now along Post Road is zoned for residential development but also as a buffer and memory care is a good component for a buffer between park and residential. She said that including memory care will not detract from residential nature of their surrounding and adjoining properties in this area; Assisted Living facilities can be very good neighbors. She said she is not sure there is enough land available to really support a facility on this site but definitely cannot support it being opened up to all the office uses that could come in. She said she could be supportive of it just as a memory care but no solid fence and the building needs to be very well integrated into the design with extensive use of landscaping. She voiced her concern about access from Discovery Boulevard, and was equally concerned with parking and dumpster locations as presented along Post Road. She recommended using this site better by fitting the building better to the site. She said it was important that we preserve the development that is in place but does not know the number of units it will take to make that development successful.

Richard Taylor thanked everyone who presented and appreciated everyone's passion. He said he has not seen anything presented tonight that changed his mind since April, when he said he did not think it was time for this project on this property. He explained that the Community Plan helps, at least in the long term, to equalize the market, keeping future land use real by making it somewhat predictable down the road. He said we cannot predict how the market will change and since this site was originally planned as condominiums, he would like to see it given the chance to build out. He stated that our plan is not to develop everything in the city as quickly as possible. He agreed with Ms. Newell that this building seems to be too large for this site and also agree it should not have future office use. He said there is room to reorient this building to fit onto the site and would not support a solid fence. He said that if this comes back, the

architecture needs to look more residential than office. He found the configuration of the dormers and the grid pattern on the windows not appropriate. He was still concerned that it was too much building for the site. He said the will of the community at large is a pretty high hurdle to get over and does not see an overriding need for this to occur at the cost of the rest of this development. He said nobody knows what the magic number is to make this community work but the plan as in the Community Plan needs a chance to develop out as an entire neighborhood.

Ms. Amorose Grooms said she did not disagree with much heard thus far. She said she would not support an office building also being on this site but could possibly support a reconfiguring of the building so it did not look like it was stretching out to all of the limits. She stated that when presented before, she was opposed to office use and her thoughts have not changed. She reiterated that she could support this type of use but need to see a better layout and access to this piece of property is more troublesome on Post Road. She encouraged the developer to provide some access to that piece of property incorporating more access for residents to parkland across the street. She said she would not support a solid fence and encouraged the applicant to look at more creative fencing such as retaining walls to meet the opacity of the requirements. She said she does not like to ever deviate from the Community Plan, although there are compelling reasons to as it needs to be a fluid, working document but contends the Commission does not chase after trends. She recommended leaving a significant build-out for this community having the opportunity to more than triple in size. She stated that this sort of use is frequently used as a buffer between commercial and residential that is why she would not be supportive of commercial in Subarea B, as it would no longer serve as a buffer.

Ms. Amorose Grooms said the goal for tonight was to be clear in our thoughts and asked the applicant and residents if they had questions. She said hearing none, moving on to the next case.

**4. Park Place Entry Feature  
13-109AFDP**

**Hyland-Croy Road and Park Mill Drive  
Amended Final Development Plan**

Chair Chris Amorose Grooms introduced this application for an Amended Final Development plan to modify the approved entry feature landscape plans for Reserves A and B in the Park Place subdivision, including the removal of a cherry tree bosque and installation of new trees and landscaping. Ms. Amorose Grooms swore in those intending to speak in regards to this application.

Rachel Ray presented this request, beginning with an overview of the site located on the east side of Hyland-Croy Road at the intersection with Park Mill Drive. She said the two reserve areas are located on the north and south sides of Park Mill Drive. She said to provide context for the proposal, the site is located within the study area for the Hyland-Croy Roadway Corridor Character Study, which was completed in 2011 and subsequently incorporated into the Community Plan as part of the Northwest Glacier Ridge Area Plan. She said the purpose of that plan was to look at integrating elements of road character with gateways and formal entry features into the subdivisions located in this particular area. She provided two examples of



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## PLANNING AND ZONING COMMISSION

### RECORD OF ACTION

NOVEMBER 14, 2013

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

**2. Village at Coffman Park PUD – Ganzhorn Sultes  
13-058Z/PDP/PP Rezoning with Preliminary Development Plan/  
Preliminary Plat**

**Proposal:** To create different subareas within the 22.66-acre Village at Coffman Park Planned Unit Development District to permit the development of a memory care facility, an office building, additional residential condominiums and open space within a new Planned District. This is also a proposal to plat and subdivide a portion of the site. The site is located on the south side of Post Road at the intersection of Wall Street and Discovery Boulevard.

**Request:** Review and recommendation of approval to City Council of a rezoning with preliminary development plan application under the provisions of Zoning Code Section 153.050 and a preliminary plat under the provisions of the Subdivision Regulations.

**Applicant:** Coffman Partners, LLC; represented by Ganzhorn Real Estate Dublin, LLC.

**Planning Contact:** Claudia D. Husak, AICP, Planner II.

**Contact Information:** (614) 410-4675, chusak@dublin.oh.us

**RESULT:** This application was postponed prior to the meeting.

#### STAFF CERTIFICATION

  
 Claudia D. Husak, AICP  
 Planner II

Ms. Groomes called a short recess until 9:05 pm.

**2. Village at Coffman Park PUD – Ganzhorn Suites**  
**13-058Z/PDP/PP** **Rezoning with Preliminary Development Plan/**  
**(POSTPONED)** **Preliminary Plat**

This case was postponed prior to the meeting as requested by the applicant.

**3. Bridge Street District – Code Modification**  
**13-095ADMC** **Administrative Request -Zoning Code Amendment**

Ms. Groomes said she is unsure how to tackle the rest of the Code and asked what remains to be reviewed.

Mr. Goodwin noted that at the last meeting, the Commission had discussed working through each remaining section of Code with Planning providing initial observations of what items need to be addressed prior to the Commission's discussion on each topic. He said Planning is open to another approach if the Commission has a preference.

Ms. Groomes said that it is nice to have materials from Planning during the discussion. She said there are some topics like parking in an urban district that it is difficult to discuss because we have not had experience with this type of development.

Mr. Hardt recalled that an earlier Commission discussion at which the Commission came up with a list of Code items and set priorities for discussion. He said he thought it was okay if an individual Commissioner had specific concerns, such as parking, that everyone would have the opportunity to have that discussion and that some would be more interested in other topics. He asked if Planning had completed its full technical review of the Code.

Mr. Goodwin said that Planning has prepared a list of issues and potential revisions for all Code sections over the past year and has been reviewing each section again prior to sending the annotated copies to the Commission for Review.

Mr. Hardt said he believed Council would grow weary of receiving Code revisions in pieces.

Mr. Goodwin noted that the Commission had decided to review the rest of the Code prior to sending it to Council.

Mr. Hardt said it was easier for him to focus when the Code was the only item on the agenda.

Mr. Taylor agreed and asked how many more pieces of the Code there are to review.

Mr. Goodwin replied that each Code section warrants a review.

Mr. Taylor agreed and said it would be helpful to group the information together to have a more efficient review rather than having a piecemeal review after long agendas.

Mr. Fishman suggested scheduling a special meeting.

**PLANNING AND ZONING COMMISSION**

**RECORD OF ACTION**

**AUGUST 22, 2013**

The Planning and Zoning Commission took the following action at this meeting:

- 2. Village of Coffman Park PUD 13-076PP/FP** **Kenzie Lane Preliminary Plat/Final Plat**
- Proposal: A subdivision plat of 2.839 acres into one reserve lot to facilitate the development and construction of 28 condominium buildings, on the north side of Wall Street, east of Discovery Boulevard.
- Request: Review and recommendation of approval to City Council for a preliminary plat and a final plat application under the provisions of the Subdivision Regulations.
- Applicant: Coffman Partners, LLC, represented by Timothy Kelton.
- Planning Contact: Claudia D. Husak, AICP, Planner II and Gary P. Gunderman, Planning Manager
- Contact Information: (614) 410-4600, chusak@dublin.oh.us or ggunderman@dublin.oh.us

**MOTION #1:** Richard Taylor moved, Amy Kramb seconded, to approve the Preliminary Plat because it complies with the preliminary plat criteria.

**VOTE:** 6 – 0.

**RESULT:** Approval of this Preliminary Plat is recommended to City Council.

**RECORDED VOTES:**

Chris Amorose Groomes	Yes
Richard Taylor	Yes
Warren Fishman	Yes
Amy Kramb	Yes
John Hardt	Yes
Joseph Budde	Yes
Victoria Newell	Absent

**STAFF CERTIFICATION**  
  
Gary P. Gunderman  
Planning Manager

**PLANNING AND ZONING COMMISSION**

**RECORD OF ACTION**

**AUGUST 22, 2013**

The Planning and Zoning Commission took the following action at this meeting:

**2. Village of Coffman Park PUD  
13-076PP/FP**

**Kenzie Lane  
Preliminary Plat/Final Plat**

Proposal: A subdivision plat of 2.339 acres into one reserve lot to facilitate the development and construction of 28 condominium buildings, on the north side of Wall Street, east of Discovery Boulevard.

Request: Review and recommendation of approval to City Council for a preliminary plat and a final plat application under the provisions of the Subdivision Regulations.

Applicant: Coffman Partners, LLC, represented by Timothy Kelton.

Planning Contact: Claudia D. Husak, AICP, Planner II and Gary P. Gunderman, Planning Manager

Contact Information: (614) 410-4600, chusak@dublin.oh.us or ggunderman@dublin.oh.us

**MOTION #2:** Richard Taylor moved, Joe Budde seconded to recommend City Council approval of this Final Plat because it complies with the preliminary plat and Subdivision Regulations with two conditions:

- 1) That the applicant ensure that any minor technical adjustments to the plat are made prior to City Council submittal, including labeling the contour lines on the preliminary plat, and;
- 2) That the utility easements be labeled as private on the final plat.

\* Rosalind Childers, Davidson-Phillips Inc. agreed to the conditions.

**VOTE:** 6 – 0.

**RESULT:** Approval of this Final Plat is recommended to City Council.

**RECORDED VOTES:**

Chris Amorose Groomes	Yes
Richard Taylor	Yes
Warren Fishman	Yes
Amy Kramb	Yes
John Hardt	Yes
Joseph Budde	Yes
Victoria Newell	Absent

**STAFF CERTIFICATION**



Gary P. Gunderman  
Planning Manager

**2. Village of Coffman Park PUD  
13-076PP/FP**

**Kenzie Lane  
Preliminary Plat/Final Plat**

Chair Chris Amorose Groomes introduced this application requesting a review and recommendation of approval to City Council of a preliminary plat and final plat for a subdivision of 2.339 acres into two reserves to facilitate the development and construction of 28 condominium buildings, on the north side of Wall Street, east of Discovery Boulevard.

Gary Gunderman presented this application for the site located between Post Road and Wall Street. He said that the Agenda and Notices incorrectly stated that the parcel was 8.77 acres being split into three parcels, when it was actually 2.339 acres being split into one reserve. He said technically, this is a preliminary and final plat, but it is more of an administrative issue intended to transfer the title to the subject area from one person to another. Mr. Gunderman said there is no impact or change in any of the development features. He explained that the previously approved final development plan for the 63 condominium project remains unchanged. He said that there was nothing about this particular action that has any impact on it. He said all it does is make it possible for the ownership to transfer of this area which was a feature that probably was not necessary in the past. Over the past few years, financial institutions have taken a somewhat different attitude. He said to proceed with this project and obtain building permits and financing, the applicant needs to have title to the underlying real estate. Mr. Gunderman pointed out that that this was a Reserve lot because the intent is to continue with condominiums over the top of this area just as the first portion of project has been done. He said otherwise, it would have been called a lot, but as a reserve, its intent is unique because it is to have condominiums on top of it. He said that there will be no change in the approved final development plan. Mr. Gunderman said that this final plat will allow the applicant to take title to this area, but if they want to continue on with more of the project, they will need to do something similar, and depending upon how development proceeds may need to amend the Final Development Plan.

Mr. Gunderman said that Planning recommends approval of this preliminary plat with no conditions, and that it be recommended that City Council approve the final plat with two conditions:

- 1) That the applicant ensure that any minor technical adjustments to the plat are made prior to City Council submittal, including labeling the contour lines on the preliminary plat, and;
- 2) That the utility easements be labeled as private on the final plat.

Rosalind Childers, Vice President, Davidson-Phillips, Inc. said that they wish to continue what they started on Phase I of the development. She explained that they purchased ten buildings in April 2012 that were in various stages of occupancy. She said that they needed to have 18 units in order to sell it. She said there are many interested buyers waiting if they are able to continue to build the next 11 pads. She said that the 11 units in the Reserve area are already developed with pads, so the water, sewer, and storm sewers are in, and the only thing remaining would be the completion of the buildings and curbs. She said the property is currently owned by Coffman Partners, LLC and that is what necessitates the transfer and the plat.

Ms. Amorose Groomes invited public comments regarding this application.

Gary Gray, (6022 Kenzie Lane, Dublin, Ohio), said that Davidson-Phillips had done a great job and everything that they said they would do when they took over the property. He said that he recommended that they be allowed to continue to do what they started.

John Hardt asked who currently controls the property.

Ms. Childers said Coffman Partners LLC, was the original developer, but this request will transfer it to the control of Davidson-Phillips, Inc.

Mr. Hardt asked if the original developer will retain control of the balance of the development.

Ms. Childers confirmed that the original developer will retain control of the balance of the site. She said they have a contract on the next area west if they are able to proceed. She said this will depend on the future use of the rest of the property.

Mr. Gunderman pointed out that if the alluded to development does come before the Commission and it is approved, then the area will need an amended final development plan.

Mr. Hardt said he understood that if anything other than condominiums were to happen to the west of this parcel, it would require a whole review process.

Mr. Gunderman said that if that did or did not happen, it would not impact this particular area. He said either way, this area remain unchanged because the utilities and other facilities are all done.

Mr. Hardt recalled that at the Informal Review several months ago, there was a proposal to turn the private road south so that it would loop and reconnect to Wall Street. He asked if this proposal will keep the private road in its original location.

Mr. Gunderman said that was correct.

Warren Fishman asked if this would be developed exactly like the previous zoning.

Mr. Gunderman said that everything will meet the same final development plan conditions that were previously approved.

Joe Budde and Richard Taylor indicated that they had no comments or questions.

Ms. Amorose Groomes asked if the cut through shown was intended to possibly provide access to the office building site on Post Road.

Mr. Gunderman said that there was nothing on any of the plans that would suggest that.

Ms. Childers said that there is an office building with a walking path to Post Road, but that was all.

Ms. Amorose Groomes said that the office building was on and off again for a long time.

Mr. Gunderman recalled that he had tried to convince someone interested in the office building that they should combine that to make a better project.

Ms. Amorose Groomes confirmed that there were no more comments.

**Motion #1 and Vote – Preliminary Plat**

Mr. Taylor moved to approve this Preliminary Plat because it complies with the preliminary plat criteria.

Ms. Kramb seconded.

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

**Motion #2 and Vote – Final Plat**

Mr. Taylor moved to recommend approval to City Council of this Final Plat with two conditions:

Mr. Budde seconded the motion.

- 1) That the applicant ensure that any minor technical adjustments to the plat are made prior to City Council submittal, including labeling the contour lines on the preliminary plat, and;
- 2) That the utility easements be labeled as private on the final plat.

Ms. Childers agreed to the conditions.

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



**Motion #1 and Vote - Rezoning with Preliminary Development Plan**

Ms. Kramb moved to recommend approval to City Council this Rezoning with Preliminary Development Plan because this proposal complies with the rezoning/preliminary development plan review criteria and the existing development standards within the area, with six conditions:

- 1) That the development text be revised to not require the driveway location for Lot 1 to be to the west;
- 2) That the development text be revised to clarify enforcement of the Association architectural requirements and Zoning Code required residential appearance provisions;
- 3) That the text be revised to require an architectural theme, if proposed, be approved by the Planning and Zoning Commission as part of the final development plan;
- 4) That the development text be revised to permit a maximum of 18 Lots and the proposed plans be revised to remove Lot 6 and incorporate a minimum lot width of 80 feet for Lots 1 through 5;
- 5) That the applicant verify the building envelopes to ensure all landmark trees are preserved; and
- 6) That the development text be revised to not permit an entry feature sign for this development.

Ben Hale Jr. agreed to the six conditions.

Ms. Newell seconded the motion. The vote was as follows: Mr. Hardt, yes; Ms. Amorose Groomes, yes; Ms. Newell, yes; and Ms. Kramb, yes. (Approved 4 – 0.)

**Motion #2 and Vote - Preliminary Plat**

Ms. Newell moved to recommend approval to City Council this Preliminary Plat because this proposal complies with the preliminary plat review criteria, with four conditions:

- 1) That the applicant ensure that any minor technical adjustments to the plat be made prior to City Council submittal, including noting the open space ownership and maintenance responsibilities and setback information;
- 2) That the applicant works with Delaware County to identify and follow the required vacation process as part of the Council review of this preliminary plat;
- 3) That the preliminary plat be revised to match the preliminary development plan in terms of the elimination of Lot 6 and the width of Lots 1 through 5; and
- 4) That the sidewalk along Lot 9 be redesigned to a more curvilinear pattern.

Ben Hale Jr. agreed to the conditions.

Ms. Kramb seconded the motion. The vote was as follows: Mr. Hardt, yes; Ms. Amorose Groomes, yes; Ms. Kramb, yes; and Ms. Newell, yes. (Approved 4 – 0.)

[Mr. Fishman and Mr. Taylor returned to the meeting room after they had recused themselves for this case.]

**2. Village at Coffman Park – Ganzhorn Suites  
13-019CP**

**Discovery Blvd at Wall Street  
Concept Plan**

Chair Chris Amorose Groomes introduced the following application for review and non-binding feedback of a Concept Plan for a potential future rezoning to permit a mix of office and elderly care uses on a nine-acre site on the south side of Post Road, east of Discovery Boulevard, north of Wall Street.

Claudia Husak presented this Concept Plan which is the first step in the PUD, Planned Unit Development Plan process. She said the site was zoned in 2005 as the Village of Coffman Park PUD with 66 detached units, three live/work units, a large clubhouse, common open space, and a pond. She presented the

approved 2007 Final Development Plan showing the straight pattern lot layout with a 5 unit per acre density. She said the surrounding uses are Standard Office on the south side of Post Road. She said many of those uses are within the large Perimeter Center Planned Commerce District and on the north side, larger lot residential homes on Post Road, and farther north, subdivisions within the City of Dublin, and then parkland as part of Coffman Park.

Ms. Husak presented the proposed plan provided by the applicant for the Commission's feedback. She said the proposal is to create within this new nine-acre PUD, three different subareas. She said the first subarea would be an approximate one-acre office area, the center would be a specialized memory care facility on approximately four acres, and the remaining four acres were divided by a north/south tree row. She said the applicant is unsure about the last subarea and Planning strongly encouraged the applicant to show a layout for the subarea. She said the proposed layout includes cottage-type elderly housing. Ms. Husak said conceptual architectural renderings were provided for the memory care portion of the proposal showing brick, stone, and siding with larger roof overhangs, and porte cochere typically seen on these types of facilities.

Ms. Husak said Planning's concerns are whether or not this proposal warrants a change to the Community Plan as it is designated as residential on the Future Land Use Map, and this use is institutional and office. She explained Planning's concern is with the approved PUD with an approved plan and the applicant is proposing to rezone out of that PUD, which leaves 2.5-acres undetermined. She said there are concerns about access for the existing condominiums and the fire department. Ms. Husak said there is not enough information available to determine how this would be addressed. She said the Commission is being asked if there is appropriate transition between the existing condominiums, the vacant two acres, and the applicant's proposal. She asked the Commission to discuss whether or not it is appropriate to have a new PUD separated from the existing PUD, and then whether or not the uses are arranged appropriately for the site. Ms. Husak said the applicant and Planning would welcome Commission comments.

Eleanor Alvarez, (1322 Manning Parkway, Powell, Ohio) representing Ganzhorn Real Estate Dublin, LLC, said that for 30 years she has been dedicated to caring for the elderly working for two large companies providing nursing, home care, and assisted living care. She said for the last 13 years she ran a consulting group that supported other nursing home operations across the country, helping them to improve quality, stay in compliance with regulations, and helping them with various operations and financial issues. She said she now wants to develop an assisted living center, just for Alzheimer's and other related dementia patients. She said they have designed a very specific building divided into four different pods or neighborhoods that create small specialized environments for people afflicted with the diseases. She said they were very excited to come to Dublin and they thought it would be a great asset to the community.

Mike Close, (Wiles, Boyle, Burkholder & Bringardner Co., 300 Spruce Street, Columbus, Ohio), representing the applicant, said Eleanor Alvarez explained this is not a large national operation. He said they had met with the neighbors. He said none of the condominium neighbors attended the meetings held. He said no one appeared to be opposed to the skilled care facility, but the question presented was what becomes of the existing 11 condominiums. He said those condominiums maintain both the clubhouse and the lake at some expense. He said negotiations or discussions have begun as to how this proposal would use the stormwater facilities, but share in the costs of maintenance to minimize the costs for the condominium owners. He said the remaining 2 acres portion will never be developed as condominium, simply because it is no longer financially feasible to do it. He said a price point cannot be hit with the land to develop it as proposed. He said the question is what happens to the rest of it. Mr. Close said Charlie Ruma is negotiating to get that completed. Mr. Close said he was not submitting his plan but he showed what his architectural drawing was that was 11 additional houses and roadway, which will complete the development, totaling 22 condominiums that will support the clubhouse and stormwater pond along with assistance from the applicant.

Mr. Close said the issue remaining was what would happen on the rest of the site. He said the only feasible development is an office-type development, whether it is an additional residential facility related to the assisted living facility or a suburban office. He said a suburban office would be nice for doctors to be close for the facility. He said they are considering a development there that is no more intrusive than the condominiums. He said at most, there would be two-story buildings which would not exceed the condominium height and be compatible to the surrounding area. Mr. Close said the proposed care facility will be a single-story building.

Mr. Close said using the soil on the site, it can be adequately mounded and landscaped so an office use could be separated from the condominium section. He said in addition, they recognize the need to ensure buffering to protect the residents on the north side of Post Road.

Mr. Close said the Planning Report does not include the steps that were taken prior to this. He said this development was not easy to get approved as condominiums. He said from his recollection, this was initially light industrial, then suburban office, and then the condominium project was approved. He said when looking at the surrounding uses, the suburban office was what should have remained. Mr. Close said that he thought this plan would provide adequate buffers. He said they had not heard any objections from the current condominium owners about developing an office use. He said they thought this facility was unique, there was a need for it in the community, and this was an appropriate area for it with commercial uses underneath it, beside it, and at the northeast corner of the property. He said they would discuss with Mr. Ruma about bringing this in as part of their preliminary development plan so that they can get things moving and platted. He offered to answer any questions.

Ms. Amorose Groomes invited public comments.

Ben Hale, Jr., Smith and Hale, (37 West Broad Street, Columbus, Ohio), said he represented Rosalinda Childers, and Charles Ruma, (Ruma Investment Co., 6760 Discovery Boulevard, Dublin, Ohio 43017). He said Mr. Ruma owns the property, formally owned by the Dublin Counseling Center which is located to the front, west of this site. He explained Mr. Ruma was purchasing the partially developed 11-unit site where the roads and pads could be constructed for 11 additional condominiums. He said Mr. Ruma had security concerns about the Alzheimer's facility interfacing with the daycare center, and asked that when the Commission reviews the development plan for this project, that it included. He explained he did not represent the individual condominium owners in the association, just the association. He said however, he had consulted with the current owners or residents who live in the condominiums. He said the pond, was owned by the City and has a boardwalk and a clubhouse, and they want to make absolutely sure that there is not an excessive burden placed on the 21 homeowners for maintenance costs. Mr. Hale said the applicant has agreed to pay in to the association an initial payment based on the other 42 units. He said Mr. Ruma puts \$500 into the association funds every time he sells one of the units. He said the applicant has agreed to participate in terms of the maintenance of those facilities and pay their fair share so the residents who live there will not be overly burdened with the cost of maintaining those facilities when they were designed for 63 units, and there will be only 21 units. He said from Mr. Ruma's and homeowners association's point of view, they think this protects the interests of the condominium association and the daycare center.

Jim Frazier, (Powell, Ohio), said after hearing about this development, he may choose not to close tomorrow on his condominium. He said originally, they were concerned about the commercial feel of the condominiums, but felt comfort there would be 66 units. He said they entered into a contract believing the current zoning would remain. Mr. Frazier said he had concerns that if there were only 20 units, it will become a less desirable neighborhood, and the value of the units currently owned will decrease or become rental property. He said the other potential condominium owners that might be in contract should have a chance to learn more about this project.

David Bromwich, (6300 Post Road, Dublin, Ohio), speaking on behalf of the Post Road Residents Association, said they were happy when this site was rezoned for 66 condominiums. He said this potential rezoning was not consistent with the Community Plan and there was a debate whether a different concept could work. He said the 11 condominiums were built just before the housing market dropped. He said the current concept plan is very broken up and the undefined office area to the east was a major concern. Mr. Bromwich said he wondered how intense the memory care facility would be. He said that Alzheimer's was a fatal disease where health declined over time, so emergency vehicles may frequent the facility. He said he had concerns about the affordability of maintaining the pond and clubhouse with only 21 condominiums and the enforcement of the maintenance fees years from now.

Gary Gray, (6022 Kenzie Lane, Dublin, Ohio), said he was happy he purchased his condominium from Mr. Ruma a year ago. He said he was the applicant and architect for the project in 1999 and had history with it from 2005. He said he believed it was a good use as it was rezoned. Mr. Gray said he thought with Mr. Ruma's acquisition and repositioning of it showed current sales would improve and the uncertainties about continuing this development in the future were going away. He said the proposed office building and memory care facility are compatible with the community and neighborhood. He said however, he thought the proposed use adjacent to the condominiums was inconsistent with the concept of a residential neighborhood. He said suburban office is just as much a speculation today as any other development product. He said with the current product there is some demonstrated market inertia for the future. Mr. Gray said he believed the applicant has been working with his neighbors, although he was not one of them, and he did not think there was any aspersions. He said he had heard from his neighbors the applicants have been good to work with and they anticipated this being developed.

Charles Ruma, (2585 Slate Run, Upper Arlington, Ohio), said he was most affected by this project. He said he had owned the daycare facility for over 20 years. He said he was not concerned about security in regards to the daycare because he was convinced they would do both fencing and landscaping. He however when a child is in a playground, you do not want to give them any concern and want to make sure that they are safe. He said Ms. Alvarez had satisfied that concern as far as he could see.

Mr. Ruma said the 11 lots that are partially developed for condominiums have been sitting there for almost a year, so he was glad that someone had said they are going to deal with the other nine acres. He said however, they need to deal with the two acres first. He said he wants to build ten more units, not 11 because they will have to swing the street out to Wall Street so there will be a loop which will give them a comfortable 20-unit condominium community. He reassured the Commission with 21 units at the current level the association is paying for assessments on a monthly bases the deal will work as long as the dementia facility pays into the association. He said when he first bought the property, he spent a lot of money fixing, cleaning, and finishing the units to make sure they was marketable. Mr. Ruma said he also funded the reserve to make sure that every bit of reserve that should have been paid over the prior four years was paid. He said the association is on firm financial ground. He said he also paid forward in terms of operating expenses until they can get additional units and make this work. Mr. Ruma said what the Commission was seeing would probably be one of the more successful projects that he had stepped into in a very short period. He said it appeared they had sold nine of the eleven units and they have interest in the remaining units. He said he had the other ten under contract and can start working on them, he will be in a situation where he can start pre-selling.

Mr. Ruma said the dementia facility has promised to do extensive landscaping on their eastern boundary, and his western boundary. He said he had an excess of soil on his site and he had permission from the owner and the dementia facility owner to build a mound of substance on the property line so there is a clear demarcation between the two facilities. He said the mound will go as far as 15 feet into each property. Mr. Ruma said whether it proceeds or not, he is going to build those ten condominiums, and maybe eleven if it does not proceed.

Mr. Close said he disagreed with Mr. Ruma that they had reached a deal as to how much they are going to contribute. He explained a proposal had been made, but they had not had a chance to evaluate it. He said he did not want anyone to leave misunderstanding. Mr. Ruma said if they do not make a deal with them, Mr. Hale and he will come down with full fury against this project. He said the applicant will need to make the appropriate contribution or they will not support it.

Cheryl Frazier, whose husband spoke earlier, said the unit they were to close on tomorrow was selling for more than \$350,000. She said they thought these homes were gorgeous and there was a need for this type of home. She said before buying the condominium, she would like to know what the Commission thinks about this Concept Plan. She said she thought if the owners of the existing units had been contacted about this, they would have been at this meeting because they thought more residential would be built.

Ms. Amorose Groomes said they would have a very clear picture of the Commissioner's thoughts before leaving the meeting.

Ms. Amorose Groomes verified that there were no additional public comments. She asked that the Commissioners begin their discussion.

Richard Taylor thanked Ms. Alvarez for considering to bring this project to Dublin and joining what is becoming a lengthy list of similar facilities proposed in Dublin. He said however, he did not think it was time for this yet on this property. He said his initial thought was that when this was originally approved in 2005, nobody was aware that we were about to step over the housing cliff. He said the past seven years have had a lot to do with the lack of sales in this area. He said he saw two things happening that potentially impacted this project to have legs in the future and to fill some of the goals it was originally designed to do. He said one is being a buffer to this road and another is if this is built out they most likely will attract users of the park more than the other proposed use. Mr. Taylor said the market may be changing and he thought it was too early to consider changing the use of this and the Community Plan when things might be improving. He said also, in that regard, they have spent a lot of time developing the areas close to this such as the Bridge Street Corridor and this dense higher end housing is something the Commission has advocated to have in this area. Mr. Taylor suggested this development was ahead of its time a little and the time may be returning for it. He said looking at the overall map of the area and what is developed and undeveloped around Coffman Park, this is the last piece of property that is going close to the park to be developed, and would be the largest one to not be residential if it were developed as proposed tonight. Mr. Taylor said his preference is that it stays according to the original zoning and the Community Plan, but he did not know if it would be the same development plan that was proposed in 2005, but maybe another version of that with fewer homes. He reiterated he thought the use needed to remain.

John Hardt said he would welcome a facility such as Ganzhorn Suites in Dublin, but he was not sure this was the right location for it. He said he was concerned about the potential impact to the abutting neighborhood. He said the current proposal seemed like it would cut off the neighborhood and leave it a shell of its former self. He said he also had many concerns whether a 20 condominium development was sustainable from a financial and a neighborhood perspective. He said he did not see how 20 isolated units would be a livable or sustainable neighborhood, and he believed there is some risk to that portion of this site potentially to become a blight on Dublin's crown jewel park next door. He said he needed to be convinced the condominium development could be brought to some kind of critical mass, making it sustainable culturally and financially and bringing it to some kind of sensible conclusion before he would consider another use for the balance of the site to the west.

