



## Planning

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## PLANNING AND ZONING COMMISSION

### MEETING MINUTES

**MARCH 10, 2016**

#### AGENDA

1. **NE Quad, Subarea 3, Wyandotte Woods PUD – Hawthorne Commons**  
**15-118FDP**  
**Wyandotte Woods Boulevard**  
**Final Development Plan (Tabled 4 – 0)**
2. **Ballantrae Woods PUD**  
**15-119FDP/FP**  
**Cosgray Road**  
**Text Modification (Approved 4 – 0)**  
**Final Development Plan (Approved 4 – 0)**  
**Final Plat (Recommended for Approval 4 – 0)**
3. **Deer Run, Subarea A**  
**15-120FDP/PP/FP**  
**5000 Deer Run Drive**  
**Final Development Plan/Preliminary and Final Plat**  
**(POSTPONED prior to the meeting)**
4. **NE Quad PUD, Subarea 2, Wyandotte Woods, Section 9 (Lots 203-216, Lots 236 and 237, and Lots 250-257) and Section 10 (Lots 217-235, and Lots 238-249)**  
**15-108FDP/FP**  
**Wyandotte Woods Boulevard**  
**Final Development Plan (Approved 4 – 0)**  
**Final Plat (Recommended for Approval 4 – 0)**

The Chair, Victoria Newell, called the meeting to order at 6:31 p.m. and led the Pledge of Allegiance. Other Commission members present were: Cathy De Rosa, Deborah Mitchell, and Stephen Stidhem. Amy Salay, Chris Brown, and Robert Miller were absent. City representatives present were: Philip Hartmann, Jennifer Rauch, Claudia Husak, Devayani Puranik, Aaron Stanford, Michael Hendershot, Alan Perkins, Lori Burchett, and Flora Rogers.

#### Administrative Business

##### Motion and Vote

Ms. Newell moved, Mr. Stidhem seconded, to accept the documents into the record. The vote was as follows: Ms. Mitchell, yes; Ms. De Rosa, yes; Ms. Newell, yes; and Mr. Stidhem, yes. (Approved 4 - 0)

##### Motion and Vote

Ms. Newell moved, Ms. Mitchell seconded, to approve the January 21, 2016, meeting minutes. The vote was as follows: Ms. De Rosa, yes; Mr. Stidhem, yes; Ms. Mitchell, yes; and Ms. Newell, yes. (Approved 4 - 0)

The Chair briefly explained the rules and procedures of the Planning and Zoning Commission. She said the Deer Run, Subarea A case was postponed prior to the meeting and there were no cases eligible for the consent agenda. She noted that not all of the Commission members were in attendance but there is a quorum for voting and three out of the four in attendance would need to vote favorably for a case to be approved. She said she wanted all the applicants to know that three of the seven members were absent in case they wanted to table their case based on attendance.

**1. NE Quad, Subarea 3, Wyandotte Woods PUD – Hawthorne Commons**  
**Wyandotte Woods Boulevard**  
**15-118FDP Final Development Plan**

The Chair, Ms. Newell, said the following application is a proposal for 86 multi-family dwelling units for an approximately 13-acre, vacant site and all associated site improvements as part of the Wyandotte Woods neighborhood in Subarea 3 of the NE Quad Planned Unit Development District. She said the site is south of the eastern portion of Wyandotte Woods Boulevard and west of the intersection with Emerald Parkway. She said this is a request for review and approval of Minor Modifications to the Development Text and a Final Development Plan under the provisions of Zoning Code Section 153.050. She said the Commission is the final authority on this application and anyone intending to address the Commission will need to be sworn-in.

The Chair swore in anyone intending to address the Commission with regard to this case.

Jennifer Rauch said the density permitted is 120 units and 86 units are proposed. She said the Final Development Plan is the final action for this proposal. She reported the Commission has informally reviewed this case several times during the past year to provide feedback and in February 2016, the Commission reviewed the Final Development Plan but it was tabled by the applicant due to the significant concerns regarding the intensity of the overall development. She said the main topics at that time were encroachments into the setbacks, buffering, connectivity, general architecture, and stormwater management that included the entry pond.

Ms. Rauch presented an aerial view of the site, adjacent to the Dublin Scioto High School located to the southwest and the single-family section to the north. She presented the revised Site Plan. She noted the applicant modified the layout of the units and eliminated the encroachment to the setbacks but the overall number of units had not changed. She said the applicant has better incorporated northwest multiple use path into the development and modified the location of the multiple use path on the east side of the site. She said the building architecture is similar to what was proposed previously, a more modern, contemporary style with the same building materials of stone, siding, glass, and accents of metal panels. She presented the proposed front, rear, and side elevations, as well as the perspectives for the streetscape and the rear of the units. She presented an additional graphic from the applicant to show the decks and patios and a section view of the proposed development to show the grading, mound, and landscaping as it relates to the existing single-family development. She also showed a view as seen from the existing development at installation and then years following the installation after the trees had matured to provide more screening. She presented the proposed elevations of the community center located off the main entrance that is unchanged from the previous presentations. She presented a revised sign for the entry that will now be externally illuminated.

Ms. Rauch said approval is recommended for the Final Development Plan with 13 conditions:

- 1) The applicant work with Legal to finalize deed restrictions to provide age restrictions for future tenants.
- 2) The discrepancy with the proposed elevation for building C will need to be revised prior to the building permit submission.
- 3) The applicant work with Staff on opportunities to group garage locations on buildings C, F, H, and P.
- 4) The plans be revised to incorporate a sidewalk on the north side of the entrance drive connecting Wyandotte Woods Boulevard to the community center.

- 5) The applicant will be required to provide a 25-foot access easement at the northwest portion of the site to the City to maintain the 8-foot-wide, shared-use path that will be constructed as part of the site development.
- 6) The applicant and owner continue to work with the City on coordinating the details of the access easement, path construction, and plant materials for the connection of the path from the school site through to Wyandotte Woods Boulevard.
- 7) The final layout and location of the eastern path will need to be field verified to minimize any impacts to the existing trees in the vicinity.
- 8) The applicant incorporate passive amenities such as benches and/or informal paths within the small open space areas, to the extent possible.
- 9) Final revisions to the plans regarding the alley width and turning radii will be required with the building permit submission, subject to approval by Washington Township Fire Department.
- 10) The applicant will be required to ensure tree replacement for the site occurs in accordance with the Code or obtain approval of a tree Waiver from City Council.
- 11) The applicant address the site grading concerns identified within the report, subject to approval by Engineering.
- 12) The portion of landscaping located around the entry pond be completed by fall 2016 or with the occupancy of the community center building, whichever occurs first, and a fountain be added to the entry pond.
- 13) The applicant continue working with Engineering to address all technical comments regarding stormwater management and continue to demonstrate all stormwater requirements as defined in Chapter 53 are met as well as not adversely impacting the school property.

Victoria Newell inquired about the condition regarding stormwater management and grading on the site. She asked the conditions and if the applicant will be able to satisfy the grading requests. Michael Hendershot answered he feels confident with the proposed grading and there is adequate drainage from the buildings.

Ms. Newell asked if the legacy trees will be preserved given the grading to happen around them. Mr. Hendershot said Staff has worked with the applicant with grading in mind to see if any more of the landmark trees could be preserved. He explained the way the grading is proposed, the trees should survive.

Steve Stidhem inquired the fire access conditions. Ms. Rauch clarified the width of the alley needs to be increased; it is 15 feet wide now and it needs to be 16 feet wide, which the applicant has demonstrated will work.

Cathy De Rosa asked how many landmark trees have been identified in this plan. Ms. Rauch pointed out the landmark trees to be preserved.

The Chair invited the applicant to come forward.