Amy Kramb said she was fine with the care facility, and had the site not been residentially zoned she would support it in this location. She said she thought taking the condominiums to at least to the tree line would give the complex a large enough concentration to be a viable neighborhood. She said if left as 20

units, it would not be as thriving and she thought it might turn into a rental, transient place and not a 'we want to live here for the next 20 years' type place. She said maybe 40 units could get it, but she did not know. She said she had been convinced that financially, it will work, but she did not think a small residential pocket was wanted which would not have been the intent when it was rezoned originally. She reiterated there was a problem with the proposed location for the facility, but not the facility itself.

Victoria Newell said an Alzheimer's facility sometimes can be an appropriate mix when it is screened appropriately from nearby residential neighborhoods. She said the City had gone to great lengths to redirect traffic off Post Road. She said she was very concerned the existing residential area would become too isolated and she definitely thought it needed to be respected. She said the current zoning needed to remain. She said any development on this site definitely needed to screen well along Post Road and the residences. Ms. Newell said she was not supportive of the suburban office use in direct contact with the residential neighborhood.

Mr. Fishman said he was a Commission member in 2005 when the original rezoning application was presented and present for the daycare center application. He noted the meeting minutes reflected the Commission was convinced the development would buffer the residential zoning to the north. He said he was against the high density development then because he did not want to lose revenue for the City. He said it was zoned commercial, and he felt if it was down zoned residential, the City would lose revenue, however he was convinced that it was going to be a beautiful upscale neighborhood that was going to buffer the other residential on Post Road and it was going to be near the park for those residents. He said this was designed as a residential neighborhood to be massive to buffer the other neighborhoods, but also to be residential right against commercial zoning and have enough mass to support it. Mr. Fishman said he recalled the Commission got assurances from the developer at that time that it would be very upscale. He said even then, the units were going to be more than \$350,000. He said at this point, he could not support 20 or 40 units. Mr. Fishman said he supported the facility use and wanted to see it in Dublin, but he did not think this was the location for it. He said it would do an injustice to the existing condominium residents if the Commission surrounded them by a non-residential use. He said he hated to say though, because originally, he wanted to see a higher use and more revenue for the City. He said at this point, he had to agree with the other Commissioners.

Ms. Krumb said she was not a Commission member when this site was zoned to residential, and she probably would not have thought to even consider this residential then. She said however, it is residential now, and the problem is that a very small component of the residential construction has already started. She said because it is currently residential, she thought they needed to at least have a sustainable neighborhood.

Ms. Newell said she agreed partially with the other Commissioners. She said that they have frequently used some sort of care facility as a transition between office and residential uses all over the City. She said she did not have a problem with the Alzheimer's facility, but she certainly could not be supportive of an application that crossed the natural barrier. She said she thought a 40-unit neighborhood would be acceptable and would help in their revenue generation to maintain their common space. Ms. Amorose Groomes said she would be okay with rezoning the memory care portion, because memory care uses have traditionally been used as a transition between commercial and residential uses. She said she thought that would be appropriate here as well and she thought that a 40-unit condominium complex would provide enough appeal.

Mr. Fishman said he agreed with Ms. Amorose Groomes, but he felt it would be very important to keep the high quality scale of the existing condominiums.

Ms. Amorose Groomes said she would not rezone those condominiums. She said the zoning text had been approved.

Mr. Fishman said he thought health care was a decent transition. He said he did not know what number of units it would take to be sustainable. He said originally, they were convinced there needed to be 60-units.

Ms. Amorose Groomes said she would see this something similar to the Willowgrove Condominiums where they are isolated and surrounded by very different views. She said there is a very strong community there and they take very good care of their grounds.

Mr. Fishman said he would really welcome the facility and if the same quality of condominiums could be kept with the 40 or 44 units, he could live with that.

Ms. Newell said she hoped that it was clear that she thought the Alzheimer's care facility can be a good buffer to residential, but what was bothering her was the transition between the condominiums and the health care facility.

Mr. Hardt said he agreed it is probably the component in the middle that he had the most heartburn. He said it feels like they had a use identified on the west end of the site, and they know they need to do some sort of continuation of the residential into the site and that they do not know what is to be done with the site in the middle, and it is a question mark.

Ms. Amorose Groomes invited the applicant to ask questions about the Commissioners' feedback that was unclear. Mr. Close said he understood the Commissioner's comments and appreciated them.

Ms. Amorose Groomes said there is no vote would be taken because this is a Concept Plan. She said hopefully, the comments of the Commissioners were clear enough to the residents.

### **3. Coffman Park – Phase 1 13-016AFDP**

### **5200 Emerald Parkway Amended Final Development Plan**

Chris Amorose Groomes introduced the Amended Final Development Plan application requesting realignment of the entry drive to Coffman Park east of Commerce Parkway, construction of three bridge crossings, the addition of multi use paths, site grading and utility burial within Coffman Park, located on the north side of Post Road, at the intersection of Commerce Parkway. She explained the Commission has the final authority on this application, and swore in those wishing to speak in regards to this application, including City representatives.

Jennifer Rauch confirmed a presentation was not necessary.

Ms. Amorose Groomes asked if anyone from the public would like to speak with respect to this application. [There were none.]

Richard Taylor asked if a Buckeye tree could be located somewhere in this park. Ms. Amorose Groomes explained Buckeye trees typically grow along creeks, rivers, and low lying areas, and would be appropriate in the park. Laura Ball agreed.

Ms. Amorose Groomes asked how the proposed modifications fit with the Irish Festival layout. Ms. Ball said they have worked closely with the Dublin Events staff to ensure the proposal meets their needs.

Mr. Hardt asked if the proposed bridge would replace the need for a temporary crossing. Ms. Ball said the City spends approximately \$65,000 per year to make the temporary bridge, so the proposed bridge will replace it.

**Motion and Vote**

Mr. Taylor moved to approve this Amended Final Development Plan because this proposal complies with the preliminary development plan review criteria and the existing development standards within the area, with one condition:

- 1) The applicant work with Engineering to ensure 24 hour, 7 day a week access is maintained to the booster station.

Laura Ball agreed to the condition.

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

**Commission Roundtable**

Ms. Amorose Groomes asked to defer the iPad discussion to a future meeting. Ms. Husak said a presentation and discussion would be scheduled for the May 2<sup>nd</sup> meeting.

Ms. Husak reported Steve Langworthy was recovering well from his surgery last week.

Ms. Amorose Groomes asked if there were any other issues or comments to be shared. [There were none.] She adjourned the meeting at 9:37 p.m.



CITY OF DUBLIN

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PLANNING AND ZONING COMMISSION

RECORD OF ACTION

July 12, 2007

The Planning and Zoning Commission took the following action at this meeting:

12. **Village at Coffman Park** **Post Road**  
**07- 054AFDP** **Amended Final Development Plan**

**Proposal:** Minor modifications within the Homestead at Coffman Park Planned District, located south of Post Road and east of the intersection with Discovery Boulevard.  
**Request:** Review and approval of an amended final development plan under the Planned District provisions of Code Section 153.050.  
**Applicant:** Jason Stults, Glavan Feher Architects, Inc.  
**Planning Contact:** Eugenia M. Martin, ASLA, Landscape Architect  
(614)410-4650, emartin@dublin.oh.us

**MOTION:** To approve this Amended Final Development Plan application because it complies with the criteria set forth in Section 153.050 of the Dublin Zoning Code and the existing development standards within the area, with no conditions.

**VOTE:** 6 - 0.

**RESULT:** This Amended Final Development Plan application was approved.

STAFF CERTIFICATION

*Claudia D. Husak*  
Claudia D. Husak, AICP  
Planner

**Motion and Vote – Final Development Plan**

Mr. Gerber made a motion to table this Final Development Plan application and Ms. Amorose Groomes seconded. Mr. Hadden agreed to a tabling. The vote was as follows: Mr. Walter, yes; Mr. Fishman, yes; Mr. Saneholtz, yes; Mr. McCash, yes; Mr. Zimmerman, yes; Ms. Amorose Groomes, yes; and Mr. Gerber, yes. (Tabled 7 – 0.)

**12. Village at Coffman Park  
07- 054AFDP**

**Post Road  
Amended Final Development Plan**

The applicant, Jason Stults, Glavan Feher Architects, was not present for this case but was expected.

**Motion and Vote – Amended Final Development Plan**

Mr. Gerber, since there were no conditions for the applicant to agree on, chose to make a motion to approve this Amended Final Development Plan because it complied with the criteria set forth in Section 153.050 of the Dublin Zoning Code and the existing development standards within the area. Mr. Zimmerman seconded the motion. The vote was as follows: Ms. Amorose Groomes, yes; Mr. Saneholtz, yes; Mr. Fishman, yes; Mr. Walter, yes; Mr. Zimmerman, yes; and Mr. Gerber, yes. (Approved 6 – 0.)

**Administrative Business**

Mr. Langworthy said that Planning had prepared the Commission Handbook with the intent and hope that the Commissioners would bring theirs to each meeting because they thought it had some good information in it that they might need as a resource from to time, rather than Planning having to copy the criteria every time.

Mr. McCash said he had left a message with Enforcement Supervisor Greg Jones that the new Verizon store at the Sawmill Kroger Centre had neon Open and Verizon signs. He said he had not heard back what was done. Mr. Langworthy assured that an enforcement letter had already been sent.

The meeting was adjourned at 10:02 p.m.

Respectfully submitted,



Libby Farley  
Administrative Assistant



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## PLANNING AND ZONING COMMISSION

### RECORD OF ACTION

SEPTEMBER 21, 2006

The Planning and Zoning Commission took the following action at this meeting:

3. **Amended Final Development Plan – 06-118AFDP – The Village at Coffman Park – Post Road and Discovery Boulevard**  
**Location:** 22.821 acres located at the southeast corner of the intersection of Post Road and Discovery Boulevard.  
**Existing Zoning:** PUD, Planned Unit Development (Homestead at Coffman Park plan).  
**Request:** Review and approval of an amended final development plan under the PUD provisions of Code Section 153.053 (E)(2)(b) and 153.055(B).  
**Proposed Use:** Modifications to a previously approved residential condominium development, including the removal of a stormwater pond, additional trim color options, and grouped mailboxes.  
**Applicant:** Patrick M. Grabill, Village at Coffman Park, LLC, 109 South High Street, Dublin, Ohio 43017; represented by Jason Stults, Glavan Feher Architects, Inc., 2 Miranova Place, Suite 700, Columbus, Ohio 43215.  
**Staff Contact:** Judson J. Rex, Planner.  
**Contact Information:** (614) 410-4654/Email: jrex@dublin.oh.us.

**MOTION:** To approve this amended final development plan because the proposed modifications will enhance the overall appearance of this site and continue to promote high-quality residential development, with four conditions:

- 1) That the applicant submit revised construction drawings for site plan permit approval;
- 2) That the applicant submits a revised Stormwater Management Plan for review and approval;
- 3) That the applicant retain the hedges shown on the plans and incorporating stone walls into the landscaping treatment along Post Road, subject to staff approval; and,
- 4) That the landscaping plans be revised to reflect the comments in the staff report, subject to staff approval.

\* Pat Grabill agreed to the above conditions.

**VOTE:** 5 – 0.

**RESULT:** This amended final development plan was approved.

STAFF CERTIFICATION

  
Judson J. Rex  
Planner

Mr. Hale agreed to the above modified conditions.

Mr. Zimmerman seconded the motion, and the vote was as follows: Ms. Jones, yes; Mr. Zimmerman, yes; Mr. Walter, yes; Mr.; Mr. Fishman, yes; and Mr. Gerber, yes. (Approved 5-0.)

**3. Amended Final Development Plan 06-118AFDP – The Village at Coffman Park – Post Road and Discovery Boulevard**

Mr. Gerber swore in the applicant, Patrick M. Grabill. Mr. Grabill agreed to the four conditions listed below as contained in the staff report.

**Motion and Vote:**

Mr. Gerber moved for approval of this Amended Final Development Plan because the proposed modifications will enhance the overall appearance of this site and continue to promote high-quality residential development, with four the following four conditions:

- 1) That the applicant submit revised construction drawings for site plan permit approval;
- 2) That the applicant submits a revised Stormwater Management Plan for review and approval;
- 3) That the applicant retain the hedges shown on the plans and incorporating stone walls into the landscaping treatment along Post Road, subject to staff approval; and,
- 4) That the landscaping plans be revised to reflect the comments in the staff report, subject to staff approval.

Mr. Zimmerman seconded the motion to approve and the vote was as follows: Mr. Fishman, yes; Mr. Walter, yes; Ms. Jones, yes; Mr. Zimmerman, yes; and Mr. Gerber, yes. (Approved 5-0)

**4. Final Development Plan 06-115FDP – Perimeter West PCD, Subarea 1 – Perimeter West Office Park – 6700 Perimeter Drive**

**Motion and Vote:**

Mr. Gerber moved for tabling due to the written request of the applicant, Rob Ryan, Ruscilli Development Company, Ltd. Mr. Zimmerman seconded the motion. The vote was as follows: Ms. Jones, yes; Mr. Fishman, yes; Mr. Walter, yes; Mr. Zimmerman, yes; and Mr. Gerber, yes. Approved 5-0.)

**5. Administrative Request 06-133ADM – Residential Driveways**

Todd Corwin said this is a request for review of Dublin policies regarding residential driveways. He said staff is requesting that the Commission give guidance and feedback regarding the issues presented tonight. He said the most substantial issue to be discussed is the modification of front-loaded garage driveways. Mr. Corwin said other issues deal with width and maneuvering standards for side-loaded garages. He presented a slide showing a driveway constructed according to Code. He said the driveway is no wider than the garage door opening. He said a different type of garage is a side-loading garage on the side of the house and the driveway enters



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**AMENDED  
PLANNING AND ZONING COMMISSION**

**RECORD OF ACTION**

**OCTOBER 6, 2005**

The Planning and Zoning Commission took the following action at this meeting:

9. **Final Development Plan – 05-152FDP – Villages At Coffman Park – Post Road**  
**Location:** 22.66 acres located at the southeast corner of the intersection of Discovery Boulevard and Post Road.  
**Existing Zoning:** PUD, Planned Unit Development District (Homestead at Coffman Park plan).  
**Request:** Review and approval of a final development plan under the under the PUD provisions of Section 153.055 (B).  
**Proposed Use:** A single-family condominium development of 63 detached residential units, 3 live-work units, a community building, and 4.37 acres of open space.  
**Applicant:** Grabill and Company, LLC., c/o Pat Grabill, 109 South High Street, Dublin, Ohio 43017; represented by Glen A. Dugger, Smith and Hale, 37 West Broad Street, Suite 725, Columbus, Ohio 43215.  
**Staff Contact:** Judson J. Rex, Planner.  
**Contact Information:** Phone: (614) 410-4654 / Email: [jrex@dublin.oh.us](mailto:jrex@dublin.oh.us).

**MOTION:** To approve this Final Development Plan because it complies with the final development plan regulations and the intent of the preliminary development plan, it will provide a mix of housing types and uses needed within the City, and it will enhance the overall appearance of scenic Post Road, with 16 conditions:

- 1) That all plans that include streets with the name Danielle be changed to Kinzie, as approved by the Engineering Division;
- 2) That the relocation of existing trees along Post Road be kept to a minimum, and that detailed specifications regarding their relocation be submitted prior to the issuance of any building permits, subject to staff approval;
- 3) That relocated Post Road trees that die or are damaged be replaced on an inch-for-inch basis within five years and tree-for-tree subsequently, subject to staff approval;
- 4) That the landscape plans be revised to incorporate the comments within this staff report prior to building permit submission, subject to staff approval;
- 5) That the design of all private drives, parking areas, and drive approaches meet or exceed the requirements and standards of the Engineering Division;

**AMENDED  
PLANNING AND ZONING COMMISSION  
RECORD OF ACTION  
OCTOBER 6, 2005**

**9. Final Development Plan – 05-152FDP – Villages At Coffman Park – Post Road  
(Continued)**

- 6) That all utility connections and/or extensions meet or exceed the requirements and standards of the Engineering Division;
- 7) That the site stormwater management be in compliance with the current Stormwater Regulations, to the satisfaction of the City Engineer;
- 8) That the existing wet pond located along the east side of Wall Street not be modified or changed in any way;
- 9) That the applicant and Engineering Division staff met prior to applying for a building permit to review stormwater management;
- 10) That the text be modified to include the following language: “at least 50 percent of the exterior surfaces of the long dimension of homes adjacent to a public or private street shall utilize a stone veneer”, subject to staff approval;
- 11) That all required general warranty deeds for parkland dedication be submitted to the City of Dublin prior to issuance of the ~~building~~ *occupancy*\* permit;
- 12) That staff meet with the owner of the daycare adjacent to the site to review the proposed landscape buffer;
- 13) That the proposed Sugar Maples along Wall Street be substituted with a hardier species, subject to staff approval;
- 14) That the ornamental trees shown on the plans not be substituted with larger shade trees, subject to staff approval;
- 15) That the Stella d’Oro daylilies shown on the plans not be substituted with another species, subject to staff approval; and
- 16) That a small post-mounted sign be placed on Kinzie Lane to display the addresses for home sites 35 through 43, subject to staff approval.

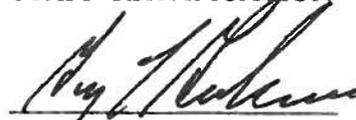
\*As amended by vote on May 11, 2006 by the Commission.

Ben W. Hale, Jr., Smith and Hale, agreed to the above conditions.

**VOTE:** 7-0.

**RESULT:** This Final Development Plan was approved.

STAFF CERTIFICATION



Gary P. Gunderman  
Assistant Director of Planning

Ms. Adkins referred Mr. Gerber to the Proposed Text Modifications, on the backside of the map in the submittal. She said the addendum was similar to what was done for Wedgewood Glen and Subarea I of Tartan West.

John Messineo asked what were the “other approved composite products,” referred to in the last sentence in the list of trim materials.

Mr. Simonetti said they were composite products that the Appearance Code approves via the City of Dublin - masonry-driven products that they are saying they want to stay consistent with, if it matches the architectural style.

Todd Zimmerman said he had seen blended stone and stucco for chimneys before, and asked if that was what they were going to have.

Mr. Simonetti said no.

Mr. Messineo clarified that it would not be a false-aged look.

Mr. Simonetti agreed to the one condition listed below.

Mr. Gerber made the motion to approve this Amended Final Development Plan because the amendments will maintain or increase the high-quality architecture of the subareas, and the text amendment provides the best alternative to the existing text for this development with one condition:

- 1) That the applicant submits a revised and signed text amendment for the development within 30 days.

Mr. Zimmerman seconded the motion, and the vote was as follows: Ms. Reiss, yes; Ms. Boring, yes; Ms. Jones, yes; Mr. Messineo, yes; Mr. Zimmerman, yes; and Mr. Gerber, yes. (Approved 6-0.)

#### **9. Final Development Plan/Final Plat – 05-152FDP/FP – Villages at Coffman Park – Post Road**

Rick Gerber said staff had been doing a very good job with staff reports, but he thought Judson Rex had done a particularly good job on this one. He found it easy to read which he appreciated.

Mr. Rex said this site was formerly known as the Homestead at Coffman Park. He presented the case and slides. This proposed 22.66-acre residential development consists of 63 single-family units, 3 live-work units, and 4.37 acres of open space. He described the existing site conditions and zonings.

Mr. Rex said one access point is proposed on Discovery Boulevard, and two on Wall Street. He said the site is required to provide 4.25 acres of open space, and 4.37 acres of open space is proposed. An existing pond will be incorporated into the design and an additional pond will be constructed along Post Road. Mr. Rex said all open space areas will be dedicated to the City and maintained by the Homeowners' Association. He said because of the adjacent uses, landscaping will be provided along the perimeter of the site to buffer those uses.

Mr. Rex said the text requires that natural materials, such as stone, cultured stone and wood, be used on all home exteriors. He said the text also requires that homes comply with the Residential Appearance Code standards. He said the proposal does meet those text requirements.

Mr. Rex said that the development incorporated three live-work buildings on the western edge of the development. The buildings will be architecturally similar to the single-family homes throughout the development.

Mr. Rex said the proposed signage shown was very similar to signage used at the Town Center I project in Historic Dublin, and is in conformance with the text requirements.

The clubhouse proposed for the use of the residents will be 1,800 square feet. The boardwalk and surrounding path system can be used by any Dublin resident.

Mr. Rex said a gazebo on the western edge of the site, near the Discovery Boulevard entrance, is proposed to be painted to match the trim of the homes and live-work units the development. A service shelter will be placed south of Post Road, near the center of the site.

Mr. Rex stated that additional landscaping and pedestrian amenities are proposed along Post Road. A stone wall and three-rail fence treatments will accent the Post Road corridor. Gates and fences will be painted a light beige color to match the building trim.

Mr. Rex said two 10-square-foot entry signs were approved at the rezoning stage. He said the signs would be placed on the Discovery Boulevard and Wall Street entrances.

Mr. Rex reported that this Final Development Plan met and exceeded the development standards approved at the rezoning stage, and staff recommends approval with the 11 conditions in the staff report:

- 1) That all plans that include streets with the name Danielle be changed to Kinzie, as approved by the Engineering Division;
- 2) That the relocation of existing trees along Post Road be kept to a minimum, and that detailed specifications regarding their relocation be submitted prior to the issuance of any building permits, subject to staff approval;
- 3) That relocated Post Road trees that die or are damaged be replaced on an inch-for-inch basis within five years and tree-for-tree subsequently, subject to staff approval;
- 4) That the landscape plans be revised to incorporate the comments within this staff report prior to building permit submission, subject to staff approval;
- 5) That the design of all private drives, parking areas, and drive approaches meet or exceed the requirements and standards of the Engineering Division;
- 6) That all utility connections and/or extensions meet or exceed the requirements and standards of the Engineering Division;
- 7) That the site stormwater management be in compliance with the current Stormwater Regulations, to the satisfaction of the City Engineer;
- 8) That the existing wet pond located along the east side of Wall Street not be disturbed;
- 9) That the applicant and Engineering Division staff met prior to applying for a building permit to review stormwater management;
- 10) That the text be modified to include the following language: "at least 50 percent of the exterior surfaces of the long dimension of homes adjacent to a public or private street shall

utilize a stone veneer”; and

11) That all required general warranty deeds for parkland dedication be submitted to the City of Dublin prior to building permit issuance.

Ben W. Hale, Jr., Smith and Hale, on behalf of the applicants, consented to the 11 conditions as listed above.

Mr. Gerber asked why Danielle Street was to be changed to Kinzie Lane.

Mr. Rex answered that it was just a technicality because the Engineering Department had approved the name Kinzie Lane previously; however it had not been changed on some of the plans submitted.

Cathy Boring referred to the daycare buffer, and asked if anyone had contacted the daycare center to see if they approved of the buffering because at the time of zoning, they were part of the process. She wondered if they were looking for a solid fence.

Mr. Rex said staff had not contacted the daycare center.

Ms. Boring wanted to make sure the daycare is contacted since they previously were concerned.

Ms. Boring said the problem was that it was approved with a six-foot solid privacy fence and now the applicant is changing it at the Final Development Plan stage. She said the daycare believes now that they have a six-foot privacy fence. She suggested a condition that the daycare be contacted.

Mr. Hale agreed to contact the daycare center about the issue.

Pat Grabill, the applicant, said staff had specifically requested that they change the buffer. He said they assumed it was with the daycare’s input. He said they would do it either way.

Mr. Gerber asked if it was previously part of the text.

Mr. Rex believed that the Perimeter Center text may have addressed the buffer on the daycare.

Mr. Gerber asked if a fence was mentioned in the text.

Gary Gunderman said he did not know if it was in the original text, but as a result of the process, this site has recently been rezoned. He said there is now a new text and he believed it was consistent with it.

Ms. Boring asked that a condition be suggested on the fence issue to check with the daycare.

Mr. Gunderman replied that if Ms. Boring was agreeable, it could be conditioned upon the approval of the proposal by the daycare center.

Mr. Hale suggested the condition: That staff will contact the daycare center and review the proposal and at staff's discretion, they can require the applicant to do the fence. He said it is not that the daycare has to say yes - staff can just talk to them about it.

Ms. Boring agreed that the above would be Condition 12.

Ms. Boring said she had always understood that Sugar maples often were not good street trees.

Mr. Rex said the landscape architect for the project recently had contacted staff concerned because that species does not work well with road salt. He said staff is amenable to work with them to change the species.

Ms. Boring asked if that was a condition.

Mr. Rex said it was encompassed with Condition 4 above. He asked if Ms. Boring preferred a separate condition.

Ms. Boring said she did not understand because the staff report stated that Green Mountain Sugar maple is a street tree species and that it should be added to the plan and that Red oak was the street tree for Post Road. She requested staff review the subject of Sugar maples and consider a hardier species.

Jim Burkart, James Burkart Associates, Inc., said it was his understanding that Dublin's Street Tree Plan originally called for Ash trees. He believed that the City Forester had recommended that they use Sugar maples. However, he thought that was an overlooked error. He did not recommend using Sugar maples.

Ms. Boring requested that there be a condition removing the Sugar maples from the landscape plan.

Mr. Gunderman suggested Condition 13 read: That the Sugar maples be switched out with another suitable species.

Ms. Boring said the species used should be "hardier."

Ms. Boring read from the staff report that the applicant is proposing ornamental trees for all the replacements. She said while she understood that they were high maintenance, she thought they gave a very nice look to the street. She asked why staff was recommending no ornamental trees. She also asked who would maintain the trees.

Mr. Rex replied that the Homeowner's Association would be responsible for maintaining the trees.

Ms. Boring questioned the reason staff recommended against the ornamental trees if the association would be responsible for maintenance.

Mr. Rex said staff was concerned with general maintenance and placing a burden on the Homeowners' Association to maintain the ornamental trees.

Ms. Boring repeated that the applicant was proposing the ornamental trees and felt that the Association could maintain them.

Mr. Burkart said they selected ornamentals for color and interest and they are re-utilizing them. He said the houses are close together and he was concerned that if they used medium and large shade trees, that within five to ten years, grass would not grow because they would be so overgrown. He said they want to use low maintenance ornamental trees. He said deciduous shade trees would totally overgrow the site.

Ms. Boring requested that Condition 14 state that the ornamental trees proposed by the applicant on the plan submitted be used.

Ted Sanholtz noted that the staff report indicated that staff opposed the use of the ornamental trees as replacement trees. He said he appreciated the ornamental effect, etc., but thought that replacing all 225 caliper inches with large deciduous trees was not practical. He suggested shade-type trees be used in some of the open space.

Mr. Burkart said there were over 400-600 trees being planted on the site, of which only 100 or so were ornamental trees. He said it was almost over-landscaped.

Mr. Sanholtz asked if proposed Condition 14 would prohibit the use of medium and large sized shade trees.

Mr. Rex said he did not think that was the intent. He thought it was to provide a mix.

Mr. Sanholtz understood. He wanted a mixture of trees.

John Messineo referred to Condition 3 above. He suggested that it was confusing as written and suggested it be reworded: That relocated Post Road trees that die or are damaged within five years be replaced on an inch-for-inch basis and tree-for-tree subsequently, subject to staff approval.

Ms. Boring liked the idea of the variety of daylilies, however she said one of Dublin's standards seemed to be the proposed daylilies throughout the City.

Mr. Burkart said they selected the Stella D'Oro daylilies because they bloomed all summer and were small in height. He said they had agreed with the staff report condition about the daylilies, but they did not think that was the best thing for their project. He said however, they could go either way.

Mr. Gerber suggested Condition 15 be regarding the use of Stella D' Oro daylilies.

Ms. Boring asked about the color of the fence.

Mr. Rex provided a sample board which indicated the color of the fence.

Ruth Reiss asked what the street addresses were for Lots 35 through 43.

Mr. Rex said the lots would have the main street address, Kinzie Lane.

Ms. Reiss suggested because the fronts of the houses would face the courtyards, there be identification signs indicating the location of the street numbers.

Mr. Grabill agreed they would submit a post identification sign, similar to the street posts, for staff approval.

Mr. Gerber noted that it would also need approval of the fire department.

Mr. Messineo requested that in Condition 8, “not be disturbed” be replaced with “not be modified or changed in any way,” and that “subject to staff approval” be added to Condition 10.

Ms. Boring asked if the vote should be on the Amended Final Development plan due to the modification of the text.

Mr. Rex said no, the Code allowed minor modifications to the text at the Final Development Plan stage if the applicant gave justification for such changes.

Mr. Gerber said the address posts on Kinzie Lane would be Condition 16.

Mr. Hale consented to the following 16 amended and added conditions:

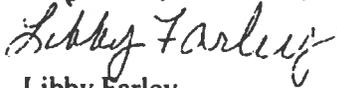
- 1) That all plans that include streets with the name Danielle be changed to Kinzie, as approved by the Engineering Division;
- 2) That the relocation of existing trees along Post Road be kept to a minimum, and that detailed specifications regarding their relocation be submitted prior to the issuance of any building permits, subject to staff approval;
- 3) That relocated Post Road trees that die or are damaged be replaced on an inch-for-inch basis within five years and tree-for-tree subsequently, subject to staff approval;
- 4) That the landscape plans be revised to incorporate the comments within this staff report prior to building permit submission, subject to staff approval;
- 5) That the design of all private drives, parking areas, and drive approaches meet or exceed the requirements and standards of the Engineering Division;
- 6) That all utility connections and/or extensions meet or exceed the requirements and standards of the Engineering Division;
- 7) That the site stormwater management be in compliance with the current Stormwater Regulations, to the satisfaction of the City Engineer;
- 8) That the existing wet pond located along the east side of Wall Street not be modified or changed in any way;
- 9) That the applicant and Engineering Division staff met prior to applying for a building permit to review stormwater management;
- 10) That the text be modified to include the following language: “at least 50 percent of the exterior surfaces of the long dimension of homes adjacent to a public or private street shall utilize a stone veneer”, subject to staff approval;
- 11) That all required general warranty deeds for parkland dedication be submitted to the City of Dublin prior to building permit issuance;
- 12) That staff meet with the owner of the daycare adjacent to the site to review the proposed landscape buffer;

- 13) That the proposed Sugar Maples along Wall Street be substituted with a hardier species, subject to staff approval;
- 14) That the ornamental trees shown on the plans not be substituted with larger shade trees, subject to staff approval;
- 15) That the Stella d'Oro daylilies shown on the plans not be substituted with another species, subject to staff approval; and
- 16) That a small post-mounted sign be placed on Kinzie Lane to display the addresses for home sites 35 through 43, subject to staff approval.

Mr. Gerber moved to approve this Final Development Plan because it complies with the final development plan regulations and the intent of the preliminary development plan, it will provide a mix of housing types and uses needed within the City, and it will enhance the overall appearance of scenic Post Road, with the 16 conditions listed above.

Todd Zimmerman seconded the motion, and the vote was as follows: Ms. Reiss, yes; Ms. Boring, yes; Ms. Jones, yes; Mr. Saneholtz, yes; Mr. Messineo, yes; Mr. Zimmerman, yes; and Mr. Gerber, yes. (Approved 7-0.)

The meeting was adjourned at 8:40 p.m.

Respectfully submitted,  
  
Libby Farley  
Administrative Assistant  
Land Use and Long Range Planning

# RECORD OF PROCEEDINGS

Minutes of

Dublin City Council

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

March 14, 2005

Held

20

Mayor Chinnici-Zuercher called the regular meeting of Dublin City Council to order at 7:00 p.m. on Monday, March 14, 2005 at the Dublin Municipal Building.

## PLEDGE OF ALLEGIANCE

Avery Smith, three-year old Dublin resident, granddaughter of Law Director Steve Smith and daughter of Prosecutor Stephen Smith recited the Pledge of Allegiance. Mrs. Boring then led the audience in reciting the Pledge of Allegiance.

## ROLL CALL

Present were: Mayor Chinnici-Zuercher, Vice Mayor Lecklider, Mrs. Boring, Mr. McCash, Mr. Keenan, Mr. Reiner and Ms. Salay.

Staff members present were: Ms. Brautigam, Mr. Smith, Ms. Grigsby, Mr. McDaniel, Mr. Bird, Mr. Hammersmith, Mr. Harding, Mr. Hahn, Ms. Puskarcik, Chief Epperson, Ms. Hoyle, Ms. Crandall, and Ms. Heal.

## APPROVAL OF MINUTES

Mr. Lecklider moved approval of the minutes of the meeting of March 7, 2005. Ms. Salay seconded the motion.

Mr. McCash noted a correction on page five, fourth paragraph, where it should state that staff made a *determination*, not a *recommendation*.

Vote on the minutes as corrected: Mr. McCash, yes; Mayor Chinnici-Zuercher, yes; Mr. Reiner, yes; Mrs. Boring, yes; Mr. Keenan, yes; Ms. Salay, yes; Mr. Lecklider, yes.

## CORRESPONDENCE

The clerk reported that there was no correspondence requiring Council action.

## CITIZEN COMMENTS (ITEMS NOT ON THE AGENDA)

Amy Keller, 10542 MacKenzie Way noted that she is a senior at Dublin Coffman High and is a participant in the Young Professionals Academy. She has enjoyed a valuable learning experience in working with the Community Relations staff. She thanked Council for their continued support of this program that provides students with excellent opportunities for hands-on experience in business.

Wallace Maurer, 7451 Dublin Road stated:

1. This is the night that Council will give him the date for the reinstatement of the City Engineer. He noted that he would give up any ten of his podium speaking opportunities to join Council in one executive session. If a date has not been set for the reinstatement of the Engineer, he plans to return on Wednesday, or between now and the next Council meeting to undertake a constitutional movement.
2. He did not finish his comments at a previous meeting regarding a response to the City Manager's reorganization of the administration of the City. He recalled that long ago, President Kennedy had a press conference and a reporter asked a very long question with many preambles to which President Kennedy responded, "yes." Mr. Maurer personally posed a similarly long question to the City Manager regarding the usefulness of the City's reorganization and she responded, "yes."
3. He yielded his remaining time.

## LEGISLATION

### SECOND READING/PUBLIC HEARING

#### REZONING

#### Ordinance 13-04

Providing for a Change in Zoning For 22.657 Acres Located on the Southeast Corner of Metatec Boulevard (now known as Discovery Boulevard) and Post

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**Road, From: PUD, Planned Unit Development District, To: PUD, Planned Unit Development District. (Case No. 04-028Z - Homestead at Coffman Park)**

Mr. Bird stated that this is an amended preliminary development plan and zoning adjustment for the Homestead at Coffman Park. A memo in the packet contains the plans and development plan approval history for the project. He provided a brief overview of the project, noting that the applicant is present.

The site is L-shaped and is bordered on the north by residential use, to the south by commercial and vacant property, and to the west and east by office use. The property is zoned planned unit development and was rezoned in 2000 by Council for residential use. The site plan shows 63 single-family units and 3 units on the northwest portion called "live/work" units. The proposed public open space is located along Post Road and around the detention pond. The open space is approximately 4.4 acres, and the requirement is 4.25 acres. He showed a map with the extensive landscape features, including stonewalls and a gazebo. The live/work units would provide for a small shop on the first floor, with a residential unit on the second floor. The architecture is a combination of traditional stone and wood, with a majority of 1-1/2 to two-story traditionally styled homes. It includes a community center facility of less than 5,000 square feet for use by the residents, located on the north side of the pond. The Planning Commission recommended approval with seven conditions, six of which have already been addressed. The type of fencing around the periphery of the development will be addressed at the final development plan stage. The development is consistent with the principles contained in the Community Plan, is an appropriate transition from residential to office use, and provides alternative housing types along Post Road.

Ben Hale, Jr., 37 W. Broad Street, Columbus noted he represents the applicant, Pat Grabill, a principal with Homestead Communities. After reviewing the site plan following his purchase of Homestead, Mr. Grabill retained Jim Burkhart, local landscape architect to make some improvements to the site plan. The differences were substantial enough to require a rezoning process. The previous plan had issues related to fire department access to the site. With all of these revisions, eight units were eliminated. He invited Mr. Grabill to speak about the product and the market.

Pat Grabill, 182 South High Street, Dublin stated that he is pleased with the final evolution of the floor plans. They all include first floor master bedrooms and are designed for those who want to downsize, yet want the independence of a detached home with a two-car garage in the Dublin area, and want to be within walking distance of the Rec Center. This provides another housing alternative for those who want to stay in the Dublin community when their families are grown.

Mr. Reiner stated that he was not present at Council for the vote on the first rezoning of this property. This represents a change from the Community Plan designation of income producing office use to residential - an extraordinary action. At this point, there is nothing that can be done to change that decision. From the legal opinion, he understands that the conservation design resolution does not apply to this site. He is almost certain he would not have voted in favor of changing commercial office zoning to residential zoning. There is nothing to be done at this point.

Mr. McCash noted that on Danielle Court, it appears that there is asphalt loop for two parallel parking spaces. Does it make sense to have all of this asphalt for two parking spaces versus having more greenspace for the front entries of those four units?

Mr. Hale responded that there are actually four parking spaces in that location. The desire is to have guest parking in front of these units.

Mr. Grabill added that this might also relate to discussions with the fire department regarding equipment access.

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Mr. McCash stated that this seems too tight of a radius for fire equipment. This seems an ideal place to add more greenspace between the units.

Mr. Grabill commented that this could be reviewed in conjunction with preparation of the final development plan.

Mr. McCash asked if elevators are required for the live/work units. Under the fair housing guidelines, he believes this would be required. The HUD guidelines are fairly clear.

Mr. Grabill responded that their architect has indicated that elevators are not required.

Mr. McCash asked if the live/work units were a key part of the Planning & Zoning Commission's support of the project.

Mr. Hale stated that there was some discussion about eliminating these units, but some Commission Members wanted them left in. One live/work unit was dropped for parking space, resulting in three live/work units.

Mr. McCash does not foresee that the live/work units can actually be built there.

Mr. Grabill stated that they were part of the original approval and were subsequently relocated.

Mayor Chinnici-Zuercher asked that staff review the HUD requirements and report back to Council.

Mr. Bird agreed to do so.

Mr. Keenan asked about the timeline for build out. When will the project be completed?

Mr. Grabill responded that following the approval process, they hope to initiate the project this fall. Completion is scheduled no later than three years out.

Mr. Keenan asked staff about the timing for the Avery-Muirfield/Post Road intersection improvements. There is much traffic congestion already in this location.

Mr. Hammersmith responded that the improvements are scheduled for the summer of 2006.

Ms. Salay commented that her understanding is that a residential use of this site versus office will actually have positive impacts from a traffic standpoint.

Mr. Hammersmith responded that, generally speaking, the trip generation from residential zoning is actually less than office use. That information was provided to the Commission.

Ms. Salay disclosed that she met previously with Mr. Grabill and the landscape architect to discuss this project. She served on Planning Commission at the time the project first came through under the previous rezoning. The landscaping along Post Road is very nice as proposed. She pointed out that it is important for staff to focus on the elements in terms of serving as the gateway location into Coffman Park. This development will be a nice addition to the area.

Mr. Lecklider stated that he has been generally supportive of this project from the outset. He likes the concept of the live/work units, which have been successful in other locations. The proposed development lends to the residential character of this portion of Post Road. It provides alternative housing stock for the community. Given the capacity to handle traffic in the area, it is positive. Regarding the conversion from commercial use, it may prove to be a positive in terms of the traffic generation.

Mayor Chinnici-Zuercher noted that she met in January with Mr. Grabill and his associates to review the project. She is very supportive of the provision of diverse housing. She is hopeful that the live/work units can be included, as they will be a good addition where currently proposed. She appreciates Mr. Reiner's comments

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about the loss of income tax revenue, but the transition from the residential across the street is better with this type of residential units versus traditional businesses.

She invited public testimony.

Edith Driscoll, 6230 Post Road stated that she has lived in her home for 46 years next month. She keeps a diary and noticed that ten years ago, Dublin was in the process of updating its Community Plan, approved in 1997. She recently reviewed the Post Road portion. In Chapter 2 of the Plan, "Environment" it lists scenic roads to be maintained, including Avery, Brand and Post Road. The proposed development will add to this feel for Post Road, with mounding, water features, fencing, and bikepath. It will fulfill the vision of the Community Plan for this area. The neighbors along Post Road are in support of the proposal that will help to maintain the character of Post Road. She urged Council to approve the proposed rezoning.

Wallace Maurer, 7451 Dublin Road asked about the ownership of the development company listed as Continental/NRI Ventures Ltd.

Mr. Grabill responded that the land is owned currently by Nationwide Insurance. The development is a joint venture with partners of his and Continental Real Estate.

Mr. Maurer noted that he was concerned with whether there was a "cookie-cutter" principle involved here. In reading the materials, however, he noticed that Mr. Grabill is targeting variation. The materials refer to a community center. With the location across from the Dublin Community Rec Center, is there any possibility that it will take overflow from the DCRC?

Mr. Grabill noted that this center is for the exclusive use of the owners of the units in the development.

Mr. Maurer noted that it has been determined that this development is not subject to the conservation design principles. From here on out, there are apt to be more developments with conservation design development involved. Will there be some clashes between the character of this and future development, or will it be a healthy diversity? If Dublin has remaining land not amenable to conservation design, the City should consider another sector of buyers. The Minerva Park area strikes him as an amazing feat, with an arresting and magnetic diversity. The homes are only 20-30 feet apart, and it is a model of high-density development.

Chris Cline, 6060 Post Road noted that their home is one of the two remaining residential neighbors of the subject property. They are in favor of this project. This is the original Wellington School site, which then became the Dublin Tech Park. At the time of the Perimeter Center zoning, they lobbied and were successful in changing the zoning for this section. That was back in the 1980's and the site never sold. They view this as appropriate for residential zoning, although the market didn't view it this way. It became apparent that it was a third tier site, and that what was proposed to be built there in recent years was not of high quality. They are very pleased that the direction has changed. This development is more compatible with the view along Post Road. The Coffman Park Task Force felt that this was an important entry for the municipal complex at Coffman Park. This will be a much better view along Post Road for the residents as well as for those who travel along Post Road. They strongly support this rezoning.

Vote on the Ordinance: Mr. Keenan, yes; Mrs. Boring, yes; Mayor Chinnici-Zuercher, yes; Mr. Reiner, no; Ms. Salay, yes; Mr. McCash, yes; Mr. Lecklider, yes.

Mr. Reiner stated that Mr. Grabill has done many wonderful projects in Dublin, but personally, he remains concerned about residential development on the south side of Post Road, invading a commercially zoned area. He would have opposed this if he were present at the time of the original vote. He does not see this as a positive

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for the citizens of Dublin from a tax base perspective, as it constitutes tightly packed residential development amidst commercial zoning.

## **BID ACCEPTANCE**

### **Ordinance 16-05**

#### **Accepting the Lowest/Best Bid for the North East Quad Park North Paving Project, Appropriating Funds Therefor, and Declaring an Emergency.**

There were no questions of staff.

Ms. Salay moved for emergency passage.

Mr. Lecklider seconded the motion.

Vote on the motion: Mrs. Boring, yes; Mr. Keenan, yes; Mr. Reiner, yes; Ms. Salay, yes; Mayor Chinnici-Zuercher, yes; Mr. Lecklider, yes; Mr. McCash, yes.

Vote on the Ordinance: Ms. Salay, yes; Mrs. Boring, yes; Mr. McCash, yes; Mr. Lecklider, yes; Mayor Chinnici-Zuercher, yes; Mr. Keenan, yes; Mr. Reiner, yes.

### **Ordinance 17-05**

#### **Accepting the Lowest/Best Bid for the Stormwater Management System Maintenance Program - General Construction Service Contract 2005, and Declaring an Emergency.**

There were no questions of staff.

Mr. Lecklider moved for emergency passage.

Mr. Reiner seconded the motion.

Vote on the motion: Mrs. Boring, yes; Mr. Keenan, yes; Mr. Reiner, yes; Ms. Salay, yes; Mayor Chinnici-Zuercher, yes; Mr. Lecklider, yes; Mr. McCash, yes.

Mayor Chinnici-Zuercher noted that Mr. Maurer had requested to testify.

Wallace Maurer, 7451 Dublin Road noted that the formula used in the bid is \$918 per hour for labor and machinery. What about the total number of hours for the overall program?

Mr. Hammersmith stated that the hourly estimate given is a total of all items included in the bid – backhoe, labor and other equipment. It provides a unit basis on which to compare bids. For any activity or task a contractor is asked to perform, they must provide a quote that is reviewed and approved by staff before work commences on that particular task.

Mrs. Boring asked if staff has set a cap for this project, per the budget.

Mr. Hammersmith responded that there is an annual cap for maintenance activities of \$250,000.

Vote on the Ordinance: Mr. Lecklider, yes; Mr. McCash, yes; Mayor Chinnici-Zuercher, yes; Ms. Salay, yes; Mr. Reiner, yes; Mr. Keenan, yes; Mrs. Boring, yes.

## **LAND ACQUISITION**

### **Ordinance 18-05**

#### **Authorizing the Purchase of a 0.413 Acre, More or Less, Fee Simple Interest, a 0.202 Acre, More or Less, Landscape Easement, and a 0.032 Acres, More or Less Drainage Easement, From RR Partners, Located West of Rings Road, City of Dublin, County of Franklin, State of Ohio.**

Ms. Brautigam stated that this relates to the final acquisition of property in connection with the southwest traffic-calming project.

Vote on the Ordinance: Mayor Chinnici-Zuercher, yes; Mr. Keenan, yes; Mr. Reiner, yes; Ms. Salay, yes; Mayor McCash, yes; Mr. Lecklider, yes; Mrs. Boring, yes.



CITY OF DUBLIN.

Land Use and  
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## PLANNING AND ZONING COMMISSION

### RECORD OF ACTION

FEBRUARY 17, 2005

The Planning and Zoning Commission took the following action at this meeting:

**1. Rezoning – Revised Preliminary Development Plan 04-028Z – Homestead at Coffman Park**

**Location:** 22.66 acres located at the southeast corner of Discovery Boulevard and Post Road.

**Existing Zoning:** PUD, Planned Unit Development District (Perimeter Center plan).

**Request:** Review and approval of a revised preliminary development plan under the PUD provisions of Section 153.053.

**Proposed Use:** A single-family condominium development of 63 detached residential units, 3 live-work units, a community building and 4.37 acres of open space.

**Applicant:** Patrick Grabill, Homestead Communities, LLC, 109 S. High Street, Dublin, OH 43017; represented by Ben W. Hale Jr., Smith & Hale, 37 West Broad Street, Suite 725, Columbus, Ohio 43215.

**Staff Contact:** Danielle M. Devlin, AICP, Senior Planner.

**Contact Information:** Phone: (614) 410-4649-E-mail: [ddevlin@dublin.oh.us](mailto:ddevlin@dublin.oh.us).

**MOTION:** To approve this rezoning/revised preliminary development plan because it provides a needed alternative housing type for the community, its uses serve as an appropriate transition from the commercial uses to the south and the residential properties north of Post Road while preserving the intent of the Community Plan by allowing a “live-work” element, it lowers the density from the existing zoning standards, potentially reducing off-site traffic impacts, the landscape treatments and pedestrian amenities will substantially increase the visual quality of the Post Road corridor, and will blend with the proposed expansion plans for Coffman Park, and the appearance of a regional stormwater retention pond will be enhanced, with seven conditions:

**Conditions:**

- 1) That the design of all private drives, parking areas, and drive approaches meet Engineering requirements for strength, durability and geometrics;
- 2) That no alterations for the proposed boardwalk, community center and or walking path be made that reduce overall storage capacity of the pond, subject to staff approval;
- 3) That all utility connections meet or exceed Division of Engineering Standards;

**PLANNING AND ZONING COMMISSION  
RECORD OF ACTION  
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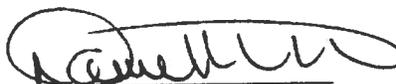
1. **Rezoning – Revised Preliminary Development Plan 04-028Z – Homestead at Coffman Park (Continued)**
- 4) That all required general warranty deeds for parkland dedication be submitted to the City of Dublin prior to recording of the final plat;
  - 5) That complete and revised civil engineering drawings and tree replacement and relocation plans drawn at an appropriate scale, subject to staff approval, be submitted as part of the final development plan;
  - 6) That the final development plans show the extension of the walkway from the pond to connect to the existing bike path in the northeastern area of the site as described in the development text; and
  - 7) That the fencing be a certain design and color other than white, as discussed at this meeting, subject to staff approval.

\* Patrick Grabill, the applicant, agreed to the above conditions.

**VOTE:** 6-1.

**RESULT:** This rezoning/revised preliminary development plan application was approved. It will be forwarded to City Council with a positive recommendation.

**STAFF CERTIFICATION**



Danielle M. Devlin, AICP  
Senior Planner  
Land Use and Long Range Planning

Mr. Gerber said that staff works hard all week, and he hated to take up their free time on Saturday for the Work Session. He asked if the Work Session could be held at the end of the March 3 meeting agenda instead.

The Commissioners all agreed to the March 3 Workshop following the two regular cases on the agenda. Therefore the Workshop session on February 26 was cancelled.

Mr. Bird mentioned that the Commissioners had received invitations to the Regional Growth/Route 33 Corridor Meeting on March 9, at the Union County Service Center in Marysville at 6:00 p.m.

#### **Administrative Business**

Regarding the January 13, 2005 meeting minutes, Mr. Sanholtz requested that they reflect that he was present. Mr. Messineo noted that he was also present at the meeting.

Mr. Gerber's motion was to approve the January 13, 2005 meeting minutes as amended. Mr. Zimmerman seconded the motion, and the vote was as follows: Mr. Messineo, yes; Mr. Sanholtz, yes; Mr. Sprague, yes; Ms. Reiss, yes; Mr. Zimmerman, yes; and Mr. Gerber, yes. (Approved 6-0.)

Regarding the January 20, 2005, Ms. Reiss requested that the time she arrived be corrected to 6:35 p.m. She also requested that on Page 21, in the third paragraph, it read: He said the difficulty that might be presented is with this field in terms of ~~four~~ long balls going over the fence into the neighboring yards.

Mr. Gerber's motion was to approve the January 20, 2005 meeting minutes as amended. Mr. Zimmerman seconded the motion, and the vote was as follows: Mr. Messineo, yes; Mr. Sanholtz, yes; Mr. Sprague, abstain; Ms. Reiss, yes; Mr. Zimmerman, yes; and Mr. Gerber, yes. (Approved 6-0.)

For the record, Mr. Gerber stated that the Planning and Zoning Commission is an advisory board to City Council when rezonings of property are under consideration. In such cases the City Council will receive recommendations from the Commission and conduct another public hearing to approve or disapprove the rezoning. In some other cases the Commission has the decision making responsibility, such as approving specific development plans based on a prior rezoning. Anyone who intends to address the Commission on any of these cases must be sworn in.

Mr. Gerber announced that the applicants for Cases 1, 2, 3, and 5 had consented to the conditions listed in the staff report. He pulled Cases 1 and 5 from the Consent Agenda because it was indicated that there were Commission issues to be discussed regarding those cases. The order of the agenda was Case 2, 3, 1, 4, 5, and 6. [The minutes reflect the published agenda order.]

#### **1. Rezoning – Revised Preliminary Development Plan 04-028Z – Homestead at Coffman Park**

Mr. Gerber announced that this is for review and approval of a rezoning/revised preliminary development plan that was tabled at the January 20, 2005 meeting after much discussion.

Mr. Gerber asked that the presentation from the last time not be repeated, but that an update be

given.

Mr. Gerber swore in those who intended to testify in regards to this case. Danielle Devlin said she would show the slides with the updates to this plan. On the updated open space slide, she noted it showed the area where the number of live/work units from four to three. The parking has been increased in the area by adding spaces on two sides of the live/work units, thereby creating 40 parking spaces within 300 feet of the units. Other parking has been increased to total 99 spaces within the entire development. Removal of the live/work unit increases Area A open space slightly to 1.55 acres. Open space totaling 4.37 acres is to be dedicated, which exceeds the Code requirement of 4.25 acres. Ms. Devlin said the Cherry grove and gazebo still remain on the plan. The frontage amenities also remain the same. Elevations of the live/work units and text clarification of them has been submitted concerning the square footage and permitted uses. The word *Retail* has been removed and *Commercial* has been defined to include the sale and display of goods for studios.

Ms. Devlin said staff recommends approval of this revised preliminary development plan with six conditions:

- 1) That the design of all private drives, parking areas, and drive approaches meet Engineering requirements for strength, durability and geometrics;
- 2) That no alterations for the proposed boardwalk, community center and or walking path be made that reduces overall storage capacity of the pond, subject to staff approval;
- 3) That all utility connections meet or exceed Division of Engineering Standards;
- 4) That all required general warranty deeds for parkland dedication be submitted to the City of Dublin prior to recording of the final plat;
- 5) That complete and revised civil engineering drawings and tree replacement and relocation plans drawn at an appropriate scale, subject to staff approval, be submitted as part of the final development plan; and
- 6) That the final development plans show the extension of the walkway from the pond to connect to the existing bike path in the northeastern area of the site as described in the development text.

Applicant Pat Grabill, president of Homestead Communities, said they had responded to the seven issues the Commission had at the last meeting.

Mr. Gerber asked Mr. Grabill to address each of the Commission issues after those who wished to speak in the audience spoke.

Edith Driscoll, 6230 Post Road, representing the Post Road residents, stated her support of this development. She said at their January meeting, Mike Spitale, president of the Post Road Civic Association indicated that they were 100 percent in support of this development. She said she and her husband would be pleased if the Commission forwarded this application to City Council for its consideration.

Cathy Boring asked about flipping Units 26 through 34 around so the alley and garages would not be in front of Wall Street. She said the fronts would then face Wall Street.

Mr. Grabill said the main roadway and turning radii had been redesigned at the request of the fire department. He did not think the fire department would find backing vehicles into that roadway acceptable. He also said it lost the sense of community they were trying to create. All the units

have porches and living areas oriented towards the streetscape with no garages shown from the street. He said the site was narrow and it did not provide much freedom to plan it any other way.

Ms. Boring asked if the landscaping could be restructured between the garages and Wall Street.

Jim Burkhart, Jim Burkhart and Associates Landscape Architects, said they were proposing a continuous solid hedge along that street. He said they proposed that it be evergreen material to provide a living evergreen fence.

Ms. Boring stated she did not care for the white fence proposed because it tends to give an impression of other communities rather than Dublin.

Mr. Burkhart said they had no objections to darkening the fence or using something other than a three- or four-rail horse fence. He said it could be split rail. He said the white horse fences had been a theme for Homestead Communities, but they had no objection to using something else.

Ms. Boring asked for a suggested fence that would be different yet still have Homestead's theme.

Mr. Burkhart said instead of using the usual 1 by 6, three- or four-rail system, they could use a round rail or something that would provide uniqueness, but still maintain the image.

Mr. Grabill mentioned they were trying to Dublinize this site with the dark green shutters with shamrocks. He suggested a dark green fencing, if acceptable.

Mr. Burkhart said he knew of a fence company in Massachusetts that makes a sophisticated fence with round rails. He wanted to class up the fence, still toning it down.

Ms. Boring asked if the Commissioners felt comfortable leaving the fence type and color subject to staff approval.

Mr. Gerber suggested Condition 7: That fencing be of a certain design and a color other than white, subject to staff approval.

Ms. Boring added to Condition 7: ...as discussed in this meeting. She stated she did not want to design the fence.

Ms. Devlin noted that fence detail will return for the Commission's review and approval at the final development plan stage.

Mr. Burkhart said several different alternatives will be presented at that time.

Ruth Reiss asked if a diversity matrix for the color palette was needed so two units next to each other would not be the same color.

Ms. Devlin said all of units are proposed to be beige, so the color palette would only refer to the trim. She said the text stated that no two trim palettes would be the same.

Mr. Gerber asked if the red barn was the red as depicted in the drawing.

Mr. Grabill said it was about the same dark red as his building at 109 South High Street, and an approved color in the Historic District..

Mr. Grabill thought a metal standing seam or wood shingle barn roof would look more authentic than the asbestos roof preferred by staff.

Ms. Boring agreed with Mr. Grabill that the red barn would look better with the different roof material.

Mr. Gerber said this would be seen again at the final.

Ms. Reiss asked about homeowner's association maintenance of the barn roof.

Mr. Grabill said standing seam would last longer than the composition roof. He leaned more towards the wood shingle because it was a softer look. However, he wanted time to study it.

Mr. Gerber said that would be fine since this would be seen again by the Commission.

Ms. Boring referred to the Architectural Diversity section of the Staff Report where it stated that the frontages needed to be stone, etc. She asked about wraparound requirements.

Ms. Devlin said wraparound was a requirement of the Architectural Diversity Code, and it would be included.

Ms. Boring noted that all the garages shown were two-car garages. She asked about the option for three-car garages.

Mr. Grabill said he did not think many buyers would take that option. He said the two-car garages are oversized.

Mr. Grabill agreed to the seven conditions as listed below.

Mr. Gerber made the motion to approve this rezoning/preliminary development plan because it provides a needed alternative housing type for the community, its uses serve as an appropriate transition from the commercial uses to the south and the residential properties north of Post Road while preserving the intent of the Community Plan by allowing a "live-work" element, it lowers the density from the existing zoning standards, potentially reducing off-site traffic impacts, the landscape treatments and pedestrian amenities will substantially increase the visual quality of the Post Road corridor, and will blend with the proposed expansion plans for Coffman Park, and the appearance of a regional stormwater retention pond will be enhanced, with seven conditions:

- 1) That the design of all private drives, parking areas, and drive approaches meet Engineering requirements for strength, durability and geometrics;
- 2) That no alterations for the proposed boardwalk, community center and or walking path be made that reduces overall storage capacity of the pond, subject to staff approval;
- 3) That all utility connections meet or exceed Division of Engineering Standards;
- 4) That all required general warranty deeds for parkland dedication be submitted to the City of Dublin prior to recording of the final plat;

- 5) That complete and revised civil engineering drawings and tree replacement and relocation plans drawn at an appropriate scale, subject to staff approval, be submitted as part of the final development plan;
- 6) That the final development plans show the extension of the walkway from the pond to connect to the existing bike path in the northeastern area of the site as described in the development text; and
- 7) That the fencing be a certain design and color other than white, as discussed at this meeting, subject to staff approval.

Mr. Zimmerman seconded the motion, and the vote was as follows: Ms. Reiss, yes; Ms. Boring, yes; Mr. Sprague, yes; Mr. Sanholtz, no; Mr. Messineo, yes; Mr. Zimmerman, yes; and Mr. Gerber, yes. (Approved 6-1.)

**2. Amended Final Development Plan 04-066AFDP – Perimeter Office Centre 2 – 5920-6000 Venture Drive**

Mr. Gerber swore in Frank Shepherd, who represented the applicant and others who wished to testify in regards to this case.

Mr. Shepherd agreed to the conditions listed below.

Mr. Gerber made the motion to approve this amended Final Development Plan because it meets the new Planned District regulations and the revised condition will allow the proposed development to meet the intent of the previously approved Perimeter Center development text, with two conditions:

- 1) That Condition 1 from the approved Record of Action dated July 15, 2004 be revised to read “That documentation be provided verifying that the proposed office development has been incorporated into the existing Perimeter Office Centre Condominium Association, to the satisfaction of staff”; and
- 2) That all documentation of the Condominium Declaration Amendments and Contract for Addition to Condominium be provided prior to building permit issuance.

Ms. Reiss seconded the motion, and the vote was as follows: Ms. Boring, yes; Mr. Zimmerman, yes; Mr. Sprague, yes; Mr. Sanholtz, yes; Mr. Messineo, yes; Ms. Reiss, yes; and Mr. Gerber, yes. (Approved 7-0.)

**3. Amended Final Development Plan 04-175AFDP – Tartan West, Section 1 (Subarea J)**

Mr. Gerber said this was an application for approval and review of an amended Final Development Plan for a gazebo with a mechanical room within the building setback along Hyland-Croy Road.

Mr. Gerber swore in the applicant, Steve Simonetti, Tartan Development Company, and those who wished to testify in regards to this case.

Mr. Simonetti agreed to the condition listed below.



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## PLANNING AND ZONING COMMISSION

### RECORD OF ACTION

JANUARY 20, 2005

The Planning and Zoning Commission took the following action at this meeting:

2. **Rezoning – Revised Preliminary Development Plan 04-028Z – Homestead at Coffman Park**  
**Location:** 22.46 acres located at the southeast corner of Discovery Boulevard and Post Road.  
**Existing Zoning:** PUD, Planned Unit Development District (Perimeter Center plan).  
**Request:** Review and approval of a revised preliminary development plan under the PUD provisions of Section 153.053.  
**Proposed Use:** A single-family condominium development of 63 detached residential units, 4 live-work units, a community building and 4.3 acres of open space.  
**Applicant:** Patrick Grabill, Continental/NRI Office Ventures Limited, 109 S. High Street, Dublin, Ohio 43017; represented by Ben W. Hale Jr., Smith & Hale, 37 West Broad Street, Suite 725, Columbus, Ohio 43215.  
**Staff Contact:** Danielle M. Devlin, AICP, Senior Planner.  
**Contact Information:** Phone: (614) 410-4649/E-mail: [ddevlin@dublin.oh.us](mailto:ddevlin@dublin.oh.us).