Glen Dugger, attorney representing the applicant, 37 W. Broad Street, thanked Staff for assisting them in returning to the Commission in an expeditious timeframe. He said the applicant has addressed many of the issues raised at the review last month. He noted they realigned the whole site and units no longer

encroach into the setbacks, which was a significant concern to the Commission and surrounding neighbors. He said with this proposal, the pond may appear in the same place but it is actually 10 feet further to the north. He said he likes the way the entrance drive terminates into a view corridor. He noted they addressed the pedestrian access of the northwest corner. He said they removed retaining walls that were on the previous plan as the units are now out of the setbacks. He reported they met with the neighbors and they engaged in an appropriate discussion about this plan and he has provided them with additional information. He said his landscaper has stated that this proposal is being landscaped as heavily as possible without overcrowding plant material as it matures. He emphasized this is a one-story community and there are several conditions written into the request for approval and they agree with all of the conditions as written.

Deborah Mitchell thanked the applicant for responding to the concerns.

Mr. Stidhem asked if there were any outstanding issues not addressed. Mr. Dugger answered there is a question about whether this is too dense that he believes is a subjective judgement and defended his proposal.

Ms. De Rosa asked the applicant if they agree to grouping the garages and Mr. Dugger said he did. He said he did not go through each of the 13 conditions listed to agree to each one individually but assured the Commission they agreed to all. He said the applicant intends to work with Staff.

The Chair invited the public to speak with regard to this case.

Eric Lichtenfeld, 7789 Kelly Drive, said he is concerned about traffic on Wyandotte Woods Boulevard that may also be impacted by the other development for this area. He said the neighborhood could see an increase of 100 vehicles. He said he moved into the neighborhood this past summer. He said he lived in Los Angeles, CA for ±20 years and there is almost nothing as corrosive to the enjoyment of a community as clogged traffic. He indicated that once this has been endured, it is at the top of the list for concerns.

Jerry Kosicki, 4313 Wyandotte Woods Boulevard, said no development is perfect but there is a lot to like about this one. He said the neighbors really like the single-story design and 55-plus restriction as a place for older folks to age in place, which is very much needed in Dublin. He indicated how gratified he was as so many of their suggestions have been incorporated into this proposal. He said he liked the amount of density of 86 units rather than 120 but is concerned about the size of the footprint and how many trees will actually survive after all of the intensive regrading is complete. He said on the north side, it is nearly a solid wall of buildings that back up to his neighborhood. He said the west side as viewed driving east on the street is overwhelming and oppressive, not welcoming or inviting. He said everything in this site appears to still be crowded and crammed in. He reported the neighbors are concerned about the legacy trees being saved. He said hundreds of trees have been removed in their neighborhood already to make room for the development in Sections 9 & 10. He questions the City's ability to oversee the tree removal/replacement process and said ironclad assurances are needed.

Kathy Harter, 7825 Holiston Court, thanked the City for listening to the neighbors and thanked Staff for their prompt responsiveness to their questions. She confirmed the neighbors met with Mr. Dugger a couple of weeks ago, which was appreciated. She said they like the bike paths and connections. She said trees are very important and she hopes that everyone makes this their quest to save as many trees as possible. She said there are 13 landmark trees and 7 are listed to be saved. She asked if a couple more could be saved by modifying the pond or the parking lot for the community center. She said the lettering on the sign for the entrance is a stark white and would prefer to see it mesh better with the other portions of the neighborhood as a stone effect. She suggested grasses to be incorporated into the landscaping to soften the look.

Mr. Stidhem inquired about her comment that the sign should be coordinated with the rest of the neighborhood.

Ms. Harter said they have spent ±\$10,000 this year on the front part of Wyandotte Woods at Riverside Drive to install a new sign that has columns and wording engraved into the stone and landscaping placed around it. She said they participated in the Beautify Your Neighborhood Grant program provided by the City. She said stone to this community is important; they even have natural stone areas at the cul-de-sacs and would like to stone continued throughout this development.