**MOTION:** To table this Preliminary Development Plan for the purpose of collecting additional information, and waive the Commission's 15-Day Rule for additional information.

Ben W. Hale, Jr., representing the applicant, agreed to the tabling.

**VOTE:** 3-2.

**RESULT:** This Preliminary Development Plan was tabled after much discussion. Information addressing the following issues was requested by the Commission:

- 1) Traffic study analyzing internal and external traffic patterns.
- 2) Parking analysis for live/work units.
- 3) Chip and seal surface for walking path.
- 4) Decreased density.

Mr. Gerber announced that all tonight's applicants had consented to the conditions listed in the staff report. He pulled Cases 2 and 3 from the Consent Agenda because it was indicated that there were Commission issues to be discussed. He announced the order of tonight's agenda would be Cases 1, 4, 5, 6, 7, 2, and 3. He later amended the order to hear Case 3 before Case 2 since there were more residents present to speak for Case 3. [The minutes reflect the published agenda order.]

**1. Administrative Request 04-080ADM – Amendments to the Corridor Development District (CDD)**

Mr. Gerber said the Commission last saw this request on January 13. The revised ordinance language prepared by the Law Director's office was provided to the Commissioners in a separate packet on Wednesday. The Commissioners present indicated they had read it and had no changes to be made.

Mr. Gerber made the motion to recommend approval of this Amendment to the Corridor Development District to City Council.

Mr. Bird indicated that Ms. Reiss had requested the word *new* be eliminated from the first sentence of Section 2: *Signage shall be reviewed as part of a CDD application whenever a new building is constructed or modified*, because it was redundant.

Mr. Gerber added to his previous motion that the word, *new* be eliminated from Section 2 of the proposed ordinance as requested.

Mr. Messineo seconded the motion, and the vote was as follows: Mr. Zimmerman, yes; Mr. Sanholtz, yes; Mr. Messineo, yes; and Mr. Gerber, yes. (Approved 4-0.)

**2. Rezoning – Revised Preliminary Development Plan 04-028Z – Homestead at Coffman Park**

Mr. Gerber said this case was tabled on April 1, 2004, at the request of the applicant. He said this is a request for review and approval of a Revised Preliminary Development Plan for a single-family condominium development of 63 detached residential units, four live/work units, an 1,800 square foot community building, and 4.3 acres of open space. He said this rezoning application sets up specific standards that will be binding. This meeting is a recommendation hearing. At a later date, City Council will schedule a public hearing, and a vote to approve or disapprove the proposal.

Danielle Devlin presented this case. The site is located centrally within the City, south of Post Road, and east of Discovery Boulevard. She showed on an aerial slide the 22.46 acre site, the office development to the south, the park, recreation center, the residential development to the north, and the stormwater retention pond on the site. The site is zoned residential, PUD, Planned Unit Development. Sites to the south and west are zoned PCD, Planned Commercial District. The area to the east is zoned LI, Limited Industrial District, and to the north is residential, and PUD, Planned Unit Development District.

Ms. Devlin said the four live/work units are located at the primary entrance at Discovery Boulevard and Post Road. Sixty-three detached single-family units are to be accessed through the alleys into rear load garages. The streets within the development are private.

The 4.31 acre open space shown on the plan is in Area A, Area B, which continues along Post Road, and Area C, which circles the retention pond. The openspace required is 4.36 acres, but the developer has agreed to a fee in lieu of the dedication for the remaining .05 acres.

Ms. Devlin showed slides of the landscape plan and the proposed amenity treatments. A gazebo will be nestled into a flowering cherry grove, and then will open up into a prairie area and a linear pond feature. An existing bikepath will connect to a proposed gravel walkway that will continue along Area B and circle the retention pond. The clubhouse will overlook the retention pond.

Slides of the elevations of the frontage amenities proposed showed the gazebo area, the cherry trees, the dry laid stone wall treatments, and the pond area. Slides of the elevations of the proposed community center and the live/work units proposed. Ms. Devlin said the lower floor of the live/work units can be either retail or office/commercial uses. She said the upper floor can be either two dwelling units or a dwelling unit and an office. Slides of the proposed single-family unit elevation and of an elevation at an existing development (Scioto Reserve) were shown. There are two primary entrances to the development with one sign at each entrance.

Ms. Devlin said staff is recommending approval of this Revised Preliminary Development Plan with the following 13 conditions:

- 1) That the proposed pavement setbacks specified in the text specifically match those shown on the plans;
- 2) That the design of all private drives, parking areas, and drive approaches meet Engineering requirements for strength, durability and geometrics;
- 3) That no alterations for the proposed boardwalk, community center and or walking path be made that reduces overall storage capacity of the pond, subject to staff approval;
- 4) That all utility connections meet or exceed Division of Engineering Standards;
- 5) That internal signage specifying areas of one-way travel and prohibited and allowable parking areas be installed subject to staff approval;
- 6) That the applicant provide street names, subject to staff approval, and a digital site plan for addressing purposes prior to submittal of a final development plan;
- 7) That any additional future home models for use within the development be submitted, subject to staff approval;
- 8) That all required parkland dedication fees and general warranty deeds be submitted to the City of Dublin prior to recording of the final plat;
- 9) That the construction of all amenities planned for the reserve Area B and C are completed prior to the initiation of Phase II and those planned for Area A are completed prior to the initiation of Phase III;
- 10) That complete and revised civil engineering drawings and tree replacement and relocation plans drawn at an appropriate scale, subject to staff approval, be submitted as part of the final development plan;

- 11) That the applicants consult with the City Forester prior to the final development plan to verify that Ash trees remain the preferred species of street tree along Wall Street;
- 12) That the walkway leading to the pond be extended to connect to the existing bike path in the northeastern area of the site; and
- 13) That the applicants revise the 87 parking spaces referenced in the text to reflect the 86 spaces shown on the plans.

Ben W. Hale, Jr., representing the applicant, Homestead Communities said Pat Grabill, a Dublin resident had become an investor in this development. He said that Nationwide actually owned this site. He said Mr. Grabill had made some significant, but important changes to the original approved site plan. Mr. Hale said the architecture of the units had been upgraded and the location of the live/work units had been also been changed.

Mr. Hale said they had met with their neighbors who he thought would speak favorably about this development.

Mr. Hale said the live/work units were relocated onto Discovery Boulevard and had slightly more square footage (7,500 versus 10,000 square feet). He said the previous fire accessibility and garage access issues have been addressed with this site plan.

Jim Burkhart, James Burkhart and Associates, Inc., said they were initially concerned with the Post Road area. He said a previous landscape design showed what he thought were insignificant, small ponds. Mr. Burkhart said Dublin stone walls have been added at the entranceway and aesthetically between the housing units for screening of any vehicular use areas, i.e. the alleyways. He said a public shelter or gazebo would be added which would be related to the bikepath. Mr. Burkhart said they might add white columns, instead of the typical cedar square to the shelter. He said the rafters might be white and it might have a shake roof. He said where the original mounding was located, they propose a mass of cherry trees at the intersection. He said semi-circular walls would visually connect the homes and provide visual screening of the vehicles. He said gates would provide character to the stone walls. Mr. Burkhart said his new landscape plan was simple, but elegant, and he had made it “Dublin.” He thought this would be an asset to the community.

Pat Grabill, Homestead Communities, LLC., said he had been contacted by many people who wanted to be on a waiting list for these units. He said this represents the diversity of housing that current Dublin residents are looking for – something close, in a condominium format, but detached. It is close to the recreation center and close to shopping.

Mr. Grabill said they had followed through with previous comments made to have the majority of the street facing facades to have Dublin-type stone veneer. He said a benefit of this community to him was that it was the fourth generation of the communities they had done, so they were able to refine the floor plans and a community center for gatherings, etc. in the barn-like building.

Ms. Devlin said two letters from interested parties were provided on the dais to the Commissioners tonight.

Chris Cline, 6060 Post Road, said since 1980, they had been interested in the development of this property across from their home. He reiterated the two issues he had stated in his E-mail distributed to the Commission. He said it was very important that this was a compatible land use, not just in the case of being a transition between residential and commercial, but also visibly compatible with both the residential feel and the park nature of Post Road. Speaking as a member of the Coffman Park Taskforce, they were very interested in a similar concept which was a park-like feel for all of Post Road. They wanted private residential and public areas that would begin the feeling of entering into the Coffman Park area to the east. Mr. Cline said he felt this concept did that. He said they supported this development and warranted the Commission's approval.

Mr. Cline said they have always wanted to preserve Dublin's rural heritage and do rural feeling things in Dublin. He said this project has a rural feel. He said tying this project with the white Orr barn, the Kinman's resident, and possibly the old Coffman Farmhouse, would provide a theme on Post Road.

Gary Kinman, 6080 Post Road, said they supported this development. He said they had 600 feet of contiguous property. He felt this would be an excellent buffer between his residence and the large buildings across the street. He said he thought the landscape design was good. Mr. Kinman said they supported this project 1,000 percent.

Michael Spitale, 6313 Post Road, president of the Post Road Neighborhood Association, stated that he felt the entire street fully supported. He said Mr. Grabill and Mr. Thomas both had discussed this project with them and asked him to visit their Home Road project.

Mr. Gerber was not sure he agreed with the staff report that Conservation Design could not be done on this site, and it was an issue for discussion.

Mr. Gerber said this case was tabled April 1, 2004. The Conservation Design resolution was passed in June 2004. He asked given that timing sequence, does the resolution apply to this application.

Jennifer Readler, said the Law Director's office had reviewed the issue, and determined that given the time the application was filed, and the passage of the Conservation Design resolution, that the applicant was vested under the standards that apply at the time of the filing. Therefore, the Conservation Design resolution would not apply to this specific application. She provided the Commissioners a memo outlining the reasons why they came to that conclusion.

Mr. Gerber requested and Ms. Readler agreed that the memo, dated January 19, 2005, would become part of tonight's record.

The Commissioners had no questions or comments about the memo.

Mr. Sanholtz asked about the proximity of the homes on the north side of Post Road.

Ms. Devlin indicated that the closest home, near Open space B appeared to be approximately 100 feet. One is set back approximately 300-400 feet.

Anne Wanner reported that all the homes on the north side of Post Road to the east had been acquired by the City.

Ms. Devlin, looking at the drawing, estimated that the closest residence to Post Road on the north side was 250 feet.

Mr. Saneholtz asked how close was the two-story building on Achill Court and Schoolcraft Drive to the corner of Sells Mill and Muirfield Drive.

Ms. Devlin did not have that information, but per Mr. Saneholtz's request, agreed to provide it later.

Mr. Saneholtz was not in agreement that this property is transitional. He said this was commercial property, while he realized it is not currently zoned Commercial, there are other commercial developments much closer to residential properties than this proposal. Mr. Saneholtz said he was having a hard time using that as justification for this residential development on the south side of Post Road. He said there were many other neighborhoods near commercial property.

Mr. Saneholtz asked if there was sufficient parking for the work/live units.

Ms. Devlin said staff believed there was sufficient parking for the work/live units. She said there were 32 spaces within 300 feet of the live/work units, as well as the garages for the residents of those units.

Mr. Saneholtz understood from the staff report that garages were included as commercial parking spaces.

Ms. Devlin said the garages were not counted as commercial parking spaces.

Mr. Gerber referred to the text, Section 2, Paragraph 2, C, items I forward, and asked what type of retail was being considered. He said the uses looked proper on the face, but he wanted to make sure that a dry cleaners or something more consumer-oriented that would increase traffic flow would not be permitted. He said the text might need to be revised to effectuate that.

Mr. Messineo envisioned an architect or law office, or some sort of professional office.

Mr. Gerber asked if the owner of the building will also be residing in the same building, or would an unrelated person run the business.

Mr. Hale did not believe there were any restrictions, however he thought some people would do that.

Mr. Grabill said under the traditional live/work concepts in an urban environment, theoretically, there could be an art studio downstairs, and the artist would live upstairs. He said that is not what this is going to be. He said it is going to be an insurance agency downstairs and perhaps a college-aged son upstairs, or it might be used as a rental investment.

Mr. Grabill believed it was for a retail use such as an architect, engineer, insurance agent, or interior designer, not a pizza shop or dry cleaners. He said it would be single ownership. Mr. Grabill said as designed, the front unit could either be offices that could be incorporated with the downstairs, if needed, or as a second residential unit.

Mr. Sanholtz understood there could be three unrelated occupants in the unit. He read from the proposed text under Section 1B-Existing and Proposed Land Uses: *The existing site is undeveloped land zoned as PUD, Planned Unit Development. The applicant proposes to construct 63 single-family detached homes and four live/work units to be maintained in perpetuity in a condominium association with private street system. Each unit will have a two car garage and shall have a minimum living area of 2,000 square feet.* He asked if the commercial space was living area.

Ms. Devlin said the commercial space is restricted to 1,800 square feet and was not living area.

Mr. Sanholtz noted that the units were proposed at 3,400 square feet.

Ms. Devlin said the residential units will have a living area of 2,000 square feet.

Mr. Sanholtz referred to the live/work units, and asked if the first level was rented, could the upstairs be 2,000 square feet of living space in a 4,000 square foot building.

Ms. Devlin said the proposal is for the upper level to be either an office and a dwelling unit, or two dwelling units.

Mr. Sanholtz asked if they would meet the 2,000 square foot living space requirement.

Mr. Hale said it was an inconsistency in the text. He said the 2,000 square foot applied to the detached single-family units. He said the live/work units are not 2,000 square feet apiece. He suggested that the text needed to be clarified.

Mr. Gerber interpreted that Section 2, A2 discussed limitations on single-tenant size, with some exceptions.

Mr. Sanholtz questioned the limitation on the net leaseable space on the live/work units at 1,800 square feet. He guessed from the footprint sketch that the first level is 1,700 square feet.

Ms. Devlin had scaled them out to be about 1,800 square feet.

Mr. Sanholtz asked if even the limitation on the net leaseable space on the live/work units was at 1,800 square feet, was not the full level 1,700 square feet.

Mr. Hale said they would have their architect make sure the text is internally consistent. He said it could be made a condition of approval, if desired.

Mr. Saneholtz noted that 32 parking spaces were proposed within 300 feet. He asked if 300 feet was the general standard.

Ms. Devlin said 300 feet was derived from the rule from churches, where as long as all the parking is within 300 feet, it does not necessarily have to be on the same parcel.

Mr. Hale said they had 85 non-garage spaces that could be used throughout the area.

Mr. Saneholtz was concerned that the parking for the live/work units would be disruptive to the residents.

Mr. Gerber asked if the traffic flow had been studied.

Ms. Devlin said there had been no indication of traffic flow issues. She said on-street parking, other than the parallel spaces indicated, will not be allowed because there is not sufficient width. She said the spaces in the vicinity of the live/work units have been concentrated for the purpose of confining the parking to that area, and not dispersing live/work parking into the residential areas towards the rear.

Ms. Devlin said there were 16 in front of the live/work units, 6 across the street, and four east of the units along the main roadway.

Mr. Saneholtz noted that in the immediate proximity of the live/work units there were 22 parking spaces, and 34 spaces were required.

Mr. Hale said most residents would be working while the businesses are open, so there should be plenty of parking.

Mr. Saneholtz said he thought who got the garage and front parking spaces should be addressed.

Mr. Gerber wanted to make sure the parking capacity could handle retail uses.

Mr. Zimmerman said the spaces in the area are also available to other tenants and homeowners. If the garage space is filled, the street must be used to park. This is not a typical commercial site. He said the closest units to the east were walk units, and to gain access you must go a couple of hundred feet to the end and park at the street. He asked the applicant if he was steadfast with putting a live/work unit scenario in this development.

Mr. Hale said if the Commission wanted residential and not live/work units, they would do that.

Mr. Gerber said the live/work unit concept made sense since many residents worked at home.

Mr. Saneholtz felt the commercial/retail aspect of this was an attempt to make this transitional, not just a condominium complex.

Mr. Gerber wanted to see information on traffic flow and parking issues from staff.

Ms. Reiss said signage for the live/work units was not well addressed in the text.

Mr. Hale said the sign shown on their drawing was similar to those at Perimeter Center.

Ms. Devlin said the signage is referenced in the text, and it will be further addressed at the time of the Final Development Plan.

Mr. Gerber said the Commission's first mission on a Preliminary Development Plan was to set boundaries, ensure traffic flow, general concepts as it relates to landscaping, architecture and building materials, and text. He said the signs and colors will be tweaked at the time of the final development plan review.

Mr. Gerber asked if investors could buy two or three units at a time.

Mr. Hale said these units were too expensive to buy as an investment to rent.

Mr. Gerber wanted to limit the ownership as had previously been done with condominiums.

Mr. Hale agreed.

Ms. Reiss wanted to make sure the Commission would have the ability to modify or review the items promised in the text at the final development plan stage, such as the signage on the live/work unit.

Mr. Hale read Page 10, paragraph G of the proposed text, and Mr. Gerber said the language of the proposed text assures that the Commission will have that review.

Mr. Hale said they would reference in the text the signs Mr. Grabill used in Old Dublin because that is what he intends to do on this project.

Mr. Gerber said the Community Plan indicated that Post Road was a rural road and it was the aim of the City/Community Plan to keep that character. He said part of the rural character was the gateway feature (stone). He asked that how the materials and designs of the structures comport with the rural character.

Mr. Burkhart said the connection between the buildings with the semicircular walls and the old-type gates were very rural. Architecturally, he thought the buildings had a lot of rural character.

Mr. Saneholtz noted that there was an existing commercial contemporary looking building on the south side of Wall Street. He said that the nearby daycare building did not look rural. He said only the north side of the street looked rural.

Ms. Reiss noted that a few of the residential units had garages facing Post Road. She said the Commission was trying to avoid that, especially facing a main street.

Mr. Sanholtz asked which phase the live/work units would be built.

Ms. Devlin said the live/work units would be built in Phase 3.

Mr. Grabill said the drawing of the four live/work units elevations showed them all in one line, not how they would sit on the street.

Mr. Burkhart said the park area and mounding will screen the garages facing Post Road.

Ms. Devlin said the mounding was approximately three feet high.

Mr. Zimmerman said he had visited the development at Scioto Reserve. He asked for a comparison of the width between those units and these.

Mr. Hale said it was about the same – 12 to 14 feet between the units.

Mr. Zimmerman said he liked Scioto Reserve - it was different. He asked if the public would have total access around the lake.

Ms. Devlin said there would be a public walking path around the entire lake.

Mr. Gerber asked if there would be a sign saying it was public.

Ms. Devlin said there could be a sign.

Ms. Reiss returned to the garage issue. She said because there were alleys in this neighborhood, she wondered if those units facing Post Road could be flipped since the alley was their only access.

Ms. Devlin said some of the units front onto a pedestrian courtyard area, but they are all accessed by alleys, through the garage.

Mr. Sanholtz suggested the garages on the eight similar units fronting onto Wall Street could be reoriented to make the garages internal instead of external.

Ms. Devlin said it was felt by staff that the proposed orientation creates a neo-traditional type of streetscape or a main street. She said when the auto orientation is to the rear and away from the main street, it creates more of a pedestrian orientation. Ms. Devlin said staff believes that with the landscape plan, there will be adequate screening.

Ms. Devlin said the existing bikepath is along Post Road and will remain. She said the applicant is proposing to add a gravel walkway to connect to the existing bikepath and to the courtyards.

The gravel walking path will circle the pond and provide another connection to the bikepath at the eastern boundary of the property.

Mr. Gerber asked about the purpose of the gravel paths.

Mr. Hale said they also could do blacktop and tar and chip the path so it would look like gravel. He said the idea was to have an informal walking path which would be aesthetic.

Mr. Gerber asked if there was another material that could be used.

Mr. Burkhart suggested shoot and chip (asphalt and stone).

Mr. Grabill said the paths would be maintained by the homeowners, and did not expect maintenance would be an issue.

Mr. Zimmerman said there needed to be a distinction between the public and private paths.

Ms. Reiss asked where would the trash be picked up.

Mr. Grabill said trash will be collected in the alley of each unit or at the end of the street.

Mr. Sanholtz referred to the correspondence received from Nationwide and asked what was their interest in this project.

Mr. Hale said they owned almost all the property nearby and this parcel.

Ms. Reiss asked if the Fire Department had reviewed the alley for emergency vehicle access.

Ms. Devlin said both the Engineering and Fire Departments had commented on this plan. Revisions were made accordingly.

Barb Cox said she needed to check her 1999 report on the original project to see if a complete traffic study was completed. She recollected that the previous zoning was an office/industrial type use. Ms. Cox said any previous modeling would have had that kind of land use on it, based on the Community Plan. She said going through a residential use is a less intense use. She said the traffic generation off this project is going to be enough since the commercial/office use that would have been on it would have had a bigger impact versus residential use. Ms. Cox said the Post Road access has been a big issue over the years. She said that had been eliminated from this plan. She agreed to check files for a traffic study and what the thought process was.

Ms. Cox said the Code regarding emergency vehicle access had changed since this project started.

Fire Marshall Alan Perkins, Washington Township Fire Department, said their issues regarding emergency vehicle access and turning radii had been addressed. He said having emergency access within 150 feet of a dwelling is generally reserved for commercial projects, but they

looked at that, particularly with the rental properties. Fire Marshall Perkins said because of the close proximity of these buildings, they wanted to make sure they could get to them, particularly the street going down the center was very critical for the fire department, to be able to make the turns, have the proper hydrants, etc. He said for the most part, the applicant met all that the fire department required for this project.

Mr. Sanholtz referred to the proposed text, Section B, Item 7 – Density, Height, Setbacks: *Minimum pavement setbacks shall be ten feet...* He continued to the next page and said something was inconsistent in the text. He asked Ms. Devlin to clarify.

Ms. Devlin said the minimum that has been shown on the site plan is 10 feet. She said there are other areas of pavement where that setback is exceeded. Ms. Devlin said that statement said that the minimum that has been shown on the site plan is ten feet, but there are other areas of pavement that is exceeded. In most other cases, the pavement setback is the same as the building setback, except near Buildings 55 and 62. She said that is the only place where the building and pavement setbacks are not the same, other than in those areas where it is ten feet.

Ms. Devlin said one of the conditions was that the applicant submit either additional language or an exhibit showing the exact pavement setbacks.

Mr. Sanholtz asked if the pavement setback for Building 62 encroached into the right-of-way.

Ms. Devlin said near Building 62, the pavement setback was more than ten, but less than the 30 feet that is shown for the building setback. She said the statement was confusing, and that is the reason for the condition for an exhibit that graphically displays all of the parking setbacks, or that additional language be added to clarify.

Mr. Zimmerman asked if a diversity matrix will be required on this development, similar to any other residential development since the housing styles vary.

Mr. Hale said they do a diversity matrix so that the buildings side-by-side and across the street are not the same unit. He agreed to submit their matrix at the time of the final development plan.

Ms. Reiss said because so much of this parcel will be of impervious surface, the stormwater issues are very important due to the proximity of the South Fork of the Indian Run. Flooding, because of stormwater runoff from here of Coffman Park or the neighbors to the north of Post Road should be avoided. She would like to see a few units removed so there is less impervious surface and more green space (not necessarily public). She said this was a very intense use of the property. She liked the project.

Mr. Gerber reiterated the seven issues discussed tonight as:

- Text consistency.  
Owner/operator issue as opposed to investment.  
Clarification of language as it relates to the live/work units with respect to the size and square footage.

- Parking issue as it relates to the live/work units and the effect of that to the surrounding area daily.
- Chip and seal pavement on walking path.
- Overall traffic study.
- Diversity matrix.
- Density

Mr. Gerber said additional information is needed and suggested a tabling.

Mr. Hale said most of the issues could be addressed with staff, but the density cannot be redone at the time of the final. He said assuming that the old zoning went away, this property is zoned office/industrial, which would have a 70 percent lot occupancy. He said this occupancy is much less than the original. He said their understanding of the basic engineering for this project was that there is more than adequate storm maintenance already in place as part of the original development plan. Other stormwater facilities should not be needed.

Mr. Gerber said a traffic study is an important part of the Commission's review of the preliminary development plan. How the live/work units fit or do not fit needs to be determined. Mr. Gerber said he was not comfortable going to a final with that option open. If commercial, it would be a more intense use. He was in favor of this project, but he needed more information before it went to the final development plan stage.

Mr. Sanholtz did not think this was good planning for this area. He said it should be commercial property. He said he would not vote for residential housing on this property. Mr. Sanholtz said there was nothing in this new proposal that changed his mind. He said the issue for him was proper overall planning. He did not believe the south side of Post Road is rural in any way. Mr. Sanholtz said he did not believe the bulk of what is in this section of Dublin is anything but commercial buildings and offices. He thought that was the best use for Dublin as a whole.

Mr. Zimmerman expressed his opinion that the commercial use parking will take away from the residents. He was not just concerned about the four live/work units, but the parking for the entire development. Mr. Zimmerman needed more information about the commercial live/work units.

Mr. Sanholtz asked what was transitional about this development.

Mr. Gerber explained there was not anything transitional about the development, but that was not the issue before the Commission tonight because a prior City Council approved the rezoning and this Commission cannot undo that. He said Conservation Design does not apply. Mr. Gerber said the product had been approved since the development was last seen.

Mr. Gerber said if the Commissioners needed more information to make an informed decision, this case needed to be tabled. Mr. Gerber said he was not comfortable going forward tonight without the information, some of which was fundamental for every preliminary. He said a traffic study and the affect on the surrounding area of the live/work units and what traffic they may or

may not generate day in/day out is something he would like to know before moving forward. He explained that this applicant is entitled to this project by law.

Mr. Sanholtz requested a more detailed plan than the 8 ½ x 11 one provided, showing the current zoning because he was completely unfamiliar with it.

Mr. Gerber suggested that Mr. Sanholtz meet with Ms. Devlin to go over the history, the Council and Commission minutes and those original plans to learn how this project got to where it was tonight.

Mr. Gerber suggested either a tabling to get more information or to vote on this application.

Mr. Bird concluded that the Commissioners were favorably disposed to the use, but additional information is necessary to complete their deliberations.

Mr. Gerber said four Commissioners were supporting this project, three needed more information, and another was not sure this was proper.

Ms. Reiss' preference was to vote on this case tonight.

Mr. Gerber said he could not support it tonight because he did not have enough information.

Mr. Hale agreed to a tabling to provide the additional information.

Mr. Gerber said the ODOT-type of traffic study was necessary.

Anne Wanner said these roads were designed for office use, and knowing that the use has been downgraded, engineering has determined that road improvements in place are adequate for the site. She apologized if that was not directly stated in the staff report. She said that could be addressed if this case is tabled.

Ms. Wanner said other iterations of the plan included access onto Post Road, and a left turn lane. Since that access is not there, there are no traffic improvements required along Post Road.

Mr. Gerber said the City had taken a natural east/west connector and downgraded it. He said if that was the City's objective, the Commission wants to understand what kind of impact it will have.

Mr. Hale asked about the 15-day Rule requirement.

Ms. Wanner said the time allows staff to route the new information to the entities within the City.

Mr. Hale asked if they should take the live/work units out of the proposal.

Mr. Gerber said yes, because he had a feeling an impact will be seen in this area that both the applicant and the Commission will not like.

Cynthia Kinman, 6080 Post Road, said there are beautiful park areas being developed with this project which should be used by people. She said if commercial development on the other side of Post Road is what is being savored, then she thought the park development was going to go for naught. She said these residential developments are vital to the community, and the neighbors that will benefit from the park usage. She said now, there was a very abrupt division between the north and south sides of Post Road with residential on one side, and commercial on the other. Ms. Kinman said Post Road was very unattractive now and had a ghost-like atmosphere because of the commercial development. She said warehouse parking lots across from Post Road are not attractive or appealing. She said Post Road was a designated, beautiful corridor, and commercial along the south side will not enhance the beauty – it will bring more warehouse look and parking area.

Mr. Gerber reiterated that this property had been rezoned for residential. He said the issue before the Commission is: Does this particular plan fit? He said it was not to go back to square one to ask the question: Should this be residential or commercial? It is rezoned for residential, therefore by law, it is going to be that.

Ms. Kinman said she was sympathetic because the applicant had worked very hard on this project. She said there have been ordinance and Fire Code changes which the applicant has complied with, but the line keeps being put farther and farther back. She thought there needed to be some fairness to these developers.

Mr. Gerber explained that the Commission was discussing on what agenda this case can now be placed. He said more information regarding traffic flow in the area and how it will affect the other surrounding area was being requested. Mr. Gerber said the consensus regarding architecture, gateway features, and issues relating to the bikepaths around the pond seemed to be satisfactory.

Mr. Bird suggested it might be helpful to the applicant if the Commission would waive the 15-day Rule but provide staff adequate time for routing of the information.

Mr. Gerber requested an update from staff at the February 3 Commission meeting regarding the submittal of the requested information.

Mr. Gerber made the motion to table this rezoning application/revised preliminary development plan for the purpose of collecting additional information as it relates to a traffic study addressing both internally and externally surrounding property and the affect of parking and traffic as it relates to the live/work units, waiving the 15-Day Rule requirements so that the case can be heard again on February 17.

Mr. Zimmerman seconded the motion. The vote was as follows: Mr. Sanholtz, no; Mr. Messineo, yes; Ms. Reiss, no; Mr. Zimmerman, yes; and Mr. Gerber, yes. (Tabled 3-2.)



CITY OF DUBLIN.

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## PLANNING AND ZONING COMMISSION

### RECORD OF ACTION

APRIL 1, 2004

The Planning and Zoning Commission took the following action at this meeting:

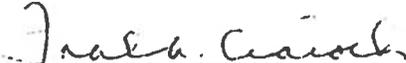
2. **Rezoning – Revised Preliminary Development Plan 04-028Z – Homestead at Coffman Park**  
**Location:** 22.462 acres located at the southeast corner of Discovery Boulevard (former Metatec Boulevard) and Post Road.  
**Existing Zoning:** PUD, Planned Unit Development District (Perimeter Center plan).  
**Request:** Review and approval of a revised preliminary development plan under the PUD provisions of Section 153.056.  
**Proposed Use:** A single-family condominium development of 68 detached residential units and ±3.77 acres of openspace.  
**Applicant:** Patrick Grabill, Continental/NRI Office Ventures Limited, 150 East Broad Street, Columbus, Ohio 43215; represented by Ben W. Hale Jr., Smith & Hale, 37 West Broad Street, Suite 725, Columbus, Ohio 43215.  
**Staff Contact:** Carson C. Combs, AICP, Senior Planner.

**MOTION:** To table this rezoning application as requested by Mr. Hale in writing.

**VOTE:** 6-0.

**RESULT:** This rezoning application was tabled as requested.

#### STAFF CERTIFICATION

  
Frank A. Ciarochi  
Acting Planning Director

Mr. Dehner said his own straw vote tally had two No and three Yes. He figured Mr. Messineo and Ms. Boring as nos, and Mr. Zimmerman, Ms. Reiss, and Mr. Sprague, assuming they would satisfy everything else, would be okay on the massing issue.

Mr. Dehner said he would address his counsel on how to approach the Commission and what it required for him to move forward.

Mr. Zimmerman offered the opportunity for Mr. Dehner to come back for another informal hearing. Mr. Dehner said he did not wish to come back again, unless there was a good purpose for it. He felt he had received good feedback and appreciated it. He said it was exactly what they wanted.

Ms. Reiss suggested since Mr. Gerber will recuse himself in the future, that depending upon what Mr. Sanholtz would do or what his preferences were, there could be a 3-3 split vote. Mr. Dehner asked if a simple majority vote was required to move forward. Mr. Sprague said it was no recommendation on 3-3. It would go to City Council without a recommendation. Mr. Dehner said if they used a different law firm and Mr. Gerber did not have to recuse himself, and he were in favor of it, that would be another vote for them. Ms. Reiss suggested that Mr. Sanholtz not be felt out in an informal situation.

Mr. Zimmerman thanked Mr. Dehner and said he hoped this would work out for him.

## **2. Rezoning – Revised Preliminary Development Plan 04-028Z – Homestead at Coffman Park**

Mr. Gerber stated that this was an interesting case from the standpoint that the Commission has heard it three times. This case was tabled by City Council. It received a negative recommendation from the Commission last year. In the meantime, the applicant has submitted a new application to the Commission. He said jurisdictionally, he did not think the Commission can hear a case when one is still pending before City Council.

He said the applicant has requested that the Commission table this application.

Mr. Gerber made the motion to table this application, and Mr. Zimmerman seconded the motion. The vote was as follows: Mr. Messineo, yes; Mr. Sprague, yes; Ms. Boring, yes; Ms. Reiss, yes; Mr. Zimmerman, yes; and Mr. Gerber, yes. (Tabled 6-0.)

## **3. Corridor Development District 04-038CDD – Wendy's Addition – 1 Dave Thomas Boulevard**

The Commissioners indicated they did not want a full presentation given on this case.

Ms. Reiss said the staff report discussed the proposed tree replacements versus the type of trees staff recommended. She asked if they were willing to change from the hawthorn and crabapple trees to something chosen off the designated City-approved list.

Ted Mesielewicz, Acock Associates Architects, representing Wendy's International Incorporated agreed to work with staff to choose approved trees.

# RECORD OF PROCEEDINGS

Minutes of

Dublin City Council

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 18148

February 17, 2004

Page 8

Held

20

Ms. Grigsby responded that the public and private areas will be identified, and access will also be provided to the public sites through the bikepath. Staff can provide a map at the next meeting showing the public versus private parklands. There was no further comments or public testimony.

There will be a second reading/public hearing at the March 1 Council meeting.

## **BID**

### **Ordinance 10-04**

#### **Accepting the Lowest and Best Bid for the Landscape Installation Right-of-Way Project.**

Mrs. Boring introduced the ordinance.

Ms. Brautigam stated that an excellent bid was received for this project from Miller Paving in the amount of \$118,239. The budgeted amount for the project was \$138,000 and the estimated project cost was \$128,000. Staff is recommending acceptance of the bid at the March 1 Council meeting.

There will be a second reading/public hearing at the March 1 Council meeting.

## **CODE AMENDMENTS**

### **Ordinance 11-04**

#### **Amending Section 76.02(E) of the Dublin Codified Ordinances Regarding the Posting of Handicapped Parking Fine Amount, and Declaring an Emergency.**

Ms. Salay introduced the ordinance.

Ms. Brautigam stated that in view of the fact that there are not five members present required for passage of the ordinance by emergency, staff recommends this be held over until March 1.

Ms. Brautigam stated that in late summer of 2003, Council passed legislation regarding posting of signs regarding the \$250 minimum fine for parking in handicapped parking spaces throughout the City. When state law changed in early 2004 and the ordinances were recodified, the change was not included in the Dublin Code. This ordinance will address this.

There will be a second reading/public hearing at the March 1 Council meeting.

### **Ordinance 12-04**

#### **Amending Sections 93.03 (20), 93.80 (Private Fire Hydrants) and 150.193 (Fire Hydrant Permits) of the Codified Ordinances of the City of Dublin.**

Ms. Brautigam stated that this change is brought forward as a result of recent Council discussions regarding private fire hydrants. It incorporates into the Code the changes requested by Council, including yearly inspection and filing of reports. The information was prepared by Sara Ott, Training and Accreditation Manager from the Service Department. She is available to respond to questions.

There will be a second reading/public hearing at the March 1 Council meeting.

## **REZONINGS**

### **Ordinance 13-04**

#### **Providing for a Change in Zoning of 22.657 Acres Located on the Southeast Corner of Metatec Boulevard and Post Road, From: PUD, Planned Unit Development District, To: PUD, Planned Unit Development District. (Case No. 04-028Z - Homestead at Coffman Park)**

Ms. Salay introduced the ordinance and moved referral to Planning & Zoning Commission.

Mrs. Boring seconded the motion.

Vote on the motion: Ms. Salay, yes; Mrs. Boring, yes; Mr. Reiner, yes; Mr. Lecklider, yes.

### **Ordinance 14-04**

#### **Providing for a Change in Zoning of 16.87 Acres Located on the East Side of Eiterman Road, Southwest of the Post Road/US 33 Interchange, From: R, Rural and RI, Restricted Industrial District, To: PCD, Planned Commerce District. (Case No. 04-021Z - Gateway Professional Center)**

Ms. Salay introduced the ordinance and moved referral to the Planning & Zoning Commission.

Mrs. Boring seconded the motion.

Vote on the motion: Mr. Reiner, yes; Ms. Salay, yes; Mrs. Boring, yes; Mr. Lecklider, yes.

# RECORD OF PROCEEDINGS

Minutes of

Dublin City Council

Meeting

June 23, 2003

Held

20

Mayor McCash called the Dublin City Council meeting of Monday, June 23 to order at 7:00 p.m. in Council Chambers at the Dublin Municipal Building.  
Ms. Chinnici-Zuercher led the Pledge of Allegiance.

#### Roll Call

Council members present were: Mayor McCash, Vice Mayor Boring, Ms. Chinnici-Zuercher, Mr. Lecklider, Ms. Salay and Mr. Reiner. Mr. Kranstuber was absent (excused).

Staff members present were: Ms. Brautigam, Mr. Smith, Ms. Gibson, Mr. Ciarochi, Mr. McDaniel, Chief Epperson, Mr. Harding, Mr. Hammersmith, Mr. Hahn, Mr. Gunderman, Ms. Crandall, Ms. Puskarcik, Ms. Hoyle and Ms. Heal.

#### Approval of Minutes of June 9, 2003 Regular Meeting

Mayor McCash noted a correction to Page 17 – first line. It should state, "Community Development Committee of Council" instead of Community Services Advisory Commission.

Mr. Reiner moved approval of the minutes as amended.

Ms. Chinnici-Zuercher seconded the motion.

Vote on the motion: Ms. Chinnici-Zuercher, yes; Mr. Reiner, yes; Mrs. Boring, yes; Ms. Salay, yes; Mr. Lecklider, yes; Mayor McCash, yes.

#### Correspondence

The Clerk reported that there was no correspondence requiring action from Council.

#### Special Recognition

Mayor McCash presented a proclamation to the Dublin Scioto High School Boys Lacrosse Team, in recognition of their recent state championship. Assistant Coach, AJ Auld; Jeff Schneider, Senior; and Adam Milnor, Junior accepted the proclamation on the team's behalf. They thanked Council and the community for the support and involvement in their season.

#### CITIZEN COMMENTS

Wallace Maurer, 7451 Dublin Road addressed Council regarding a problem that is endemic to Dublin and to other cities across the country. He questioned the short-term wisdom of an ordinance approved by Council in May that allows enforcement of the parking restrictions in Historic Dublin. The subject is traffic, and there seems always to be a catch up, knee jerk reaction to the problem. The two symptoms of the traffic problems are parking and speeding, and a more organic solution may be needed. In the last 10 years, he has never personally had difficulty in finding a parking spot anywhere in the Columbus area, even at the busiest times of day. He drives close to his destination, sometimes on the outskirts of the area, and then walks the remainder of the way. He avoids the center part of the parking areas in the shopping centers and downtown as well. He is not certain how this can be translated into an ordinance, but perhaps Council can consider a way to make parking more than an exacerbating search for a spot.

#### SECOND READING/PUBLIC HEARING – ORDINANCES

##### ZONING

##### Ordinance 09-03

Providing for a Change in Zoning for 22.462 Acres Located on the Southeast Corner of Metatec Boulevard and Post Road, From: PUD, Planned Unit Development District, To: PUD, Planned Unit Development District. (Case No. 02-137Z – Perimeter Center Subarea N – Homestead Revision)

Mayor McCash noted that the applicant has requested that this be tabled. He asked if the request is to table until a date certain.

Nick Cavalaris, Smith & Hale, representing the applicant stated that Mr. Hale faxed a letter of request to table the ordinance. If possible, they are requesting it be tabled indefinitely due to business problems of the company. Time is needed to work out these matters. Mayor McCash noted that if it is tabled indefinitely, there must be a motion at a future meeting to remove it from the table and to set a new hearing date.

Ms. Chinnici-Zuercher moved to table Ordinance 09-03 indefinitely.

Ms. Salay seconded the motion.

Vote on the motion: Mr. Reiner, yes; Mrs. Boring, yes; Ms. Chinnici-Zuercher, yes; Ms. Salay, yes; Mr. Lecklider, yes; Mayor McCash, yes.



## PLANNING AND ZONING COMMISSION

### RECORD OF ACTION

May 1, 2003

Division of Planning  
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The Planning and Zoning Commission took the following action at this meeting:

5. **Rezoning – Revised Preliminary Development Plan 02-137Z – Homestead at Coffman Park**  
**Location:** 22.462 acres located at the southeast corner of Metatec Boulevard and Post Road.  
**Existing Zoning:** PUD, Planned Unit Development District (Perimeter Center plan).  
**Request:** Review and approval of a revised preliminary development plan under PUD provisions of Section 153.056.  
**Proposed Use:** A single-family condominium development of 68 detached residential units and 3.77 acres of open space.  
**Applicant:** Patrick Grabill, Continental/NRI Office Ventures Ltd., c/o Homestead Communities, 150 East Broad Street, Columbus, Ohio 43215; represented by Ben W. Hale, Jr. and Jack Reynolds, Smith and Hale, 37 West Broad Street, Suite 725, Columbus, Ohio 43215.  
**Staff Contact:** Carson C. Combs, AICP, Senior Planner

**MOTION:** To disapprove this revised preliminary development plan because the proposal is inconsistent with the Community Plan and sound zoning, planning and design techniques, and the development does not incorporate a mix of land uses with proper relationships to surrounding land uses and structures.

**VOTE:** 6 – 1.

**RESULT:** This revised preliminary development plan was disapproved. It will be forwarded to City Council with a negative recommendation.

#### STAFF CERTIFICATION

Barbara M. Clarke  
Planning Director

Ms. Boring said it should be clear that the street trees will be installed by the developer, and this should be a condition.

Mr. Gerber reviewed the additional conditions, and Mr. Dugger agreed to them. Mr. Gerber made a motion to approve this preliminary plat because it exceeds the park requirements, matches the rezoning commitments, provides neighborhood connections, and incorporates rural elements along scenic Summitview Road, with 13 conditions:

- 1) That altering the existing grading be kept to a minimum to keep the natural character and topography of the land, subject to staff approval;
- 2) That the applicant install a left turn lane and street lighting to the satisfaction of the City Engineer with the initial phase/section of the subdivision;
- 3) That the site stormwater management is in compliance with the current Stormwater Regulations, to the satisfaction of the City Engineer;
- 4) That the applicant work with staff to install a waterline looped connection to Trails End Drive, unless determined to be unfeasible by the City Engineer;
- 5) That the landscape plan and street tree plan be revised to incorporate the comments from both staff and the Commission, including keeping and augmenting the fencerow vegetation along Summitview Road, diversifying the tree species, and including the waterfall within the homeowners' association's easement, etc.;
- 6) That a tree survey, a tree preservation plan, and tree replacement plan be submitted with each residential building permit for Lots 5, 6, 20, 21, 22, 31, and 32;
- 7) That evergreen screening and/or mounding be installed on the south side of Summitview Road, across from the entrance, within 60 days of the installation of base paving of Conine Drive, subject to field placement and weather conditions;
- 8) That the sign and stone walls be placed outside the visibility triangles as determined by the City Engineer;
- 9) That the intersection rights-of-way be revised on the plat to reflect the comments in this staff report;
- 10) That one lot be eliminated along Lots 35-39 and that the applicant work with staff to replace it elsewhere in the subdivision without changing the roadways (any changes in the roadway will need to be approved by the Planning and Zoning Commission);
- 11) That the gazebo roof be changed to standing seam metal roof to match the barn;
- 12) That the existing field tiles be inspected and maintained as warranted; and
- 13) That the street trees be installed by the developer.

Mr. Ritchie seconded the motion, and the vote was as follows: Mr. Messineo, yes; Mr. Zimmerman, yes; Ms. Boring, yes; Mr. Saneholtz, yes; Mr. Sprague, yes; Mr. Ritchie, yes; and Mr. Gerber, yes. (Approved 7-0.)

Mr. Gerber called a short recess at 8:00 p.m. He reconvened the meeting at 8:05 p.m.

#### **5. Rezoning – Revised Preliminary Development Plan 02-137Z – Homestead at Coffman Park**

Carson Combs distributed several documents from the previous rezoning approval by City Council and final development plan disapproval. Mr. Combs indicated the adjacent commercial and residential/park uses. The proposed development uses a village concept. The proposed

color treatment is all- crème with accent colors for shutters, doors and window boxes.

The dedicated park includes the Post Road frontage and retention pond, and this leaves an offset of 0.4-acre that will be resolved with park dedication. The park boundary should be adjusted to accommodate building overhangs. No more than half of the Post Road frontage should be included to meet the Code requirements. The pond will have a looped public path system with benches, a pavilion and a boardwalk across the pond. Post Road will have a series of landscape treatments, including a pond and waterfall system.

Mr. Combs said a six-foot solid fence is proposed along the daycare site, and staff recommends extending the Wall Street ornamental fence and evergreen detail. Around the Columbus Laser (SO) site, the plan shows a solid row of evergreen trees. Based on elevation changes, the staff recommends designing a naturalized planting scheme. He said staff recommends plantings to augment the northeast corner of the site to enhance the buffer and an opaque evergreen screen at the south edge of the pond to screen the service area. Mr. Combs said the signage needs to be more residential in character and scale.

Mr. Combs said this density is slightly lower at 3.03 units per acre. The previously approved plan included a density of 3.12 units per acre, plus 7,650 square feet of commercial/retail space. Staff believes this is a needed alternate housing type. He said the proposed landscaping and mounding treatments will better blend into the park and stream corridor across Post Road.

Mr. Combs said the level of architecture is high, and it meets a number of the Community Plan goals. This proposal will have less impact on traffic, than the uses in the adopted Community Plan. He said staff recommends approval with the eight conditions:

- 1) That no more than fifty percent of "Open Space A" in "Exhibit A" be counted toward parkland dedication requirements, and that the proposed reserve boundaries be no less than two feet from proposed building footprints, with no encroachments permitted;
- 2) That all required parkland dedication fees be paid to the City of Dublin prior to approval of the first building permit and that the construction of all reserve areas be completed no later than Phase II of the development;
- 3) That the following landscape buffer modifications be made, subject to staff approval:
  - a) That the proposed daycare buffer be modified to utilize the proposed horse fence with evergreen and stone pillar treatment;
  - b) That increased evergreen buffering be provided along the flex office site to the south;
  - c) That additional augmentation of the eastern treerow along Post Road be provided; and
  - d) That alternative buffering utilizing naturalizing shrubs or other similar alternatives be provided along the Columbus Laser Center site;
- 4) That additional evergreen plantings be substituted with deciduous species along Post Road;
- 5) That the proposed text be modified to indicate all minimum alley/parking setbacks, as noted in this report;
- 6) That any required access easements to maintaining the stormwater pond be granted, and the east sidewalk connecting open space area A and B be modified to provide increased separation, subject to staff approval;
- 7) That any future home models meeting the approved development text and architectural style be administratively approved; and

- 8) That the proposed sign standards be revised to permit a maximum height for sign posts of eight feet and a maximum permitted sign face of nine square feet, and that the text clearly indicate the placement of one sign at each entrance, subject to staff approval.

Mr. Combs said the current zoning is PUD for a density of 3.12 units per acre with an additional 7,650 square feet of office or retail space for live/work units. The plan included 60 single-family detached units, with an additional two live/work buildings.

Mr. Ritchie asked if they have discretion on land use. Mr. Combs said this is a rezoning, so everything is under discretion. He said the Community Plan shows this area as office, and the pond is mixed use with employment emphasis.

Mr. Combs said the plan is reduced from 75 units to 68 units.

Glen Dugger, attorney, said this is a 68-unit single-family condo plan, and the density is reduced from the prior rezoning. They believe the live/work units become commercially unviable.

Mr. Dugger said this area is underserved by this type of housing. This will not generate children. Most buyers will be older, and the average price per unit will be \$280,000. It is close to Perimeter Center and the park. These will have no-maintenance exteriors.

Forest Gibson, Schmidt Land Design, said the access is from Wall Street primarily, with the community center on the right. It will be a traditional streetscape, and the architecture will be clapboard siding. He said there is a community green that will be heavily planted with an English Tutor style garden. Nine homes front onto the community green. There will be pavers at the entrance and visitor parking. The area along Post Road will have a waterfall feature. There are some existing trees along Post Road, and they intend for the bikepath to meander on both sides of the mound. He said they have worked with the staff to create a landscape plan that blends with the surrounding properties.

Forest Gibson said the Wall Street treatment screens the view and has a three-rail horse fence with evergreens behind it. Stone walls are at the vehicular termini.

Pat Costello, President, Post Road Civic Association, said residents welcome this development.

Mr. Dugger said the retention pond 5.6 acres.

Mr. Ritchie asked why are they considering this residential use since the Community Plan recommends office uses, and this does not match that.

Mr. Dugger said the property is currently zoned PUD for residential use. At some point it was the decision to zone this site residential. They are not interested in office zoning.

Mr. Ritchie asked if they have discretion of land use. Mr. Banchefsky responded that the Community Plan recommendation is not binding. It is a flexible document, and the Commission has discretion on land use. He agreed that the land has residential zoning.

Ms. Clarke said the 1997 Community Plan stated “office” or “mixed use/employment emphasis” for the whole area. This land was already zoned for those purposes in 1997, and those uses were reflected at that time. Last year, City Council asked for some revision of the Future Land Use Map for Brand Road, and the staff also made several other housekeeping changes to update it, such as the Metro Park and Ballantrae. She did not know if the map had been updated for the residential zoning for Homestead.

Ms. Clarke noted that staff recommended disapproval of the initial concept plan for the Homestead residential PUD because it did not conform to the Community Plan. The Commission and City Council approved it, and the staff has worked with the applicant on the text and design since that point consistent with that land use decision. The PUD rezoning was later approved which included live/work units, or some commercial features.

At the final development plan, however, those features were removed, and the Planning Commission disapproved the plan. It stated that this factor plus other plan changes moved it away from the approved preliminary development plan. The staff has been told that the live/work project is not commercially viable. Somewhere between the applicant and the City, and appropriate economically viable development must now be found.

Ms. Boring said there was a lot of discussion in the minutes that the elements originally in the plan that had convinced the Commission initially, were taken away.

Mr. Dugger said this is not a request to rezone for office. There are houses to the north of this undeveloped site. This is clearly a transitional area and appropriate for a condo development.

Forest Gibson described the land uses in the area from an aerial photograph. He said it is only a question of where the transition occurs between residential and commercial uses.

Mr. Sanholtz complimented the applicant on an attractive design, but said this about land use.

Mr. Sprague said they have been through this discussion previously. He believes this is a good plan, but it is a question of whether it is an appropriate plan. Mr. Gerber agreed.

Mr. Ritchie said there is a lot of screening and buffering in this plan, in fact on all four sides, and that points to a basic compatibility problem. He said it is designed like a fortress and everything faces internally. There is no street presence.

Ms. Boring said one of the concerns is with adjacent industrial property and the need to protect this development in some way.

Mr. Dugger noted that slightly to the west of this site, there are condominiums to the south of Post Road. This proposal is also appropriate.

Ms. Boring said she was concerned about the undeveloped property to the south. If this site is appropriate for condos, there might be a request for the southern site also.

Mr. Gerber said the Commission disapproved the final development plan before because it lacked the live/work feature, and this is basically the same plan.

Mr. Sprague said the design of the pond is not pedestrian-friendly and accessible. He is torn on this issue.

Mr. Ritchie said he has a land use problem and a lot of issues with the site plan.

There was discussion about framing a positive or negative motion. Mr. Ritchie made a motion for approval, seconded by Mr. Zimmerman. The motion was withdrawn.

Mr. Ritchie made a motion to disapprove this revised preliminary development plan because the proposal is inconsistent with sound zoning, planning and design techniques, and the Community Plan, and the development does not incorporate a variety of land uses with proper relationships to the existing land use and structures.

Mr. Zimmerman seconded the motion, and the vote was as follows: Mr. Gerber, yes; Ms. Boring, yes; Mr. Sanholtz, yes; Mr. Sprague, no; Mr. Messineo, yes; Mr. Zimmerman, yes; and Mr. Ritchie, yes. (Disapproved 6-1.)

**6. Revised Development Plan/Conditional Use 03-021RDP/CU – Crown Kia Carwash – 6400 Perimeter Loop Road**

[Ms. Boring recused herself from this case and left the dais.]

Jamie Adkins said this is a revised development plan to add a carwash for Crown Kia. She said the site is zoned PCD, Planned Commerce District for auto dealerships and is near Perimeter Center and Craughwell Village. The proposed carwash is 1,560 square feet. The east and west openings will have overhead doors. Some parking will be removed.

Ms. Adkins said the materials would match the existing building. The existing overhead door will be replaced with brick to match the existing building and trees are to be relocated.

Mr. Gerber asked about Code compliance. Ms. Adkins said previous conditions are either complete or in process. There is still construction activity. She said, according to Code Enforcement, the conditional occupancy is to expire at the end of May and that should give them time to resolve any issues.

Mr. Gerber said he saw cars on stands and they are still unloading cars on the street.

Mr. John Oney, Architectural Alliance, representing Crown Motors, said this proposal will help complete the three buildings and three sites in the Crown campus. Their goal is to unify all three into one development with consistent materials, colors, cross parking, circulation, lighting, signage, and landscaping. The unloading can now be done on site.



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## PLANNING AND ZONING COMMISSION

### RECORD OF ACTION

March 21, 2002

The Planning and Zoning Commission took the following action at this meeting:

5. **Final Development Plan 00-127FDP – Perimeter Center, Subareas B-2 and B-3 - Homestead Communities**

**Location:** 22.462 acres located on the southeast corner of Metatec Boulevard and Post Road.

**Existing Zoning:** PUD, Planned Unit Development District (Perimeter Center Plan).

**Request:** Review and approval of a final development plan under the PUD provisions of Section 153.056.

**Proposed Use:** A development of 70 detached single-family residential units, a clubhouse, and 3.99 acres of open space.

**Applicant:** Jonathan Kass, Continental/NRI Ventures LTD., P.O. Box 712, Dublin, Ohio 43017; represented by Gus Cook, Homestead Communities, 150 East Broad Street, Columbus, Ohio 43215.

**Staff Contact:** Warren Campbell, Planner.

**MOTION:** To disapprove this final development plan because it fails to comply in all respects with the previously approved preliminary development plan.

**VOTE:** 7-0.

**RESULT:** This final development plan was disapproved after much discussion. The reasons include, but are not limited to, the gateway entry feature design, the redesign of the wet pond, redesign of the building footprints, redesign of the traffic flow, redesign of pocket parks, changes of the type and number of units, and alteration of the site amenities and overall design.

#### STAFF CERTIFICATION

Barbara M. Clarke  
Planning Director

Mr. Land agreed to the conditions as listed. Mr. Zimmerman seconded the motion, and the vote was as follows: Mr. Eastep, yes; Ms. Boring, yes; Mr. Messineo, yes; Mr. Sprague, yes; Mr. Fishman, yes; Mr. Zimmerman, yes; and Mr. Gerber, yes. (Approved 7-0.)

Ms. Boring said she hoped this would open the area up to office development. It was nice to see it happening. She wished them luck.

Mr. Sprague announced the 11 o'clock rule again, and that Case 6 was tabled.

**5. Final Development Plan 00-027FDP – Perimeter Center, Subareas B-2 and B-3 – Homestead Communities**

Warren Campbell presented the final development plan for this 22 acres. He said the approved preliminary development plan included 70 residential units and eight live/work units. He said the eight live/work units had been dropped from this proposal. He showed several slides. This site is zoned PUD, and is in Subareas B-2 and B-3 of the Perimeter Center plan. Properties on three sides are zoned PCD, with residential properties along Post Road.

Mr. Campbell said more single-family footprints now replace the live/work units. The swimming pool was relocated. The Post Road frontages remain. Instead of the rear access alleys previously shown, there is a full service curbcut to give better traffic flow through the site.

Mr. Campbell said Condition 1 referred to two units at the northwest corner of the site. There had been a larger greenspace with a pond wrapping around it. He said that staff recommends dropping two units near the openspace. This will restore the entry feature appearance that was shown on the preliminary development plan.

Mr. Campbell said there would be a curbcut on Metatec Boulevard and a shrub and pillar treatment along Wall Street. He said the mounding and plantings between the Laser Eye Center and Metatec Boulevard will be removed and replaced with the pond and waterfall treatment.

Mr. Campbell said staff recommends approval of this final development plan with 12 conditions:

- 1) That the two units closest to the Metatec entrance be removed and the pond and landscaping treatment approved at the preliminary plat be incorporated;
- 2) That a plan showing the exact location of each building envelope, by coordinates or distances, be provided at the time building permits are requested, subject to staff approval;
- 3) That open space be fine graded, seeded, and dedicated to the City, prior to the issuance of the first building permit;
- 4) That all landscaping comments contained in this staff report be met, to the satisfaction of staff;
- 5) That site lighting meet the Dublin Lighting Guidelines;
- 6) That protective tree fencing be utilized throughout all phases of construction, to the satisfaction of staff;
- 7) That new street names for Clondalkin Lane, Clondalkin Court, and Tallaght Court be approved prior to submission for building permits;

- 8) That the proposed entrance signage be revised to meet the text and Code for height and shape and that no commercial signage (Subarea B-2) be permitted unless the eight live/work units, or whatever portion of the plan is approved through a future revised final development plan;
- 9) That the pointed caps on the wrought iron fence be replaced with blunt caps to meet the Dublin Fence Code;
- 10) That some form of subgrade treatment be added to the southern portion of the green space located in Tallaght Court to handle the load imposed by emergency vehicles passing across the island, subject to staff approval;
- 11) That the design of all private drives, parking areas, drive approaches, stormwater management, utilities, and sewers meet or exceed the requirements and standards of the Engineering Division; and
- 12) That plans reflecting the conditions listed in this staff report be submitted at the time of building permits.

Mr. Sprague said the Commissioners had received several letters of support for this case.

Gus Cook, president of Continental Communities, the construction arm of Continental Real Estate, said they are presenting a neo-traditional streetscape design by Andres Duany. He said it was a unique opportunity for Dublin.

Mr. Cook said this plan is residential in feel and centered on the idea of neighborhoods. It keeps all the traffic and parking to the rear off alleyways. They have developed three similar communities. The base houses begin at \$240,000. The amenities include a clubhouse, fitness center, paths, pocket parks and pool. He had been the master developer for Craughwell Village.

Removing the work/live units reduced the commercial/retail use by 8,000 square feet from the original preliminary development plan. The seven basic models will range from 1,500 to 2,100 square feet. They are one, story-and-a half, and two story. All have basements. No garages front the streetscape or main center court. He showed a color palette and basic building materials proposed. He said Hardi-plank siding would be used with a 30-inch stone watertable around all houses. He said they would have optional stone veneers. The façade of the clubhouse is all stone. True dimensional shingles by Certinteed Independence are proposed. Options include patios, screened porches, Florida rooms, and finished basements. There will be a variety of exterior door and shutter colors from the Williamsburg color brochure.

Mr. Cook said much time and effort had been spent on the landscape plans. It was the most thorough and intense landscaping package he had ever seen. Substantial changes had taken place even since the submittal. They moved the entry farther away from Post Road and that pushed houses closer to the road. Additional landscaping features had been put at Metatec Boulevard and Post Road. The intensive landscaping at the entry feature will provide a nice buffer.

An access onto Wall Street was added. They also straightened out the roads and the pocket parks for emergency traffic and access. Mr. Cook said the elimination of the live/work units was a market driven decision. Mr. Cook said they have the same number of residential units as before.

He said the larger pocket parks were 20,000 square feet each. They are not used in the openspace calculation. Mr. Cook said the target market was not geared towards children, so there is no tot lot. They expect mostly young professionals or empty nesters. He said the pocket parks would be adequate. Mr. Cook said there was a deficiency in greenspace because there was no credit for the pocket parks or green areas. The density has decreased and they are still at 34 percent lot coverage. He said one pond leg was removed from the preliminary development plan, but it does not detract from the appearance from Post Road or Metatec Boulevard.

Mr. Cook said they had considerable support from quite a few groups, including the Post Road residents and contiguous property owners, and Davidson-Phillips. He said they wanted to keep this revised plan. They will work with the daycare center to mitigate as much construction noise/airborne debris or dust as possible. They can not limit themselves to construction only during the fall and winter months, but they will work with the daycare.

Mr. Cook said the landscape and buffer plan, which had the Wow! elements made this a special project. He hoped they could move forward and not change it.

Ms. Clarke said the colored ridgeline of the gable shown on the site plan did not match the elevations. Mr. Cook said they were just typical footprints of the buildable envelopes. The rooflines actually show a two specific models but they also showed the package elevations and footprints of everything on the models used. Ms. Clarke asked if they would use all of the model types in the photographs. He said no two models that are exactly the same will be next to each other, and the colors are varied. He said the ridgelines run both ways.

Ms. Boring said when a previously reviewed planned unit development came before the Commission as a preliminary development plan, they were told that the Commission could not change it because it had been approved. She asked how the developer could make so many changes from the approved preliminary development plan.