Brett Page, 7638 Kelly Drive, said he appreciated the collaboration the neighbors have received recently. He said the intensity of the development has been reiterated as a strong concern. He said he understands this meets the Code but asked the Commission if this is the kind of standard Dublin should have, allowing structures to be built to the very edge of the property as he has not seen this anywhere else in Dublin and is concerned this might set a precedent. He asked if some of the units on the north end could be removed to minimize the footprint. He inquired about signs and asked if the name of the manager of the development needs to be included or if it should just state Hawthorne Commons. He asked if the entryway could be just a right- only, out of the property to minimize cross traffic. He indicated the property owners probably did not anticipate the pond to expand in size and asked how trees could fit into the north end of the pond area. He said water already comes up to the lot line. He said the connectivity to the Dublin Scioto High School is special so walkability within this development is desired. He noted that all the trees were stripped away this past week in Sections 9 & 10, which was disturbing to him. He asked that if trees cannot be replaced on this property, if they can be planted in other areas in Wyandotte Woods. He said trees provide a calming effect and when they are removed, it is noticeable.

Amy Kramb, 7511 Riverside Drive, asked that this proposal be tabled once again as there are a lot of conditions that Staff has included for an approval and she believes there should be more conditions in place based on all the comments this evening. She indicated it is not fair to leave all these conditions in Staff's hands and the residents deserve to review this plan again, especially in terms of the pond, grading, and landscaping. She said she is not supportive of the stark, black metal cabinet for the sign at the entry, which is found nowhere in that area; everything is stone with pin-mounted letters or wooden with carved letters. She suggested that if the sign has to be made of metal, that it be a softer color. She said the name of the developer should not be on the sign, just the name of the development itself. She reiterated that they are all concerned with the trees, especially after seeing what happened in Sections 9 & 10. She said on the west, it is one really long building proposed with only a 10-foot separation. She said even in the BSD there would have to be another block in between or a mid-block walkway. She suggested two cuts like on the south side. She inquired about the dumpster and if there will be appropriate screening. She said the grading for the pond is confusing as to which development it is for as the same conditions are listed in both applications. When she sat on the PZC, she said they reviewed the pond and the grading comes right up to the property line. She indicated she did not know what trees can grow well on a slope and in water on the north side of the pond so she urged the Commission to look at the landscaping plan closely. She restated that she wanted the Commission to table this application tonight.

The Chair clarified the Commission cannot actually table a case; the applicant needs to request that a case be tabled.

Gindu Venkatesh, 4063 Wyandotte Woods Boulevard, said he resides in the first house near the pond and the water from the pond currently encroaches into his lot. He said he is concerned because he just heard that the pond will be increased in size. He said Sections 9 & 10 should have their own retention pond and not increase the size of this pond. While standing in his back yard, he said the structure is visible from one end to the other end so he requested that it be reduced in size.

Sue Hutras, 7834 Silver Rose Court, said she agreed with everyone's comments and appreciated Mr. Dugger's willingness to work with the neighbors. She said she is still not supportive of this density because Wyandotte Woods is named as such for a reason. She suggested some of the inner units be two-stories to reduce the footprint and increase the green space. She indicated she understands one-story units for senior housing but the garages are still the focal point and she finds that unattractive. She said she has three kids at Dublin Scioto High School and she still does not see the connectivity. She said the stadium is right there and teenagers will find the shortest way there, not necessarily following paths. She said she was concerned about safety because there are not continuous sidewalks. She said she would love to see a project like the one by the movie theater in Dublin where the garages are all on the backside with a small roadway.

Rajeev Desai, 4071 Wyandotte Woods Boulevard, said he is the second neighbor on the north side and agreed with his neighbor and that it was like living in a fort; he asked for some breathing space. He explained that next to his property line is the pond so he does not know how trees are going to fit there. He stated he is not supportive of the pond almost doubling in size as he is already experiencing water in his property. He indicated development in Sections 9 & 10 will cause more water problems.

Eric Lichtenfeld said he is still unclear about connectivity from the neighborhood to Dublin Scioto High School.

The Chair said there was no one else from the public requesting to speak; she closed the public comment portion of the meeting. She asked Staff to address the traffic concerns.

Michael Hendershot said the traffic study was performed as part of the original rezoning of this entire area, which encompassed this development and the traffic study did account for the proposed development here as well as Sections 9 & 10. He reported Engineering continuously monitors the operations of the public infrastructure and they feel comfortable with the infrastructure in place as it relates to the proposed development. He reported the traffic study did not warrant a right-in/right-out so Engineering does not feel that is necessary based on the trip generations for this development.