Mr. Banchefsky responded whether the applicant can do it or not was up to the Commission. The Commission's standard of review was whether this final development plan matches the preliminary. Mr. Fishman agreed with the comments made by Ms. Boring.

Mr. Banchefsky said there was still flexibility in the layout. At the preliminary stage, land uses, the density, and type of housing are being approved. Ms. Boring said she had previously been advised differently.

Mr. Messineo asked if the density was the same between these two plans. Mr. Land said it was actually less on the second plan. He said they lost 8,000 square feet of "work" space.

Mr. Fishman said there was an incredible amount of previous discussion about the wet pond. It was for public use. He said the pool was not near it before, and now it and the clubhouse sat right on it. It gives the impression that the pond is for this community only.

Mr. Fishman said there was also a lot of discussion about the water feature wrapping around the corner, and now two units have been added right there.

Ms. Boring said that when it originally was approved, it was discussed that this would be something different and new. The work/live units were a huge selling point. Now it is just a high density subdivision around the shopping center. It may be a beautiful plan, but it was not what was originally approved.

Mr. Fishman said he would like to see the two additional units eliminated and have the two pocket parks usable. A half-acre is not large enough for any recreation. Mr. Fishman said concessions needed to be made by the developer in the density if the concept was being changed.

Mr. Cook did not agree that this was a change in concept. It still is a very unique development that offered condominiums. It offers a neo-traditional feel and a maintenance free exterior.

Mr. Eastep said a final development plan is not a concept plan, it is a plan which must match the preliminary development plan. This does not.

Ms. Boring said this was approved as a preliminary development plan with a business-type use available in a PUD. She thought it would need to be rezoned without the business use.

Mr. Campbell said the elimination of the commercial units could be looked upon as within Commission's discretion.

Ms. Boring argued that the use was being changed. The work/live units were being dropped.

Mr. Banchefsky said this decision, in terms of whether the final development plan being presented tonight is a detailed refinement of the approved preliminary plan, is the Commission's. He read one of the code criteria for approval.

Beth Amirault, owner of a Place to Grow Daycare, said she was only told of this project this month. She said the plans were beautiful, but she had concerns about the children at her daycare center. If construction takes place adjoining her property (eight to ten units), the children could not play outside because of the airborne debris, and health and environmental issues. Ms. Amirault requested a prohibition against construction on the particular units closest to her playground during June through September. She said construction continues all year. She said 70 percent of their summer business is based outdoors, and parents have already expressed concern regarding the airborne debris. If this project was not limited in some way, they will have to close their doors.

Ms. Amirault said a fence was proposed halfway up the north side and about one-fifth of the east side of the project. By Code, it can only be four feet tall. She said the community that Homestead is proposing is beautiful. She said she signed a 12-year lease, and she would like to be a part of it. She hated to see a fence separating them and suggested shrubbery instead.

Ms. Amirault said a concrete sidewalk was proposed the entire length of Wall Street, stopping at the entrance into the daycare parking lot but it doesn't continue to the stop sign. She asked that the sidewalk and street trees be continued to the stop sign.

Pat Costello, Post Road resident, said they had looked forward to this project for several years. He said it is a tremendous addition to the residential feel that the Post Road residents are trying to accomplish. He urged the Commission to approve this plan.

Mr. Gerber understood that if someone deviated from a preliminary development plan, the Commission had the authority to approve or disapprove it. Mr. Banchefsky agreed. Mr. Gerber said if the final application looked like the preliminary, the Commission could not tweak it and do other things. Mr. Banchefsky agreed. Mr. Gerber asked if under this circumstance, they had the right to accept or reject the changes and to say that they wanted the original plan.

Mr. Banchefsky said, within reason, that was true. He said the Commission had broad discretion to determine if it matches. If it is radically different, then it will require rezoning.

Mr. Gerber asked why the pool location was changed. Mr. Cook said he did not know. The pool now takes advantage of the location by the pond. He said there was some discussion of trying to at least have some ability to utilize the path system and have this be a semi-public space. It will be dedicated to Dublin. The community center is supposed to be a focal point. Ms. Boring said previously, the developer told them that the community center was not wanted close to the pool because of the noise. Mr. Eastep agreed.

Ms. Boring said the Commission did not want the pool location shifted. That location was proposed by the applicant. Mr. Campbell disagreed and said there was a shift between the concept plan and preliminary development plan. Noise would be less bothersome here.

Mr. Cook said they also wanted to take advantage of the location next to the pond just because of the Wow! factor. They like the way it sets up as an amenity.

Mr. Fishman said they discussed in the earlier plan that there was a great deal of openspace next to the retention basin. He said now, the houses are right next to the pond. Mr. Cook said the only building jammed up to the pond was the clubhouse. Everything else is across the road.

Mr. Sprague said the on the new rendering it seemed as though the pedestrians would be impeded a lot more. The landscaping is more open in the initial plan. Mr. Gerber said it looked like there were more trees on the second plan than the first.

Mr. Fishman asked if the applicant was willing to make any concessions in this new plan. Specifically, would he eliminate the two lots to bring the water feature around like the old plan?

Mr. Cook said the elimination of the two units is a big problem. He said they need 70 total units. A reconfiguration could happen but they are at a point where a decision needs to be made. If they lose units, this project does not make any sense for them.

Mr. Fishman said if they are not willing to negotiate, the original preliminary development plan could be built.

Mr. Cook asked for approval of this final development plan. He asked if the original preliminary development plan stayed in place if the final development plan is disapproved.

Ms. Clarke said the zoning would still be in place until such time as the land is rezoned. The applicant would have the opportunity to resubmit another final development plan. However, at some point later if no one wants to build anything that looks similar to the original plan, the zoning is useless. She understood from the Commissioners' comments that the new plan does not look enough like the preliminary development plan to satisfy several of them.

Mr. Banchefsky said there is no magic time period whereby the underlying approved preliminary development plan goes away under the current code.

Mr. Cook said they feel it is in keeping with the first plan. He said they would at least look at the possibility of reconfiguring it so that units will not be lost.

Mr. Eastep said the pond has been there for 15 years or more. Putting a private structure in the City's pond will create a pedestrian stopping point for the rest of the residents of Dublin. It is one of the nicest ponds in Dublin as far as plant, aquatic, and animal life goes. He said the pond has to be accessible to the public.

Mr. Cook said there was a gazebo in the pond under the approved preliminary development plan. Mr. Eastep and Mr. Fishman agreed and said it was discussed, but it would need to be public and there would be a sign saying "Open to the Public."

Mr. Gerber asked if the bylaws could state that this is a public pond. Mr. Banchefsky said in terms of the condominium bylaws, yes.

Ms. Boring asked if the pond was public, why was there a private clubhouse on it.

Mr. Sprague asked if the pool would have a substantial detrimental effect on the ecosystem. The pond has been surrounded and the only vistas unobstructed were off the deck of the pool. In essence, they have incorporated the pond into the development instead of making it a public resource. In the preliminary development plan, it is more open, public, and accessible.

Mr. Cook said he understood the point, but he did not think a reconfiguration is out of the question. The deck is infringing on the boundary of the pond in both plans.

Mr. Fishman did not want to lose the Post Road water feature. Comparing the two plans, he said the first is much more creative. Mr. Cook said the only difference was in the rendering. Sprague said it was more than just the rendering; this is a different design. Mr. Fishman said his concerns were the size of the parks, pool location and the water feature prominence.

Mr. Cook said if the pocket parks were increased in size, density might be lost. He said they have expanded and contracted the pocket parks repeatedly, and this is a fairly optimal, 70-unit plan. He said they could look at a possibility of two-unit structures, but it will be very difficult to get the 70-unit yield and expand the pocket parks.

Mr. Fishman said if the retail portion of the live/work units were eliminated, there would be the same configuration as was originally approved. He asked how any space would be lost.

Mr. Cook said the architectural plan for the live/work unit was actually a connecting unit. He said there was an interior stairway that allowed more efficiency or studio type living.

Mr. Eastep said 70 single-family units could be built as originally approved.

Mr. Fishman said Jack Lucks and Frank Kass presented the original plan. Mr. Cook said they are Homestead Communities principals, plus Mr. Dargesh, Mr. Cook, and their financial officer.

Edith Driscoll said she was present at the first meeting. She recalled the pool was in the middle of the residences, and the Commission wanted it moved near the clubhouse. Mr. Fishman and Mr. Eastep said they did not remember that.

Mr. Campbell said the approved preliminary development plan had 60 detached single-family homes and two live/work units with ten apartments above them. To achieve the full 70 units, they added building footprints to the plan.

Ms. Boring said the previous minutes reflect the Commission did not require moving the pool.

Mr. Fishman said Craughwell Village has 15 du/ac, and the Commission can support a unique concept. He suggested tabling to allow the applicant to work on reconfiguring the plan.

Mr. Cook said practically speaking, if they were at a point where they could construct this project, they would work with the daycare as best they can to mitigate their concerns. To limit their ability to build during the prime building season is an impossibility, but they can do a lot to control the dust. He said they could use water trucks to try to keep the dust down to protect the children. Some type of construction will happen on this site in the future.

Mr. Zimmerman asked if the project would be phased. Mr. Cook said it was broken into two phases of 27 and 43 units. The first phase would include the clubhouse and western area. He said they did not request the fence; it was requested by Davidson-Phillips. Mr. Messineo asked if they would be willing to remove the fence. Mr. Cook agreed.

Mr. Fishman noted that Davidson-Phillips is the owner of the daycare site and requested the fence. Mr. Cook said Davidson-Phillips supported this project.

Ms. Amirault said she met with Davidson-Phillips (Ruma Investments) who denied knowledge of this project. She said construction progresses as units are sold. Construction might take five summers, and her daycare center could not use its outdoor areas. Mr. Eastep understood this.

Mr. Cook said they have no desire to table this application at this point.

Ms. Newcomb noted that the applicants for the next case were getting ready to leave. The Commission decided not to waive the 11 o'clock rule.

Mr. Sprague made a motion to disapprove this final development plan because it fails to comply in all respects with the previously approved preliminary development plan. The reasons include, but are not limited to the gateway entry feature, the redesign of the wet pond, the redesign of the footprints, development, redesign of the traffic flow, redesign of pocket parks, and changes of the type and number of units. Mr. Eastep seconded the motion, and the vote was as follows: Mr. Gerber, yes; Ms. Boring, yes; Mr. Messineo, yes; Mr. Fishman, yes; Mr. Zimmerman, yes; Mr. Eastep, yes; and Mr. Sprague, yes. (Disapproved 7-0.)

**6. Revised Final Development Plan 02-006FDP – Lowell Trace PUD – Northwest Corner of Post and Avery Offices – 6759 Avery Road**

Mr. Eastep made the motion to table this case as requested by a letter from the applicant. Mr. Fishman seconded, and the vote was as follows: Mr. Gerber, yes; Mr. Messineo, yes; Mr. Sprague, yes; Mr. Zimmerman, yes; Mr. Fishman, yes; and Mr. Eastep, yes. (Tabled 6-0.)

**7. Rezoning 02-007Z – Hilliards Furniture – 6319 Old Avery Road**

Due to the late hour, this case was postponed to the April 11, 2002 agenda. There was no discussion or vote taken.

Mr. Sprague adjourned the meeting at 11:45 p.m.

Respectfully submitted,



Libby Farley  
Administrative Secretary  
Planning Division

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Mr. McCash moved to amend the ordinance in the section of the third Whereas - after the word intended, add, "and interpreted."

Mayor Kranstuber seconded the motion.

Vote on the motion - Mr. Adamek, yes; Mayor Kranstuber, yes; Mrs. Boring, yes; Ms. Chinnici-Zuercher, yes; Mr. Peterson, yes; Mr. McCash, yes.

Vote on the Ordinance as amended - Mr. Peterson, yes; Mr. McCash, yes; Mrs. Boring, yes; Mr. Adamek, yes; Mayor Kranstuber, yes; Ms. Chinnici-Zuercher, yes.

**Ordinance 59-00 - An Ordinance Providing for a Change in Zoning for 22.462 Acres Located on the Southeast Corner of Metatec Boulevard and Post Road, From: PCD, Planned Commerce District, To: PUD, Planned Unit Development (Homestead Communities/Case File No. 00-030Z) (Applicant: Continental/NRI Office Ventures LTD., c/o Jonathan Kass, P.O. Box 712, Dublin, OH 43017; represented by Gary Gray, Homestead Communities, 150 E. Broad Street, Columbus, OH 43215)**

Mr. McCash indicated that he will abstain on this matter and left Council Chambers.

Ms. Clarke noted that this is a rezoning for property currently zoned for office use on the south side of Post Road. The proposal is for a residential condominium development which would not be permitted under the currently zoned PCD district. This concept plan was favorably reviewed by Council in January. It includes 72 units on 22 acres. Ms. Clarke showed slides of the site and the surrounding area. Their plan has been amended slightly since the Planning Commission review - the one in the Council packet shows a broader setback from Metatec Drive and two units were dropped from a building. These are condominium homes with emphasis on a linear water feature to be constructed along Post Road, with a bikepath connection from this new residential community, and access from two points on Wall Street and one on Metatec. The most contentious issue was whether this site should also have access from Post Road. The application before Council does not show access from Post Road, which was the recommendation from Planning Commission after several motions during the debate. The Commissioners were divided on this issue, but the prevailing vote was that the development should not have access to Post Road, a position the staff supported. The residents along Post Road endorsed an access on Post Road. This application does not conform with the land use recommended in the Community Plan. However, after design modifications over several months of meetings with the applicant, staff recommended approval. Planning Commission recommended approval as well, with 20 conditions as listed in the P&Z Record of Action of July 6, 2000. There was a split vote of 4-2. There was general agreement among the Commissioners that this did provide for an appropriate character on the south side of Post Road, with very attractive architecture, and substantiated a deviation from the Community Plan which recommended office use.

Ms. Chinnici-Zuercher asked why staff recommended that there be no curb cuts on Post Road?

Ms. Clarke stated that under the Perimeter Center text, all of the land being developed there, with the exception of a couple of single-family houses, is oriented toward the new internal road system, so that new trips are not generated onto Post Road. Over the last 15-20 years, the speed and amount of traffic on Post Road has been an issue. To take the densest housing in the area and provide access onto Post Road was counterproductive. The density for the project is at 3.2 units per acre.

Mrs. Boring noted that at the concept plan stage, Council recommended lowering the density, but this has not happened. Council had previously expressed concern about the approximately 30 percent of multi-family zoned property in the development pipeline, and this may impact that percentage.

Ms. Clarke stated that what she heard during the Community Plan process was the desire to reinforce single-family neighborhoods and to assure long-term stability in the community. Post Road is still a single-family neighborhood and there are virtually no architectural controls for this land. This is a better plan for the neighborhood, and there

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will be far less traffic impact than that which would be generated by office use. As Dublin continues to experience traffic problems, this becomes an important consideration.

Mrs. Boring asked if Dublin has used curb cuts to lower the speed of traffic. Riverside Drive has many curb cuts, but it does not seem to lower the speed.

Ms. Clarke responded stated that highway engineers indicate curb cuts generally slow traffic, but turning movement increases accidents. It has not been the City policy to use curb cuts to slow traffic.

Mayor Kranstuber asked for clarification about the number of votes needed for approval of the rezoning, in view of Mr. Reiner's absence and Mr. McCash's abstention, and how many votes would be needed to add the curb cut amendment for Post Road.

Mr. Smith responded that the rezoning ordinance requires four votes of Council to approve, and an amendment would require a simply majority of those present.

Gary Gray, Homestead Communities stated that they have met with the neighbors in the area, and have submitted letters of support from several corporate employers supporting the diversity of housing offered. The immediate commercial neighbors have also submitted letters of support. They have worked with the neighboring properties regarding land use, buffering and traffic patterns. Their target market is the over 55 group who is looking for diversified housing options, and these 70 units constitute less than five percent of the potential market in this area. He noted that the Indian Ridge rezoning for multi-family was removed last year and rezoned for the Cardinal Health project, so there actually has been a reduction in approved multi-family projects in Dublin.

These units are totally detached units with full basements and attached garages which will cost between \$270,000 to \$280,000. There are 10 live/work units designed for an office space and living quarters above; the rest are detached units of approximately 2,000 plus square feet. They are grouped around village greens which feed into the linear water feature along Post Road. The plan was enhanced subsequent to the Planning Commission review as Ms. Clarke has described. The exposure and visibility along Post Road were increased. He clarified that the applicant desires a curb cut on Post Road, but the Engineering staff has indicated that it would require a turn lane. That turn lane would be detrimental to the Post Road water feature, so they have redesigned their project to have the entrance at another location. He then described other features of the plan.

Edith Driscoll, 6230 Post Road stated that she represents the residents of Post Road. Council has received a copy of their petition which supports this rezoning. The issue is with the curb cut on Post Road and the related left turn lane. She reviewed the rear-end collision records from 1991 through 1998 between Emerald Parkway and Avery Road along Post Road. There were four such incidents during that period of time. This indicates that not adding a left turn lane at this curb cut would not result in a safety issue. Residents of Post Road support this development as an asset to the residential nature of Post Road. The residents support access along Post Road, and believe that the accident records do not justify adding a left turn lane at this location.

Chris Cline, 6060 Post Road stated that the applicant had previously indicated to them that the curb cut on Post Road was an important factor to the viability and quality of the project. That curb cut was included in the concept plan which was approved by Council. The residents are concerned with traffic on Post Road, and the density of this project is actually lower than portions of Waterford Village. It is not fair to call this a multi-family project on that basis. This kind of project produces a low traffic load and at off-peak times. With all of the entrances to the project, the Post Road curb cut would not be significant. The applicant had a traffic study done and the applicant also applied the ODOT standard related to a requirement for a left turn lane -- all of the formulas indicated there is no reason for this. The Post Road entrance will make this development more a part of the existing neighborhood. This rezoning makes sense as a transitional site to the residential neighborhood. The Post Road neighborhood previously had

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requested no curb cuts on Post Road from the Perimeter Center development as that was a land use not compatible with their residential area. This development with low density residential is compatible with their neighborhood. It is the right land use for this site.

Mr. Peterson stated that, in reading P&Z minutes, it seems the plan as proposed did not include a Post Road curb cut. Then the Commission entertained a number of motions and conditions, all of which were agreed to, except that there would be no Post Road curb cut. He asked for clarification of whether the applicant is requesting the curb cut. Mr. Gray stated that they now agree with all of the conditions, including no Post Road curb cut. However, if there were a way that a Post Road access could be obtained without a left hand turn lane, they would agree to that as well.

Mr. Cline stated that the applicant wanted a curb cut on Post Road at the outset, but they could not obtain staff approval without removing that curb cut from the plan. For this reason, the applicant is willing to accept no curb cut on Post Road.

Mayor Kranstuber stated that there are three scenarios: a curb cut with a turn lane on Post Road, a curb cut without a left turn lane, or no curb cut on Post Road. He asked the applicant to affirm that he does not have a problem with including a curb cut on Post Road, but objects to the requirement of a left turn lane which impacts the water feature. Mr. Gray confirmed that this is correct.

Ms. Chinnici-Zuercher asked where the curb cut along Post would be.  
Ms. Clarke responded that it would be at the pedestrian bridge location.

Mr. Peterson confirmed that the bikepaths and sidewalks are connected to the water feature even without a curb cut.  
Mr. Gray confirmed this.

Mayor Kranstuber stated that the minutes reflect that P&Z grappled with this issue and finally endorsed the no access on Post Road version of the Plan.  
Ms. Clarke stated that the Engineering division cannot support Post Road access without a left turn lane, as Post is considered a substandard road with ditches on both sides. This recommendation is consistent with what has been done in other developments.

Mr. Hansley asked why the neighbors support the curb cut on Post Road.  
Ms. Clarke responded that they believe it reinforces Post Road as a viable residential neighborhood.

Mrs. Boring noted that she has had several phone conversations with Mr. Gray. The policy of the City has been that a developer pays the cost of a left turn lane needed to serve a development. She cannot support the project with a curb cut on Post Road. The connectivity to the Post Road neighborhoods is provided via the bikepaths.

Mr. Adamek asked for clarification from the applicant about the enhancement of the Metatec entrance.

Mr. Gray clarified that the intent of enhancing the Metatec entrance was to provide more visibility to Post Road by removing two houses at that end of the site. They have added more water at this end of the site as well.

Mr. Cline noted that the residents do not want a curb cut on Post Road if a turn lane is required.

Ms. Chinnici-Zuercher asked Engineering to explain their justification for this recommendation.

Mr. Kindra stated that the site already has three other curb cuts and typically, this type of site would be allowed two curb cuts. This site will generate about 700 vehicles per day and is close to the curve on Post Road. In these cases, the policy has been to add a left

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turn lane. A left turn lane was required for the Rec Center. While there have been few accidents along this stretch of roadway, the risk will increase with the higher traffic volumes. If the City does not require this project to have a left turn lane, it may be difficult to require others in the future.

Mrs. Boring noted that she had grappled with the land use change, but believes this creates a nice area along Post Road with a good buffer between the newer and the older areas. She will support this rezoning.

Mr. Adamek stated that this is a quality product, and he has no concern with the land use change. He believes that Council needs to abide by the recommendation of the professional staff in regard to the left hand turn lane for the curb cut. The applicant was prudent in beautifying the Metatec entrance in order to enhance the neighborhood feel. He compliments the developer for integrating the neighborhoods into this plan.

Mayor Kranstuber stated to the residents should be aware that the change by Council from income tax producing land use to residential is an extraordinary one, and does not conform to what was recommended in the Community Plan. He believes in supporting P&Z and staff in their recommendations.

Vote on the Ordinance – Mrs. Boring, yes; Mr. Peterson, yes; Mr. Adamek, yes; Ms. Chinnici-Zuercher, yes; Mayor Kranstuber, yes; Mr. McCash, abstain.

**Ordinance 107-00 – An Ordinance Authorizing an Employment Contract for the Clerk of Council.**

Mr. Peterson moved to table this ordinance until the September 18 Council meeting.  
Mrs. Boring seconded the motion.

Vote on the motion – Mayor Kranstuber, yes; Ms. Chinnici-Zuercher, yes; Mrs. Boring, yes; Mr. Peterson, yes; Mr. Adamek, yes.

## **INTRODUCTION & FIRST READING – ORDINANCES**

**Ordinance 109-00 – An Ordinance Authorizing Distribution to the Dublin Convention and Visitors Bureau (DCVB) in Excess of the Twenty-Five Percent Allocated in Accordance with Section 35.32 of the Codified Ordinances of the City of Dublin to Provide Assistance for the Relocation of the DCVB's Operations.**

Mr. Adamek introduced the ordinance.

Mr. Hansley stated that this ordinance reflects the motion approved by Council and is based on the recommendation of the Finance Committee.

Mr. McCash, Finance Chair stated that Ms. Grigsby's memo summarizes the discussion at their meeting. The additional funding can be provided through the bed tax funds.

Ms. Chinnici-Zuercher added that the ordinance takes into account the discussion which took place at the previous Council meeting, and ensures that there will not be a windfall created in the event that bed tax revenues are much higher than projected.

Mr. Hansley stated that perhaps Council would consider adding emergency language at the second reading, as the Bureau hopes to enter into a lease based upon this funding assurance.

Mr. Adamek moved to amend the ordinance to add emergency language.

Ms. Chinnici-Zuercher seconded the motion.

Vote on the motion – Mrs. Boring, yes; Mr. McCash, yes; Mr. Adamek, yes; Mayor Kranstuber, yes; Ms. Chinnici-Zuercher, yes.

**Ordinance 110-00 – An Ordinance Accepting the Lowest and Best Bid for the Stormwater Management System Maintenance Program, and Declaring an Emergency.**

Mayor Kranstuber introduced the ordinance.

Mr. Hansley stated that a detailed memo was provided by staff, and Council is requesting that Council dispense with the public hearing and treat this as emergency legislation so that the program can be implemented.

Mayor Kranstuber moved to dispense with the public hearing and for emergency passage.

**DUBLIN PLANNING AND ZONING COMMISSION**

**RECORD OF ACTION**

**July 6, 2000**

The Planning and Zoning Commission took the following action at this meeting:

**2. Rezoning Application 00-030Z – Preliminary Development Plan – Homestead Communities**

**Location:** 22.462 acres located on the southeast corner of Metatec Boulevard and Post Road.

**Existing Zoning:** PCD, Planned Commerce District (Perimeter Center Subareas B and C).

**Request:** Review and approval of a preliminary development plan under the PUD provisions of Section 153.056.

**Proposed Use:** A multi-use development of 60 detached residential units, two live/work buildings containing 12 residential units and eight office/commercial units, and 3.2 acres of open space.

**Applicant:** Continental/NRI Office Ventures Ltd, c/o Jonathan Kass, P.O. Box 712, Dublin, Ohio 43017; represented by Gary Gray, Homestead Communities, 150 East Broad Street, Columbus, Ohio 43215.

**MOTION 1:** To approve this rezoning application (with no access to Post Road) because it protects and enhances the scenic character of Post Road, provides a transition between Perimeter Center and the residences, includes quality architecture, pedestrian amenities and “Wow!” elements, with 20 conditions:

- 1) That required open space be dedicated to the City;
- 2) That the buffer along the daycare meet Code to the satisfaction of staff;
- 3) That the design of River Heritage Character “Wow!” elements be detailed at the final development plan stage in conformance with the drafted guidelines;
- 4) That the landscape plan be revised to meet Code requirements for screening and perimeter plantings;
- 5) That plans for the tree preservation ordinance reflect a total of 151 replacement inches and that protective fencing be utilized throughout all phases of construction, to the satisfaction of staff;

**DUBLIN PLANNING AND ZONING COMMISSION**

**RECORD OF ACTION**

**July 6, 2000**

- 2. Rezoning Application 00-030Z – Preliminary Development Plan – Homestead Communities (Continued)**
- 6) That existing landscaping along the Post Road buffer be relocated once to the satisfaction of staff;
  - 7) That the text be revised regarding pavement setbacks, height, residential signage, awning signage, conditional uses for Subarea B-3, and that signage details be submitted to the satisfaction of staff;
  - 8) That the development meets all turning radius requirements for fire and trash vehicles;
  - 9) That “no parking” signs and “one way” signs be provided to the satisfaction of staff;
  - 10) That the applicant work with staff and fire officials to meet all health, safety and welfare issues regarding the design of all private drives, parking areas, and drive approaches;
  - 11) That no direct vehicle access be permitted onto Post Road;
  - 12) That the site comply with the Division of Engineering Administrative Policy for Intersection Visibility Triangles at all proposed access points;
  - 13) That all utility connections and/or extensions meet or exceed the requirements and standards of the Division of Engineering and that no buildings or structures encroach upon required easements;
  - 14) That the site comply with Stormwater Regulations, and that stormwater capacity for the existing pond be preserved;
  - 15) That street names be provided to the satisfaction of staff prior to scheduling for City Council;
  - 16) That palettes for building elevations, fences, shingles and other materials be submitted with the final development plan;
  - 17) That two units be eliminated;
  - 18) That the applicant utilize dimensional shingles or a mix of shingle types, subject to staff approval;
  - 19) That stucco be eliminated from the proposed materials; and
  - 20) That all applicable conditions be met prior to scheduling for City Council.

\* Gary Gray agreed to the above conditions, except Condition 11.

VOTE: 1-5.

RESULT: The motion failed.

**DUBLIN PLANNING AND ZONING COMMISSION**

**RECORD OF ACTION**

**July 6, 2000**

**2. Rezoning Application 00-030Z – Preliminary Development Plan – Homestead Communities (Continued)**

**MOTION 2:** To approve this application with all conditions from Motion 1 listed above except Condition 11.

**VOTE:** 3-3.

**RESULT:** The motion failed.

**MOTION 3:** To approve this rezoning application (with no access to Post Road) because it protects and enhances the scenic character of Post Road, provides a transition between Perimeter Center and the residences, includes quality architecture, pedestrian amenities and “Wow!” elements, with 20 conditions:

- 1) That required open space be dedicated to the City;
- 2) That the buffer along the daycare meet Code to the satisfaction of staff;
- 3) That the design of River Heritage Character “Wow!” elements be detailed at the final development plan stage in conformance with the drafted guidelines;
- 4) That the landscape plan be revised to meet Code requirements for screening and perimeter plantings;
- 5) That plans for the tree preservation ordinance reflect a total of 151 replacement inches and that protective fencing be utilized throughout all phases of construction, to the satisfaction of staff;
- 6) That existing landscaping along the Post Road buffer be relocated once to the satisfaction of staff;
- 7) That the text be revised regarding pavement setbacks, height, residential signage, awning signage, conditional uses for Subarea B-3, and that signage details be submitted to the satisfaction of staff;
- 8) That the development meets all turning radius requirements for fire and trash vehicles;
- 9) That “no parking” signs and “one way” signs be provided to the satisfaction of staff;
- 10) That the applicant work with staff and fire officials to meet all health, safety and welfare issues regarding the design of all private drives, parking areas, and drive approaches;
- 11) That no direct vehicle access be permitted onto Post Road;
- 12) That the site comply with the Division of Engineering Administrative Policy for Intersection Visibility Triangles at all proposed access points;

**DUBLIN PLANNING AND ZONING COMMISSION**

**RECORD OF ACTION**

**July 6, 2000**

2. **Rezoning Application 00-030Z – Preliminary Development Plan – Homestead Communities (Continued)**
- 13) That all utility connections and/or extensions meet or exceed the requirements and standards of the Division of Engineering and that no buildings or structures encroach upon required easements;
  - 14) That the site comply with Stormwater Regulations, and that stormwater capacity for the existing pond be preserved;
  - 15) That street names be provided to the satisfaction of staff prior to scheduling for City Council;
  - 16) That palettes for building elevations, fences, shingles and other materials be submitted with the final development plan;
  - 17) That two units be eliminated;
  - 18) That the applicant utilize dimensional shingles or a mix of shingle types, subject to staff approval;
  - 19) That stucco be eliminated from the proposed materials; and
  - 20) That all applicable conditions be met prior to scheduling for City Council.

\* Gary Gray agreed to the above conditions, except Condition 11.

VOTE: 4-2.

RESULT: This application was approved. It will be forwarded to City Council with a positive recommendation.

**STAFF CERTIFICATION**



**Carson Combs**  
Planner

Mr. Fishman was concerned about the precedent, but he felt this established business should be supported. He is not making the business worse and will be improving the looks of the site. He said a body shop is a necessary business. The landscaping will improve the appearance.

Ms. Boring said it is not their job to worry about the market forces. Those forces might suggest housing at 12 units per acre, and they should follow the Community Plan. Mr. Fishman said that would only be true on a vacant site.

Mr. Eastep said Dublin's Code directs the Commission to disapprove conditional uses when the conditional use is not applicable in that zoning district; the applicable development standards are not met; the proposed development is not in accord with the area plans; it will have an undesirable effect on the surrounding area; or it is not in keeping with land use character.

Mr. Fishman made a motion to approve this conditional use because the landscaping treatment respects the Thoroughfare Plan, the Avery Road appearance will be substantially improved, and the right-of-way conforms to the Thoroughfare Plan, with five conditions:

- 1) That the applicant reconfigure the front parking lot;
- 2) That the applicant no longer use and properly dispose of the existing paint booth;
- 3) That the applicant provide a site plan including the recommended landscaping for staff approval;
- 4) That landscaping be installed by October 15, 2000, and that project be completed in one month, subject to staff approval; and
- 5) That exhaust vent be painted to blend unobtrusively with the rest of the building.

Mr. Irelan agreed with the conditions as stated.

Mr. Eastep seconded, and the vote was as follows; Ms. Salay, no; Mr. Sprague, yes; Mr. Lecklider, no; Ms. Boring, no; Mr. Eastep, yes; Mr. Fishman, yes. (Disapproved 3-3.)

Mr. Lecklider made a motion to direct staff to explore the process for establishing a Dublin zoning designation on these industrial and commercial properties along Avery Road corridor. Ms. Salay seconded, and the vote was as follows; Mr. Sprague, yes; Ms. Boring, yes; Mr. Eastep, yes; Mr. Fishman, yes; Ms. Salay, yes; Mr. Lecklider, yes. (Approved 6-0.)

Mr. Lecklider announced the eleven o'clock rule.

Mr. Lecklider called a short recess at approximately 10 p.m..

## 2. Rezoning Application 00-030Z – Preliminary Development Plan – Homestead Communities

Carson Combs said this is a rezoning through the PUD preliminary development plan for a multi-use development of 60 detached residential units and 12 live/work units. The site also has 3.2 acres of openspace. The concept plan was approved in December 1999/January 2000 for 60 detached, and 15 multi-story live/work units. The Commission was supportive of the project, provided it would have sufficient buffering adjacent to PCD uses to the south and west. The Commission also indicated a desire to reduce the proposed density. He showed a few slides.

Mr. Combs said the “J”-shaped site is located on the south side of Post Road and includes the existing retention pond. Recently completed Wall Street runs along its south border.

Mr. Combs said the live/work units are next to the pond. Many amenities are proposed. The tree line in the center of the site will be removed. This is very near Coffman Park and the park along the North Fork. Buffering along Wall Street includes stone walls and evergreens. The Post Road Buffer will be reconfigured and landscaped more heavily. A water feature runs along the length of Post Road. The applicant will work with the daycare on buffering. The Post Road ponding must look natural. He said staff requests that the plantings be replaced.

Mr. Combs said the architecture mimics Perimeter Center. Four-sided architecture is proposed for the live/work units. The materials include stucco, Hardi-plank, and manufactured stone.

The 60 houses will be a mix of ranch, 1½ story and two-story buildings. The architecture will define the streetscapes and village greens. A variety of stone walls and fences will provide a continuous pedestrian environment. The density proposed is 3.2 du/ac with a maximum of 7,650 square feet of net leasable space for offices or commercial uses within the live/work area.

The Community Plan recommends office or mixed use with employment emphasis. The Plan holds residential use to five du/ac. He said Wow! Elements were incorporated. A 100-foot building and pavement setback along Post Road is proposed. The Wall Street setback is 50 feet and along Metatec Boulevard, 25 feet. He said staff has expressed concern about buffering. He said the Landscape Inspector confirmed that there are 151 caliper inches on this site, and staff recommends those be replaced according to the Tree Preservation Ordinance.

The openspace requirement for this site is 4.41 acres. This will include 1.9 acres for the Post Road buffer and 1.3 acres along the existing pond. Mr. Combs said in the past, the required setback usually got one-half credit toward the park requirement. Based on this, the plan is 1.21 acres short of the required park space.

The 24-foot wide streets are proposed to be private. Post Road would receive access for bicycles through the existing bridge, linking it to the bikepath system.

Mr. Combs said this is a unique mixed-use environment. It emphasizes architecture and is compact and pedestrian-oriented. It has quality materials and detailing. The Community Plan recommends office, but this will have a lower traffic impact. The plan also incorporated Wow! features. Staff recommends approval with 17 conditions:

- 1) That required open space be dedicated to the City;
- 2) That the buffer along the daycare meet Code to the satisfaction of staff;
- 3) That the design of River Heritage Character “Wow!” elements be detailed at the final development plan stage in conformance with the drafted guidelines;
- 4) That the landscape plan be revised to show the location of specific species and meet all Code requirements for screening and perimeter plantings;
- 5) That plans for the tree preservation ordinance reflect a total of 151 replacement inches and that protective fencing be utilized throughout all phases of construction, to the satisfaction of staff;
- 6) That existing landscaping along the Post Road buffer be relocated to the satisfaction of staff and that plans be revised to reflect the same;

- 7) That the text be revised regarding pavement setbacks, height, residential signage, awning signage, conditional uses for Subarea B-3, and that signage details be submitted to the satisfaction of staff;
- 8) That the development meets all turning radius requirements for fire and trash vehicles;
- 9) That “no parking” signs and “one way” signs be provided to the satisfaction of staff;
- 10) That the design of all private drives, parking areas, and drive approaches meet or exceed the requirements and standards of the Engineering Division;
- 11) That no direct vehicular access be permitted onto Post Road;
- 12) That the site comply with the Division of Engineering Administrative Policy for Intersection Visibility Triangles at all proposed access points;
- 13) That all utility connections and/or extensions meet or exceed the requirements and standards of the Division of Engineering and that no buildings or structures encroach upon required easements;
- 14) That the site comply with Stormwater Regulations, and that stormwater capacity for the existing pond be preserved;
- 15) That street names be provide to the satisfaction of staff prior to scheduling for City Council;
- 16) That palettes for building elevations, fences, shingles and other materials be submitted with the final development plan; and
- 17) That all applicable conditions be met prior to scheduling for City Council.

Mr. Combs noted it was about 10:00 p.m., and he asked, for the benefit of the remaining applicants, if the Commission was willing to waive the 11 o'clock rule. The Commission discussed the issue and deferred its decision until 11:00 p.m..

Mr. Eastep said he continues to have a problem with the density and too little park being provided. A payment instead of part of the parkland is being offered which seems inappropriate. He did like the Wow elements that were incorporated. He thought several buildings should be eliminated and turned into park.

Mr. Combs said the site is quite small and very linear. The stormwater pond cannot be moved. It is very hard to find adequate appropriate land to meet the Code park requirement. Ms. Clarke said ideally, eliminating buildings would be good, but those economics do not work. Staff thinks this is a good project with a good site plan. Staff has tried to be consistent with its recommendations on other sites for park location and credit given. A combination of land and money to meet the park requirement is appropriate for this site.

Ms. Boring asked about the community gardens previously shown along Post Road. Ms. Clarke said not everyone liked that concept. Ms. Boring wanted more open space. Mr. Fishman thought more open space should be added near the ponds. It looks too dense. He could not support the extensive length of the private road shown for this project. Future residents always want them converted to public streets. This has happened several times.

Mr. Combs said the streets would be 24 feet in width, and this is consistent with the design intent of the plan. Engineering has agreed to this plan. Mr. Hammersmith noted that private streets need to meet the public street standards, including full curb and gutter section. Ms. Clarke said the advantage of a private street is that building setbacks will not apply.

Mr. Fishman was concerned that Dublin may own these streets in ten years because a homeowners' group was unprepared to pay for major street maintenance.

Ms. Boring said at times, a condo association wants to maintain control, schedule its trash pick-up times, etc. She did not think it was City policy to give 50 percent credit for setbacks and buffers. Mr. Combs said when amenities are added to those areas, consistent with developed parkland, the staff has endorsed giving park credit. There are ponds, waterfalls, landscaping, a stone bridge, pedestrian links, etc. The frontage is 1,400 feet. The park area will be dedicated to the City but maintained by a forced and funded homeowners' association.

Ms. Boring said the pool is at the east edge, and inconvenient to most residents. There needs to be limited colors, without pink, blue, and white houses as seen in Florida. Colors should be subject to Commission approval. Mr. Combs said the color palette will be determined later. House elevations will be assigned from that approved color palette. The chimney material was not specified. The Metatec setback is 50 feet; Wall Street is 40 feet; and Post Road is 100 feet. All internal setbacks will be 10 feet.

Ms. Boring said she favored stone fencing strongly over wrought iron.

Mr. Combs said there is an internal sidewalk along both sides of the internal roadway.

Mr. Combs said the concept plan had a Post Road entrance, and it caused a lot of debate. Staff has consistently tried to de-emphasize Post Road by encouraging alternative access. Ms. Clarke said the Post Road access shown on the concept plan was a very big problem and inconsistent with a variety of adopted plans and policies. She did not recollect that the Commission shared that view, at least after hearing that the neighbors supported it.

Mr. Combs said the substantial grading needed will remove the tree row. The staff supports the land use and plan. It has been redesigned and includes many amenities. It does not match the Community Plan, per se, but it will have a lower impact than an office.

Mr. Fishman noted staff has changed its recommendation since the concept plan.

Ms. Clarke said this site was never rated as a prime office site, and it now has almost no architectural controls. A flat-roofed office building along Post Road could not be disapproved based on current zoning. Given that, staff considered this redesign and architecture as it related to Post Road and the impact on the neighbors. This seemed to be a very good alternative.

Staff supports the density of 3.2 du/ac. Ms. Clarke said the Community Plan was based on impacts, and offices have higher impacts, especially in peak hour traffic, than residential uses. Staff believes this is an acceptable change from the Community Plan.

Mr. Fishman asked about the lack of parkland within the development. Ms. Clarke said there is limited on-site park, but Coffman Park and the parkland assembled along the Indian Run are very close. Those provide for a wide range of recreational experiences. She reported that Council recently bought the 14-acre Halloran property just to the north on Post Road. Mr. Eastep and Mr. Sprague said it would make a wonderful park.

Mr. Fishman said it is too dense with nowhere for children to play. Mr. Eastep agreed and predicted that the future residents would demand a tunnel under Post Road.

Mr. Combs said the detention pond was part of the total site acreage and density calculation, but it was not counted as open space. Ms. Boring said the layout looked tight.

Mr. Fishman asked if the pond at Perimeter Center counted for openspace. Ms. Clarke said no, but it is a largely commercial development without a parkland requirement. She noted that the ponds at the Asherton Apartments were included in the gross density.

Mr. Lecklider said the pocket parks at the golf course were comparable with other parkland nearby. There is a bikepath to Coffman Park from here, and these residents will probably not have young children. Ms. Salay agreed, and said people can make an informed choice in buying here. She said this is not a typical Dublin development.

Mr. Eastep thought that the upcoming Emerald Parkway bridge over US 33 will improve this as an office site. This is income-producing land, and it should remain that way. He considered this to be a spot zoning and detrimental to Dublin. Mr. Fishman agreed.

Mr. Lecklider disagreed and said this is a transitional use. He hoped it will keep the commercial traffic off Post Road. Mr. Eastep said commercial traffic has no access to Post Road. Post Road is being de-emphasized.

Mr. Fishman wanted buildings eliminated near the pond. He could support this plan if the space was opened up next to the retention pond.

Mr. Lecklider asked if the live/work units were moved from the entrance at staff's suggestion. Mr. Combs said yes due to higher traffic impact and direct access right from Wall Street.

Mr. Combs said park should be dedicated. A 100-foot setback along Post Road and the area around the pond would be included. The proposal is about 1.2 acres short of Code for park, and the fee for this would be \$45,275. The internal village green spaces were not credited toward the parkland, and half of the 100-foot Post Road setback was credited.

Mr. Sprague suggested the pool and community center be sited closer to the corner (Columbus Laser Surgery). The 1.2 acres should be put into greenspace, and he did not support accepting a fee instead of land. They should eliminate some of the units and move the live/work units. He said the residents deserved a park.

Ms. Salay did not oppose re-siting the community center and pool. She noted other subdivisions were approved with Wow elements that affected density. This proposal "Wowed" her.

Ms. Boring said this area is classified as a River Heritage, but this design is European. It contrasts with the existing older neighborhood. She said the Wow identification should be carried all the way through. The design conflicts and needs modification.

Ms. Clarke encouraged the Commission to be clear about any problem observed in the architecture, layout, or design. She noted the program has not yet been adopted.

At about 11 p.m. o'clock, Mr. Lecklider took a straw poll on waiving the 11 o'clock rule. The Commissioners were split. Steve Caplinger said M/I Homes would accept being deferred until the next meeting. Mr. Lecklider said it would be the first case on July 20.

Gary Gray, Homestead Communities, showed proposed renderings. Site amenities include a Dublin dry-laid stone wall, an archway and a trellis along Wall Street. This is a condominium project for empty nesters, and the buildings will cost \$100-\$150 per square foot to construct. The pool is located away from the residential to avoid noise from visiting grandkids. He said accessory structures are permitted such as a greenhouse, tool shed, and woodworking shop. The first two bays of the live/work building will be the community center that includes a café, a living room, a fitness center, and two private offices for business and sales.

Mr. Gray said the square footage in the text has been limited to be low impact. He said the original plan had 75 units, plus 15 commercial spaces. The commercial space had the greatest impact due to how the parking cuts into greenspace. Seven commercial spaces were cut. The plan now has 72 total units with eight commercial units.

Mr. Gray said they agreed to all the above conditions, except 4 and 17. They asked that the full landscape plan be submitted at the final development plan. Regarding Condition 6, they would like to relocate the trees along Post Road to the pond area. This is needed due to regrading, and if the trees are moved twice, they might not survive.

Ms. Newcomb said the trees are part of the Post Road Buffer. Staff does not want them moved twice, but to be relocated elsewhere along Post Road. Mr. Gray agreed, but said half of the trees are already dead. He proposed that new trees be planted also on Post Road. He agreed to put the existing trees where staff wanted. Ms. Newcomb agreed.

Mr. Gray said regarding Conditions 8 and 10, they can meet the Fire turning radii standards, but Dublin's standard may be higher. They want to maintain an appropriate scale and will work with staff and the fire department on this. Regarding Condition 11, they want vehicular access onto Post Road. Staff recommended removing it, and they complied. Now, however, Mr. Gray said they definitely want Post Road access. He said adding a left turn stacking lane on Post Road will change the roadway character and increase traffic.

Mr. Gray said private streets for a condominium project make sense. It is very difficult legally to convert a private street to a public one. Mr. Fishman disagreed and said the homeowners cannot afford to maintain them. There was additional discussion on this issue.

Mr. Gray said the homeowners' association would be fully funded.

Ms. Salay said the decision of public or private street is a City Council decision.

Mr. Gray said the building colors will be similar to those in Perimeter Center, probably limited to three or four earthtones. The same color will not be used on side by side buildings. He said there is no stucco, only stone and Hardi-plank. The street side of the houses will be stone. The walls that divide yards will be wrought iron with a few exceptions. He said the 2,000 square foot units will average \$300,000.

Mr. Gray said it would be about one-third stucco stone to two-thirds Hardiplank. There will be a stone water table or a stone gable with siding on the sides. There are no chimneys; any fireplaces will be direct vented and on the same elevation as the electric and gas meters.

Mr. Gray said two units could be eliminated, leaving 70 units. They would like to move a commercial building near the entrance. Mr. Fishman wanted more water frontage. Mr. Gray said the openspace is not all green. It includes a plaza space. He feels this development is higher quality and better than anything he had worked on in Dublin.

Mr. Sprague said this is obviously high quality with a lot of thought given. He said the live/work concept was interesting. Mr. Gray said they were being pioneers in the industry, but they have received much positive response from potential residents.

Mr. Lecklider said it made sense to locate the pool away from the residences due to the noise. He saw merit in an access at Post Road and liked the live/work units. Because this is a residential development, it related more to the north side of Post Road than to the commercial development along Wall Street. It will not generate much traffic.

Ms. Boring was still concerned about the layout. She liked the Post Road Buffer plan as a good transition. She said she did not think the residents on rural roads wanted another curbcut. Ms. Salay said access becomes a physical connection to those homes on Post Road.

Ms. Boring said this would be true if it were a standard single-family neighborhood on public streets. It has a pedestrian connection, and no vehicular connection is desirable.

Mr. Lecklider said the Post Road access was originally acceptable to most of the Commissioners at the concept plan.

Ms. Salay said the condominium developments near her neighborhood have 70 to 90 units and a car is never seen, regardless of the time of day.

Mr. Lecklider preferred to see dimensional shingles. Mr. Fishman noted that Donato's was required to have shake roofs. Mr. Gray said they were too expensive, and they would rather put that money in the stone walls. Mr. Fishman suggested using artificial slate or something that gives dimension and high quality. Mr. Gray said they might be able to do something on the two work buildings because they were larger.

Mr. Fishman said if shake shingles are put on properly, they can last 50 years or more. Mr. Gray agreed, but said the initial cost is extremely high. Mr. Fishman said standing seam roofs might be used. Mr. Gray said the Elcline slate-look shingle with three different layers and a thick shadow line was proposed for the single-family units.

Paul Hammersmith said staff would only support the proposed access on Post Road if it includes a westbound left turn lane. Mr. Fishman agreed.

Ms. Salay and Mr. Sprague did not think the left turn lane was needed for 70 units. Various Dublin examples were then discussed by the Commission.

Mr. Gray said stucco would be eliminated as a material from the text. The buildings will be of stone and Hardiplank with wood trim.

Mr. Lecklider asked about signage on the awnings. Mr. Gray agreed to work awning signage out with the Code and staff. The live/work units, per the text, will have one sign parallel to the street, a smaller sign perpendicular and nothing on the awning.

Mr. Gray said proposed conditional uses will be better defined in the text. Mr. Combs said conditional uses needed to be listed by category. Mr. Gray will work with staff.

Edith Driscoll, representing Post Road residents, said she had previously conveyed the neighbors' support for this proposal, and they enthusiastically welcomed this high quality residential expansion on Post Road. It is slightly distressing to hear some of the Commissioners' speculation about the future of Post Road. This development would be a tremendous asset to the community. She said one nearby resident was concerned about when the dumpster would be serviced. She said the Post Road residents would like the Commission to approve this.

Chris Cline, Post Road resident, said they strongly favor this proposal. The site will never have an A or B-class office. This is very appropriate and nicer than flat roof offices.

Mr. Cline said the Post Road access was very important. He said in his letter (distributed to the Commission), they need a project to relate with Post Road. The residents want the highest quality feasible and a project that is tied into Post Road. He said there were no definable standards for a left turn lane. There should be a rational, reasonable, and measurable reason for it. A left turn lane should result only if the traffic justification is furnished for it.

Mr. Cline said the Wow! Ordinance shows this site as Dublin Model, not River Heritage.

Mr. Lecklider preferred no left turn lane. However, he was concerned about the curve heading west. Mr. Hammersmith said that was somewhat away from the site. Mr. Lecklider wondered if a left turn lane could be created at Metatec Boulevard as an alternative. Mr. Hammersmith said no, not for this site.

Mr. Fishman opposed Post Road access, especially if Engineering says a left turn lane is needed. He expected the other entrances to be beautiful, and the fewer breaks on Post Road, the better. If the Post Road access is approved, a left turn lane is needed, but he opposes Post Road access. Mr. Eastep and Ms. Boring agreed that there should not be a Post Road access.

Mr. Sprague hated to lose the greenspace, but he thought Post Road access was okay and that it did not necessarily require a turn lane. There needs to be a study. Ms. Salay agreed. She did not expect much traffic impact from 70 units using three entrances.

Mr. Fishman said it was a safety issue, and rear end collisions can occur with only a few units. Mr. Gray said there are three entrances and agreed to do a traffic study.

Ms. Boring said the developer should construct the left turn lane now. Otherwise, Dublin will have to pay for it later. If people do not want a turn lane on Post Road, it should not have Post Road access. She said connectivity is provided by bikepaths.

The Post Road access and left-turn lane issues were discussed at length.

The Post Road access and left-turn lane issues were discussed at length.

Ms. Salay said Post Road access makes the existing neighborhood more viable. Mr. Lecklider preferred the access from Post Road. He could not support it over the objections raised by staff about a turn lane.

Ms. Clarke said the only case where staff could not recommend a developer-funded turn lane was a recent "site plan review" in an R-4 District on Martin Road. The site was zoned for 20 years, and there is no Code or policy basis to require an off-site improvement in a site plan review. This, however, is a rezoning application, the appropriate point of the process to include needed off-site improvements. Part of the PUD process is to show how a project fits into the overall system. This is a two-lane road with roadside ditches, a sub-standard road, which requires a left turn lane for new development, to avoid rear-end collisions, etc.

Ms. Salay noted Metatec has no left turn lane. Ms. Clarke said it was the first commercial building on the south side of Post Road, 15 or more years ago, and it predates this policy. She said there is no stacking lane at Commerce Parkway because it was designed to be converted at some point to a cul de sac, with no connection with Post Road.

Ms. Boring said the Recreation Center and Gorden Farms have left turn lanes.

Ms. Clarke said if a left turn lane already exists, no left turn lane is required of a new development. This is usually included at the preliminary plat or rezoning of the property.

Mr. Hammersmith said he and Balbir Kindra concur that this development needs a left turn lane, if access to Post Road is approved. Post Road is a collector with a lot of traffic. The golf course has the same requirement. Ms. Salay said those are larger developments.

Ms. Boring said the policy saves the City from doing future improvements. It makes good sense. The policy is to get the road improvements with the developments.

Mr. Gray said they still want the access and would like to study it with the City Engineer. If it is a matter of public safety and liability, they will build a left turn lane.

Mr. Fishman thought it was better for the Post Road residents without the north entrance. He wanted Post Road to be as green as possible, and it is dangerous to go against the Engineer's recommendation. Mr. Lecklider agreed. There was more discussion on the access issue.

Ms. Salay said she would like to see quantifiable evidence for left turn lanes. It should not be arbitrarily required without a traffic count and study by the applicant.

Mr. Lecklider referred the left turn lane issue to staff. He said Conditions 4, 6, 8, 10, and 17 had been addressed and resolved.

Mr. Gray said any exterior chimneys will be masonry.

Ms. Clarke said the access issue did not need a determination now. It could be decided at the final development plan. However, she said it was necessary that the developer be put on notice that it may be required, due to its cost. Mr. Gray understood.

Ms. Boring made the motion for approval because it protects and enhances the scenic character of Post Road, provides a transition between Perimeter Center uses and the residences, includes quality architecture, pedestrian amenities and “Wow !” elements, with 20 conditions:

- 1) That required open space be dedicated to the City;
- 2) That the buffer along the daycare meet Code to the satisfaction of staff;
- 3) That the design of River Heritage Character “Wow!” elements be detailed at the final development plan stage in conformance with the drafted guidelines;
- 4) That the landscape plan be revised to meet Code requirements for screening and perimeter plantings;
- 5) That plans for the tree preservation ordinance reflect a total of 151 replacement inches and that protective fencing be utilized throughout all phases of construction, to the satisfaction of staff;
- 6) That existing landscaping along the Post Road buffer be relocated once to the satisfaction of staff;
- 7) That the text be revised regarding pavement setbacks, height, residential signage, awning signage, conditional uses for Subarea B-3, and that signage details be submitted to the satisfaction of staff;
- 8) That the development meets all turning radius requirements for fire and trash vehicles;
- 9) That “no parking” signs and “one way” signs be provided to the satisfaction of staff;
- 10) That the applicant work with staff and fire officials to meet all health, safety and welfare issues regarding the design of all private drives, parking areas, and drive approaches;
- 11) That no direct vehicle access be permitted onto Post Road;
- 12) That the site comply with the Division of Engineering Administrative Policy for Intersection Visibility Triangles at all proposed access points;
- 13) That all utility connections and/or extensions meet or exceed the requirements and standards of the Division of Engineering and that no buildings or structures encroach upon required easements;
- 14) That the site comply with Stormwater Regulations, and that stormwater capacity for the existing pond be preserved;
- 15) That street names be provided to the satisfaction of staff prior to scheduling for City Council;
- 16) That palettes for building elevations, fences, shingles and other materials be submitted with the final development plan;
- 17) That two units be eliminated;
- 18) That the applicant utilize dimensional shingles or a mix of shingle types, subject to staff approval;
- 19) That stucco be eliminated from the proposed materials; and
- 20) That all applicable conditions be met prior to scheduling for City Council.

Mr. Fishman seconded the motion. Mr. Gray said his partners would withdraw their application if the Post Road access were not included.

Ms. Boring noted that the applicant had the staff report and recommended conditions for a week. She said this was a power play after three hours of discussion.

Mr. Gray disagreed. Post Road was a critical part of this application.

Ms. Clarke said this is a PUD, and the Commission has three choices: approve, approve with modifications, and disapprove. She said the modifications do not need to be accepted by the applicant. The applicant can withdraw the application at any time.

Mr. Gray requested a vote, and agreed to the above conditions, except Condition 11. Mr. Lecklider asked what options exist for Commissioners who favor Post Road access; the above motion rules out Post Road access. Ms. Readler said if there is a tied vote, Council can make the decision by a majority vote. It can include the conditions it wants, and the applicant can make the same argument at Council.

Mr. Gray apologized. He said they are not asking for the curbcut without a turn lane. The curbcut was very important to the project. He asked that the entrance issue be considered separately.

Ms. Boring said the drawings presented to the Commission show no Post Road access. If this is pivotal to the applicant, it should be on the drawings and/or announced much earlier, not at the time of the motion. The Commission should not be blamed for the meeting running until 1 a.m. when applicants play games.

The vote: Mr. Sprague this was a great project with much improvement. He said the project would be good without the access point, but he voted no. Ms. Salay wanted the access resolved and would like the condition reworded. She preferred having Post Road access and voted no. Mr. Eastep, no. Mr. Lecklider did not favor Condition 11. Because he otherwise favors the project, he voted yes. Mr. Fishman favored the application but disliked the tactics. He did not want a safety hazard by ignoring City Engineer's recommendation and voted no. Ms. Boring voted no. (Motion failed 1-5.)

Mr. Spague made a second motion to approve this application with all conditions and bases above except Condition 11. Ms. Salay seconded the motion, and the vote was as follows: Mr. Eastep, no; Mr. Fishman, no; Ms. Boring, no; Mr. Lecklider, yes; Ms. Salay, yes; and Mr. Sprague, yes. (Motion failed 3-3.)

Ms. Readler said for the record, the two motions failed, and this application will be forwarded with no recommendation. Ms. Clarke said no conditions were recommended.

Ms. Salay said it is a wonderful project. Mr. Fishman it needs a compromise on the turn lane.

Ms. Boring made a motion to adjourn due to the tactics used and the late hour. There was more discussion. Mr. Eastep seconded, and the vote was as follows: Mr. Fishman, no; Ms. Salay, no; Mr. Lecklider, no; Mr. Sprague, no; Mr. Eastep, yes; and Ms. Boring, yes. (Motion to adjourn failed 2-4.)

Mr. Fishman made a motion for approval (with no access to Post Road) because it protects and enhances the scenic character of Post Road, provides a transition between Perimeter Center and the residences, includes quality architecture, pedestrian amenities and "Wow !" elements, with 20 conditions:

- 1) That required open space be dedicated to the City;
- 2) That the buffer along the daycare meet Code to the satisfaction of staff;

- 3) That the design of River Heritage Character “Wow!” elements be detailed at the final development plan stage in conformance with the drafted guidelines;
- 4) That the landscape plan be revised to meet Code requirements for screening and perimeter plantings;
- 5) That plans for the tree preservation ordinance reflect a total of 151 replacement inches and that protective fencing be utilized throughout all phases of construction, to the satisfaction of staff;
- 6) That existing landscaping along the Post Road buffer be relocated once to the satisfaction of staff;
- 7) That the text be revised regarding pavement setbacks, height, residential signage, awning signage, conditional uses for Subarea B-3, and that signage details be submitted to the satisfaction of staff;
- 8) That the development meets all turning radius requirements for fire and trash vehicles;
- 9) That “no parking” signs and “one way” signs be provided to the satisfaction of staff;
- 10) That the applicant work with staff and fire officials to meet all health, safety and welfare issues regarding the design of all private drives, parking areas, and drive approaches;
- 11) That no direct vehicle access be permitted onto Post Road;
- 12) That the site comply with the Division of Engineering Administrative Policy for Intersection Visibility Triangles at all proposed access points;
- 13) That all utility connections and/or extensions meet or exceed the requirements and standards of the Division of Engineering and that no buildings or structures encroach upon required easements;
- 14) That the site comply with Stormwater Regulations, and that stormwater capacity for the existing pond be preserved;
- 15) That street names be provided to the satisfaction of staff prior to scheduling for City Council;
- 16) That palettes for building elevations, fences, shingles and other materials be submitted with the final development plan;
- 17) That two units be eliminated;
- 18) That the applicant utilize dimensional shingles or a mix of shingle types, subject to staff approval;
- 19) That stucco be eliminated from the proposed materials; and
- 20) That all applicable conditions be met prior to scheduling for City Council.

Mr. Lecklider seconded, and the vote was as follows: Ms. Salay, yes, and she favors a vehicular connection on Post Road. Mr. Sprague, yes, and he favors a Post Road connection. Ms. Boring, no. Mr. Eastep, no. Mr. Lecklider, yes, and he favors access on Post Road. Mr. Fishman, yes, and he resented working for three hours to resolve issues in the best interest of Dublin followed by threats from the developer. He noted the drawings reflect no access. (4-2 Approved.)

~~3. Final Plat 00-010FP – Westbury Section 5 – Lots 147 through 155  
This case was postponed due to the late hour without discussion or vote.~~

~~4. Revised Final Development Plan 00-067FDP - Coffman Park - 5600 Post Road  
This case was postponed due to the late hour without discussion or vote.~~

# RECORD OF PROCEEDINGS

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Meeting

Held

January 18, 2000

(YEAR)

Community Development Committee: John Reiner (Chair), Greg Peterson, Bob Adamek; Public Services Committee: Marilee Chinnici-Zuercher (Chair), Cathy Boring, Tom McCash.

Mr. Adamek seconded the motion.

Vote on the motion: Mrs. Boring, yes; Mayor Kranstuber, yes; Mr. Reiner, yes; Mr. McCash, yes; Mr. Peterson, yes; Ms. Chinnici-Zuercher, yes, Mr. Adamek, yes.

### Concept Plan - Homestead Village

Ms. Clarke explained that the concept plan is the first step in the PUD approval process. The 22-acre site, located on the south side of Post Road, is currently zoned PCD, primarily for office purposes, but partially for industrial purposes. It is part of the major Perimeter Center development that stretches from Avery Road eastward to the Justice Center property. This is a residential proposal for 60 attached residences and 15 live-work units (units that have home office attachments). Staff initially recommended disapproval on the basis of land-use issues. The proposal was heard by Planning Commission twice and was approved December 2, 1999 by a vote of 4-2 with four conditions: (1) that a more intense buffer be implemented between this project and the light industrial and commercial uses; (2) that the site layout be reconfigured and units are dropped to achieve a lower density and create better open space; (3) that the plan enhance the scenic roadway with elements from the "WOW" program; and (4) that pond amenities be added per the staff report. The developer agreed to the above conditions.

Ms. Clarke added that staff was pleased to see a residential proposal for this area, and there is considerable support from the neighbors on Post Road. The beauty of this project is impressive. The Planning Commission believes it is the appropriate development for the south side of Post Road.

Mr. Peterson asked if this multi-family development serves as a transition from the single-family homes on the north side of Post Road to the commercial uses to the immediate south.

Ms. Clarke noted that the residential properties on the north are buffered by the parkland along the stream, but the multi-family will add additional buffer for the Post Road homeowners. Staff is more concerned about buffer for the multi-family project. There is no control over land use to the south of it, and there is no option of downzoning the land to the south.

Mr. Peterson asked if there is any way to address the additional traffic which will come with this project.

Ms. Clarke responded that the access for this site has not been determined. Staff would prefer to see the access continue to be south from Perimeter, Wall Street, and Metatec and not directly to Post Road. Twenty-two acres developed as residential will generate much lower traffic than the use for which it is currently zoned.

Mrs. Boring noted that Metatec to the west has expanded a couple of times already and inquired if there would be room for further expansion if this project goes in.

Ms. Clarke responded that Metatec has developed most of their space.

Mrs. Boring inquired about staff's recommendation to install community gardens along Post Road.

Mrs. Clarke responded that the community gardens were in the original draft of the WOW catalog, but at a joint work session with staff and Planning Commission, the idea was discarded.

Mrs. Boring requested that sufficient buffering of lights and traffic be considered in the PUD, so that residents of the new development do not request those at a later date.

# RECORD OF PROCEEDINGS

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Meeting

Held January 18, 2000

(YEAR)

Gary Gray, President of Homestead Communities, thanked Ms. Clarke for her positive description of his project. He addressed the issue of anticipated uses for the land south of this project. He explained that of the three adjoining areas, one parcel has been sold and there are plans for an office building; CheckFree recently purchased the second parcel, probably for parking expansion; and one undeveloped corner parcel remains. All of those are one-story commercial uses. He described the different levels of buffering planned for the project, the benefits of the transition it will provide between residential and commercial, and the minimal impact on traffic it should have.

Mrs. Boring inquired if there will be fountains in all the ponds to keep the geese away. Mr. Gray responded affirmatively.

Edith Driscoll, 6230 Post Road, testified, representing the citizens on Post Road between Emerald Parkway and Avery Road. Over 75% of the neighbors have been contacted regarding this proposed development. There has been no dissenting vote. Their opinion is that this development will be an asset to their neighborhood, and they encourage Council's approval.

Chris Cline, 6060 Post Road, stated that he and the four other adjoining residential landowners all strongly support this project. He noted that this is the former site of the proposed Wellington School. Since that project was discarded in the 70's, there has been concern about the type of development that would eventually come in. They are very pleased with this proposal; it is high quality and will provide a great view on Post Road. They have discussed with the developer the possibility of complementary landscape and use of common elements in the development, such as the stone piers, up and down Post Road to bring an integration of the view. He added that the residents prefer the access be to Post Road. The current traffic problem is due to the fact that traffic speeds up in the open spaces. Curb cuts and turning movements on the road would inhibit its use as a major thoroughfare. He encourages Council approval.

Ms. Chinnici-Zuercher moved to approve the concept plan for Homestead Village with the conditions as stated.

Mr. Peterson seconded the motion.

Vote on the motion: Mr. Peterson, yes; Mrs. Boring, yes; Mr. Adamek, yes; Mayor Kranstuber, yes; Ms. Chinnici-Zuercher, yes.

## Council Round Table/Committee Reports

Ms. Chinnici-Zuercher reminded Council members of the Police accreditation meeting on Monday, January 24<sup>th</sup>, at 7:00 p.m. in the Mayor's Courtroom at the Justice Center.

Mayor Kranstuber stated that current Council policy provides funding for the chairman of Planning and Zoning Commission to attend inservices and training, including the annual APA conference. He proposed extending this benefit to the other members of the Commission. He estimates that the cost of the APA conference, including airfare, would be approximately \$2,000 - \$2,500.00 each, and, consequently, suggests that amount. However, he clarified that he does not propose designating the money only for APA conference, but for any related education.

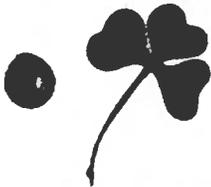
Mr. McCash agreed that if the intent is to have the best informed individuals on this Commission, it is best to provide them the opportunity to remain current with advances in land planning and other relevant information.

Mayor Kranstuber moved to approve \$2,500 per Planning and Zoning Commission member annually for relevant travel and training.

Mrs. Boring seconded the motion.

Vote on the motion: Mr. Adamek, yes; Mr. Peterson, yes; Mr. McCash, yes; Ms. Chinnici-Zuercher, yes; Mrs. Boring, yes; Mayor Kranstuber, yes.

Mr. Peterson inquired what the consensus of opinion was in regards to the letter distributed by Mr. Smith concerning campaign contribution limits. Would it be prudent



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**DUBLIN PLANNING AND ZONING COMMISSION  
RECORD OF ACTION  
May 6, 1999**

The Planning and Zoning Commission took the following action at this meeting:

- 1. Informal 99-0281 - Perimeter Center - Homestead Communities**  
**Location:** 28 acres located at the southeast corner of Post Road and Metatec Boulevard.  
**Existing Zoning:** PCD, Planned Commerce District (Perimeter Center Plan, Subareas B and C).  
**Request:** An informal review of a development proposal.  
**Proposed Use:** 85 single-family homes and 5.3 acres of parkland.  
**Applicant/Owner:** Gary E. Gray, Homestead Communities L.L.C., 150 East Broad Street, Suite 505, Columbus, Ohio 43215.

**RESULT:** The Commission generally liked the residential use of this proposal. They felt however, that since it violates the Community Plan, it should be an outstanding, unique development with a lower density. Issues discussed included: additional greenspace, parkland requirements, setbacks, buffering, and masonry building materials. This was an informal review and no vote was taken.

**STAFF CERTIFICATION**

*Chris Hermann*  
Christopher Hermann  
Planner

Ms. Clarke said the goal is that informal cases be discussed no more than 30 minutes. This time limit does not include time for public testimony. Informal reviews are for the Commission to give feedback to the developer, with an abbreviated staff report. Mr. Lecklider wanted to make an exception for public comments on this case. The other commissioners agreed.

**1. Informal 99-0281 - Perimeter Center - Homestead Communities**

Mr. Lecklider said for the record that Mr. McCash has recused himself from this matter due to a potential conflict.

Chris Hermann presented this informal review of a condominium project in Subareas B & C of Perimeter Center. The plan has 85 units on 22.2 acres, including 5.3 acres of park, which is primarily the existing retention pond. There is one access on Post Road and a 60-foot building setback. The plan extends Wall Street.

Mr. Hermann said the community Plan recommends this site as office and mixed uses with employment emphasis. The zoning is PCD for office along Post Road with additional industrial uses along Wall Street. This development is primarily for empty nesters. He said the density is 3.83 dwelling units per acre, including the pond. Amenities are planned for the parkland, including a path around the pond. Given surrounding zoning, much buffering is needed.

Mr. Hermann said if the pond is used solely for storm water detention, no park dedication credit would be given. Adding enough amenities to bring it up to park standards would justify some sort of credit for parkland. It may be a percentage credit.

Jonathan Kass, Continental Real Estate Companies, said this is a better proposal than Care Matrix was. It meets park land and density guidelines and accommodates the Wall Street extension.

Gary Gray, Homestead Communities, said this product is appropriate for the site, providing the transition line from Post Road to Wall Street. He said this type of use creates more amenities. They will improve the lake, but they do see the area around the pond an active recreational area.

Mr. Gray said the condos will have basements. He said there are garden area at the corner of Wall Street and Post Road, at the east end along Post Road, and by the lake. He said the architecture would be traditional Colonial American, with a white, gray and beige color scheme.

Edith Driscoll, 6230 Post Road, said the neighbors were in favor of this change of usage. She said they prefer the residential use instead of office use.

Chris Cline, 6060 Post Road, said his house adjoins this site. He said the community would like to see this area residential. This is a great transitional use and ideal for an older population. They favor pushing the project as close to Post Road as possible.

Julie Halloran said she is opposed to the shopping centers. She asked about the space between each building, the square footage, and the number of condos.

Mr. Harian believes this is a land use issue. He believes this makes a good transitional use on Post Road. He likes the idea, the structure, and the quality. He thinks there needs to be more green space with Colonial-type town square or common area. It is too dense.

Mr. Fishman said when a proposal contradicts the Community Plan, it has to be of exceptional quality. He said the residential density is already too high around this area. He said in the past, water was not included as parkland.

Mr. Gray said units range of 1800 to 2200 square feet, not including the basements. Mr. Fishman asked what was the distance between the units. Mr. Fishman said he would like to see a lot of masonry.

Mr. Peplow said he is open to the residential possibility, but he is concerned with setbacks and buffering. He is glad Wall Street is continued. He felt it should be open more and maximize on green space. He said it does not have to be close to Post Road to provide a residential feeling.

Mr. Eastep said land usage is important. The pond seems inappropriate to meet the parkland dedication. He said at this density, this project would be considered multi-family. He supports the Community Plan at a density of 2 du/ac for a single-family project. He said there is a potential for switching the usage if they can reduce the density to 2.5 du/ac, have 100-foot setbacks along Post Road, and dedicate the required parkland.

Mr. Lecklider said this is an improvement over other proposals. They need to take into consideration the neighbors' view. He said the alternative on this site might be unattractive office with greater traffic impact at peak hours. He questioned the viability of office use along Post Road. His concern is with density. The building setbacks off Post Road should be 100 feet. He wanted landscape buffering throughout the perimeters of the property. He is willing to compromise on the pond and it consideration in the equation of parkland. He may be willing to compromise on the pond as park. He would like to see a guarantee of high quality materials in the text, use neutral colors, and have a forced association.

Mr. Eastep said the density is 3.3 du/ac with the pond and without the pond it is 5 du/ac per acre. He is in favor of a minimum 100-foot setback. The plans do not meet the new Fence Code.

Mr. Lecklider announced the Commission's rule not to start any cases after 11:00 p.m.

## **2. Development Plan 99-029DP - Wyndham Village Park**

Lisa Fierce said this four-acre park is located on the north side of Tullymore Drive. She said there is an eight-foot concrete bikepath along the entire frontage. This is a mixed-use neighborhood park with play structures, a gazebo and a stone wall are proposed. Toward the middle of the site, is a volleyball area, and at the southwest corner is a circular basketball area. The eastern portion of the site is to be an open play area. There is a 3½-foot mound along the western portion and evergreen trees throughout. She said a bikepath would be connected to the existing path throughout the park.

00-030Z

Preliminary Development Plan  
Homestead Communities



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## DUBLIN PLANNING AND ZONING COMMISSION

### RECORD OF ACTION

December 2, 1999

The Planning and Zoning Commission took the following action at this meeting:

3. **Concept Plan 99-071CP - Perimeter Center PCD, Subareas B and C - Homestead Communities**

**Location:** 22.2 acres on the southeast corner of Post Road and Metatec Boulevard.

**Existing Zoning:** PCD, Planned Commerce District (Perimeter Center Plan, Subareas B and C).

**Request:** Review and approval of a concept plan under the PUD, Planned Unit Development District provision of Section 153.056.

**Proposed Use:** A development of 60 detached residences and 15 live/work units with 5.1 acres of parkland.

**Applicant:** Continental NRI Office Ventures, Ltd., P.O. Box 712, Dublin, Ohio 43017; c/o Gary Gray, Homestead Communities LLC, 150 East Broad Street, Suite 505, Columbus, Ohio 43215.

**MOTION:** To approve this concept plan with four conditions:

- 1) That a more intense buffer be implemented between this project and the light industrial and commercial uses;
- 2) That the site layout be reconfigured and units are dropped to achieve a lower density and create better open space;
- 3) That the plan enhance the scenic roadway with elements from the "WOW" program; and
- 4) That pond amenities be added per the staff report.

\* Gary Gray agreed to the above conditions.

**VOTE:** 4-2.

**RESULT:** This concept plan was approved. It will be forwarded to City Council with a positive recommendation.

#### STAFF CERTIFICATION

  
Chris Hermann  
Planner

- 13) That 20 percent solar gray tint be used on all windows;
- 14) That the play structure be restricted to neutral earthtones;
- 15) That the five second story windows be square and be spaced above every other lower story window; and
- 16) That revised site plan and building elevation drawings consistent with the discussion at this meeting be submitted within two weeks, and be approved by staff.

Mr. Sampson agreed to the above conditions. Mr. Peplow seconded the motion, and the vote was as follows: Mr. Sprague, yes; Mr. Lecklider, yes; Mr. McCash, yes; Mr. Harian, yes; Mr. Eastep, yes; Mr. Peplow, yes; and Mr. Fishman, yes. (Approved 7-0.)

Mr. Lecklider thanked Mr. Fraas and Mr. Sampson for their patience.

Mr. Lecklider called a brief recess. Upon returning, he announced the 11 o'clock rule.

### **3. Concept Plan 99-071CP - Perimeter Center PCD, Subareas B and C - Homestead Communities**

[Mr. McCash did not participate in this case.] Chris Hermann said this concept plan is for 75 condo units on 22.2 acres. He said this concept plan has been revised significantly since last May. The Commission had asked for a really special plan. The area uses include daycare, office-warehouse, and offices. He said the sections of Wall Street will be connected through this site. The stormwater pond at the southeast corner is included to meet the park requirement, along with internal greens and the external setbacks. He showed several slides.

Mr. Hermann said the entrance from Post Road has three-story buildings with "live-work units" and a community center in the median. The balance of the buildings will be two stories and have residences only. The Post Road 100-foot setback will have a linear pond, stone walls and includes several "wow" features. The overall density is 3.38 units per acre.

Mr. Hermann said this is a much-improved plan, and the units are very striking, but the proposed land use is a problem. Some industrial uses are permitted on the adjacent property, and this plan does not have transitional uses or area or any buffers. Staff believes this will lead to long-term incompatibility. He noted some residents have expressed support, and positive letters from Metatec and Cardinal Health were distributed.

Mr. Hermann said some of the uses, existing or future, can be 24-hour, seven-day a week operations. Residents usually expect protection from such uses. He said staff recommends disapproval based on the following:

- 1) The plan is not consistent with the land uses recommended in the Community Plan.
- 2) The proposed residential use is not compatible with the surrounding, non-residential zoning, and neither transitional uses nor proper buffering is provided.
- 3) The plan does not provide the necessary open space.
- 4) The plan is not consistent with the established City Council policy of de-emphasizing Post Road.

- 5) The plan does not meet the 200-foot setback scenic road setback recommended in the Community Plan.
- 6) The plan exhibits inadequate setbacks in some areas, such as Metatec Boulevard.

Mr. Peplow asked if the concern would be alleviated if the surrounding land were totally developed. Ms. Clarke said uses change over time. She said the land use rights run with the land, and these have not been addressed. Changes of use, which meet the PCD text, do not require Commission review. She reviewed some of the Perimeter Center zoning history. The entire site had LI, Limited Industrial zoning, and the areas along Post Road and US 33/SR 161 were downzoned to office-only. Some industrial uses were retained in the middle section, including part of this site and the land to the south of it. She said if the industrial rights were to lapse, the staff would withdraw its opposition, but no one is offering to downzone the land right next door. These are probably the least compatible, on their face, types of use in Dublin.

Mr. Sprague said this was a proactive and cautious approach. He noted that Metatec is a local industrial business, and had retained good relations with the neighborhood. He said this property was a challenge to develop.

Mr. Hermann said this is a concept plan, and, if approved, the next phase will be a PUD rezoning application. Mr. Fishman said this is a rezoning for apartments, and he feared that the outcome may not be "special." The players and the product might change. Ms. Clarke noted that many PUD rezonings are very specific, and some are looser. That will be determined in a future phase. This review is on the general land use, not the plan specifics.

Mr. Fishman said this plan should be very specific. He did not want the possibility of unpleasant surprises. Mr. Lecklider agreed and said the special-ness should be a binding component. Mr. Fishman said approval of the concept plan starts the process, even if it is a "non-binding" review. Ms. Clarke added that approval of the concept plan authorizes the filing of the PUD rezoning, and the developer needs genuine feedback to determine if moving forward with the expenses of engineering, etc. makes sense. She urged the Commissioners to be very clear in their comments.

Mr. Lecklider said the concept plan record should include their caveats. If the rezoning plan does not address their concerns, the Commission should not approve it.

Mr. Sprague said it should be clear that an unimpressive apartment project that barely meets the density requirements will not be approved.

Mr. Eastep said this could have been filed as a rezoning request instead of a concept plan.

Gary Gray, Homestead Communities, said the Commission had previously supported a residential use for this site, if the development could "knock their socks off." This is their goal. He understood the non-binding nature of the concept plan and that the PUD rezoning will need to be very specific. The plan was revised to address density, layout, and materials.

It uses a European layout. The Post Road entry comes cross the pond. He showed several renderings.

Mr. Gray said there will be stone bridges, and a community center at the entrance. The buildings have 15 live-work units; each of these townhouses has a garage below and a 400 square foot shop in front. These were a response to market research on empty nesters. The rest of the site is more open. There are steps down to the water and a stone wall along the pond across half of the Post Road frontage, similar to the pond at the Dublin recreation center. This is a condo development on private streets without lots. He said the curb and gutter will not be standard.

Mr. Gray said the Wall Street side has a wall as a land use transition. This area will be at the rear of the dwellings. There are 15 live-work units and 60 residential condos. The units will be from 1,600-2,200 square feet and all have basements and two-car garages. The condos are stand-alone units without common walls. The exterior materials are stone and stucco.

Mr. Gray said the greenspace area excludes the existing retention pond, and they believe this area exceeds Code. He disagrees with the staff report that indicates a park shortfall. He noted a letter in support from Cardinal Health. He estimated the cost as \$250,000 per unit.

Mr. Lecklider wanted data on the park calculation. Gary Schmidt, the project planner, said the Code requires 4.7 acres. The three green area are: the perimeter road open space of 3.95 acres, including the Post Road pond; the Wall Street open space is about seven acres, including the pond; and the internal greens are 0.85 acres; yielding 11 acres overall. He said they then subtracted the pond of 5-plus acres, and they have 6.8 acres of open space which qualifies under the Code. Mr. Fishman noted the land for open space is very linear and thin strips.

Mr. Hermann said the area needed for storm water detention facilities will be subtracted. However, if amenities such as paths and benches are added at the perimeter, that land area should count toward the Code requirement. He noted that setbacks are not usually counted for park. There are some "wow" factors, but this has not been finalized.

Mr. Ezell noted that this site is located in the "River Heritage" area, and the recommended setback is 100 feet, as shown on this plan.

Mr. Fishman really liked the design, but he was undecided. He said Willow Grove was also "transitional" housing with buffers, etc. However, when Emerald Parkway was built, Dublin had to install a very expensive buffer. The residents packed the hearing room asking for walls, landscaping, etc. He fears this will happen here and noted that Metatec will increase manufacturing in Dublin. The future is not set for this area. He said this plan is too dense and has inadequate buffers. Buffers should be funded by the developer, not by Dublin later. He said the buffer should be as good as the one at Willow Grove. He expressed concern about future residents having complaints about night deliveries, commercial noise, etc.

Mr. Lecklider did not think that Willow Grove was a like situation. Mr. Harian agreed and said any new buyer can see the commercial buildings and will make an informed decision.

Mr. Fishman said he could not vote for this concept plan as submitted. While it is beautiful, it still needs a lot of work and buffers from the industrial use. The site needs a broader perimeter, and he suggested surrounding it with water. It should be spectacular.

Mr. Peplow said the density was not decreased since the first hearing some months ago. Mr. Gray said the project was reduced from 85 to 75 units. Mr. Gray said the greenspace and personal space have been greatly increased. The townhouses in the center have the highest density, and the rest of the units are now bigger.

Mr. Gray said the townhouse and the commercial space are sold as a unit, for people who work at home. Mr. Peplow had concern about commercial traffic from those units on a non-public road. Mr. Fishman said the restrictions on these units will have to be spelled out in the text, as general commercial would be unacceptable. Mr. Gray said the condominium association itself decides what uses are acceptable and polices it. He said their market study indicates it is largely for the semi-retired or part-time professional.

Mr. Lecklider noted that Metatec is a known use, but they're a number of land use unknowns. He noted that Checkfree is the second occupant of the building, but there are some protections against really noxious uses. Mr. Hermann said Subarea C, south of Wall Street generally, includes industrial uses. Along Post Road, in Subarea B, office and daycare are permitted.

Mr. Fishman said teaches that Dublin should not create incompatible land use situations. He reiterated that the density is too high. Mr. Eastep noted the density has dropped from 3.8 to 3.3 units per acre if the pond is included; without the pond it is 5.5 per acre.

Mr. Gray said the land use issue already exists with the residents on Post Road.

Mr. Harian said he liked this concept and thought it was a good use for the area. The quality will have to be very high as this goes forward. He liked the wall along Wall Street. He said it may be too dense, but he likes it overall.

Mr. Fishman there needs to be more distance at the rear; it is a quality of life issue. It is not just a four-sided architecture issue. He restated that the density should be lower.

Mr. Gray asked if raising the wall height along Wall Street to four or five feet would solve the separation problem. Mr. Fishman said, no, it should be increased space with landscaping.

Mr. Peplow said this plan provides a good housing choice if you do not want a big yard.

Mr. Eastep agrees with the staff that this is the wrong land use. He previously stated he could support a density of 2.5 units per acre with proper park dedication, but he disagrees with the applicant's park calculation. Park dedication should provide new amenities. He believes the

density is really five units per acre, because the pond should not be used in density. He thought "European" design was another way to describe over-developed or too dense. A wall is used to provide privacy, as the last resort, and it indicates inappropriate development.

Mr. Eastep said the area is already zoned properly--for office and Research and development uses. He saw no justification to rezone revenue-producing ground for a non-productive residential project. He thought the units were acceptable, but they were more appropriate for German Village. He did not feel his comments were incorporated from the previous hearing.

Mr. Sprague said overall, there were many things he likes about this. The live-work units are interesting and should work here. He thinks the wall makes an effective demarcation between uses. The architecture is attractive and does not need much work. The density should be lowered, perhaps by 20 percent, and the buffer should be enhanced with "wow" features. This provides a good transition. The text needs to be very specific because he would not support just a standard housing product here. This site should have something special.

Mr. Sprague noted that decreasing the density may make this project financially unfeasible.

Mr. Lecklider liked a number of things about this plan, but there are some problems. The Post Road frontage treatment and entry, and the concept and design are attractive. He appreciated the drop in density, but it should be lower as the "live-work" units offset it. The setback on Metatec Boulevard is too close. The Wall Street setback is acceptable to him.

Mr. Lecklider said this site is unique, and improvements around the pond will benefit the area. He was sympathetic to the views of the Post Road residents and noted that there are other residential uses along the south side of Post Road. If this slate were clean, this might be the preferred use. The text will need to be very tight if this application goes forward.

Mr. Peplow said most of the Commission's comments were made at the former meeting.

Chris Cline, Post Road resident, said Perimeter Center land uses have changed over time. He said this land has been serviced for years, and he fears that a future use will be less compatible. The former Deluxe Check plant is no longer used for manufacturing, and the area does have a strong industrial future. He said Metatec has been a good neighbor and a special case. Mr. Cline said the text will need to be locked down at the rezoning stage.

Mr. Cline said this land is class "B" or "C" and is not prime for commercial purposes. He said this is similar to the Weatherstone section in Muirfield Village. Mr. Fishman said Weatherstone is situated next to a large open space.

Mr. Cline said the garden plots along Post Road seem inappropriate. He noted that the WOW program is not yet enacted. He supported the project.

Mr. Harian said the density question should be answered now. Mr. Fishman agreed.

Mr. Fishman thought the concept could work, but the people will need a buffer. He said the Commission should not put in land uses that will create problems later. Density and openspace are the questions; more open space and fewer units should be shown in the plan.

Mr. Gray said from a density standpoint, they were at the edge already. If that is the dividing issue, they will withdraw the application.

Mr. Sprague also liked the entry feature. He said it was first class and beautiful. He said EMS will appreciate having multiple entry points.

Mr. Peplow did not know how the additional buffering and openspace could be obtained without decreasing the density.

Mr. Lecklider said this was an unique concept which required a certain density. Forcing the density down may create "just another neighborhood," which is not appropriate along Post Road. He suggested dropping some units on the west side along Metatec Boulevard and a couple around the pond. He thought the concept did fit the area. Mr. Harian agreed.

Mr. Peplow said if the buffer could be provided without lowering the density, the project could still work. He wanted to protect the current residents as much as possible, but did not want to have a wall built. He asked how residential units could be placed so close to the light industrial uses and still assure some type of buffering between the two.

Mr. Peplow said the requested architectural changes had been made. He would support this project if arranged differently and with greater landscaping along Wall Street.

Mr. Sprague liked the plan, but would like to see it reduced by five or six units, or perhaps have the interior greenspace expanded.

Mr. Gray said the plan is close to equilibrium without much room for negotiation. They need adequate revenue to pay for the amenities. This should be as a high quality and unique. He wants this to be a trophy project. Any reductions in density mean giving up something else.

Mr. Sprague suggested evaluating a density reduction. With a slightly reduced density, stronger buffering and a "wow" or two, he would support it. If the density cannot be reduced, it is not the right use. The pond and quality need to remain the same.

Mr. Lecklider said the Commission would like to see the density reduced slightly, but his greater concern was buffering. Mr. Gray responded a 20 percent density reduction would not be possible, but there are many buffer possibilities for Wall Street.

Mr. Fishman did not have a specific density in mind. The Community Plan indicates this area for revenue production, not residential use. Given that, it had to "knock their socks off". This is too dense, and zoning should only be changed for solid reasons.

Bill Dargusch, a partner in the project, thought the Commission should support this because the residents support it. They will work on the Wall Street buffer, but it will not be lined with trucks. He said landscaping, Dublin walls, etc. could be used. Their entry gatehouses and landscaping create the proper image at the entries. They have worked with staff for four months on a plan to "knock people's socks off". He wanted clear direction on the Wall Street buffering.

Mr. Fishman said his responsibility is to obtain the best results for Dublin and for the neighbors. He noted that staff recommends disapproval of the rezoning and that the Commission has given two hours of feedback. This is a non-binding hearing. In addition to buffering of Wall Street, they had a problem with density and open greenspace.

Mr. Lecklider said a majority is inclined toward this as an appropriate land use.

Mr. Eastep said he still had a problem with this land use. Only if it is fantastic should they vote to forego the tax revenue potential. He noted the many area improvement that have increased the opportunities at this site. He did not support changing the land use to multi-family with the potential loss of tax dollars. He agreed with the staff report.

Mr. Gray said they are the only buyers at the table, and this is the highest and best use.

Ms. Clarke said the product "knocked the socks off" the staff, and she has not heard the same level of excitement from the Commission. She asked for clear direction.

Mr. Lecklider said his "socks were coming off". He said this might be an appealing place for him to live as a future empty nester. There are not many places like this existing in Dublin. He said this issue is less about density than buffering, but a lower density would be welcome. He said the applicant had come a long way towards meeting the concerns of the Commission.

Mr. Peplow and Mr. Harian did not want eight or ten-foot wall along Wall Street. Something similar to Emerald Parkway would work.

Mr. Fishman said density was a big issue for him.

Mr. Lecklider the majority does not expect a 20 percent reduction in density.

Ms. Clarke said during the Community Planning process, the existing zoning was examined to see if it still made sense. The Perimeter Center Plan PCD was considered to represent good future land use. When the Steering Committee did not like the land uses shown on the zoning map, etc. and they proposed alternates. No alternate was proposed here.

Mr. Fishman said he worked on the Community Plan. The consultants figured the revenue streams, etc. based on the zoning in place.

Ms. Clarke said one big decision made in the process, was not to roll back the existing zoning. The bias of the subcommittee was to leave the zoning in place unless it stood out as a problem.

Ms. Clarke said Metatec built when the land had its original industrial zoning. Metatec cooperated with Dublin in rolling its land in with a Planned Commerce District, agreeing to architectural review, etc. Ms. Clarke said the company is a good, responsible corporate citizen. Mr. Lecklider agreed that Metatec (aka Discovery Systems) has been an outstanding neighbor.

Mr. Harian made a motion to approve this concept plan with four conditions:

- 1) That a more intense buffer be implemented between this project and the light industrial and

- commercial uses;
- 2) That the site layout be reconfigured and units are dropped to achieve a lower density and create better open space;
  - 3) That the plan enhance the scenic roadway with elements from the "WOW" program; and
  - 4) That pond amenities be added per the staff report.

Mr. Peplow seconded the motion, and the vote was as follows: Mr. Fishman, no; Mr. Lecklider, yes; Mr. Eastep, no; Mr. Sprague, yes; Mr. Peplow, yes; Mr. Harian, yes. (Approved 4-2.)

**4. Rezoning Application 99-108Z - Revised Composite Plan - Tuttle Crossing PCD, Subarea A4 - Kinko's Copy Store - 5520 Paul G. Blazer Memorial Parkway**  
This case was postponed without discussion until December 9 due to the late hour.

**5. Development Plan/Conditional Use 99-109DPCU - Tuttle Crossing PCD, Subarea A4 - McDonald's Restaurant - 5170 Tuttle Crossing Boulevard and Kinko's Copy Store - 5520 Paul G. Blazer Parkway**  
This case was postponed prior to the meeting. There was no discussion or vote taken.

**6. Rezoning 99-116Z - Tuttle Crossing PCD, Subarea C - Offices at Tuttle Crossing - 4800 Tuttle Crossing Boulevard**  
This case was postponed without discussion until December 9 due to the late hour.

**7. Development Plan 99-107DP - Tuttle Crossing PCD, Subarea C1 - Offices at Tuttle Crossing - 4800 Tuttle Crossing Boulevard**  
This case was postponed without discussion until December 9 due to the late hour.

**8. Development Plan 99-117DP - Perimeter Center PCD, Subarea D - Rea Building - 5775 Perimeter Drive**  
This case was postponed without discussion until December 9 due to the late hour.

The meeting adjourned at 12:08 a.m.

Respectfully submitted,



Flora Rogers  
Clerical Specialist II  
Planning Division.