Vicki Newell asked him if he recalled what those numbers were. Mr. Hendershot responded he could not recall but the traffic study showed a density of 120 units and this proposal has less units at 86.

Ms. Newell asked about the detention pond and why it is specifically at this location as she thought that was determined a long time ago. Mr. Hendershot said the retention pond was constructed as part of Wyandotte Woods Section 8 and not sized to accommodate the development of Sections 9 & 10. He said the applicant has proposed to expand the basin to the south by  $\pm 20$  feet to accommodate the development of Sections 9 & 10.

The Chair noted that Sections 9 & 10 was a separate case but she asked why they need to come to this location. She asked why it cannot be located somewhere else.

Mr. Hendershot said the pond was sized and located for the undeveloped portion of Sections 9 & 10. He said it was determined with prior development approval that was an appropriate place for the basin. He indicated the applicant can explore other measures that can be taken so that basin does not have to be modified but as proposed in Sections 9 & 10, they are meeting stormwater requirements by increasing the basin.

The Chair clarified stormwater management was approved for Sections 9 & 10 to use this pond.

Mr. Stidhem asked if there were limitations on the depth of the pond. Mr. Hendershot said the water level for a 100-year storm is what was taken into account for the maximum ponding so it should be the same elevation as it is today and not an increase in water level.

Cathy De Rosa asked if there is a status check because if the water is backing up there now; she said it is "supposed to be appropriate" but was it. She asked how this is monitored. Mr. Hendershot said that may be a testament to the maintenance of the pond that is not occurring or the outlet structure is causing the water to be ponding more than it was designed to be. He suggested that is something that should be checked because it was not designed to go into the neighbors' property.

Ms. Newell agreed this is not the way a detention pond should normally function.

Mr. Stidhem asked who owns it and would be responsible for checking it. Mr. Hendershot answered Homewood owns it and is responsible. He added the expansion is occurring to the south so there will be no new grading along the northeast portion.

Ms. Newell inquired about the slope sides that will be there when the modification is finished. Mr. Hendershot replied it is probably around a 4 to 1 or a 3 to 1 coming down.

Ms. De Rosa inquired about the trees planned for along the pond and Ms. Newell questioned how the trees will survive within that area.

Jim Lipnos, Homewood Corporation, 2700 East Dublin-Granville Road, said in Section 3 of Wyandotte Woods there is a retention basin with similar slopes that have 50 or 60 trees planted on it and those have been maintained. He said they have replaced trees for those that died but it is maintained by the Homeowner's Association. He said with regard to the previous questions about the level of the pond and if it was getting deeper. He explained the pond is not getting deeper; the normal pool elevation, which is where it would be on a normal day, is actually getting lower. He said the pond is not getting deeper, it is actually getting shallower. He said the capacity for storm events becomes deeper. He said in a 100-year storm event, where the water level is today, is where we would be in a 100-year storm event. He said the overflow structure in a pond is below the elevation of the back fill lots. He said the trees would be planted within the first 15 – 20 feet of the top bank from the property line and at that point would not be more than a 4 to 1 slope, where trees are planted all the time.

Ms. De Rosa said she heard the Homeowner's Association would be responsible for maintaining these trees once this is done. Ms. Rauch confirmed that was true for the north side.

Ms. De Rosa said maybe the maintenance of the pond is the root cause of the problem.

Mr. Lipnos said there is some discrepancy in this interpretation of what that pond is today. He said the pond was built with Section 8 with a full understanding that it was going to handle the stormwater for Sections 9 & 10. He said this goes back to the overall stormwater management report done 25-plus years ago. He said "the pond" is currently a temporary sediment basin. He said it is not maintained, not treated for chemicals. He said it will become a pond when they develop the next sections, finish the landscaping, and put in the fountain and it will be maintained by the HOA.

Mr. Stidhem said if my property was right next to a pond and the water was coming up into my yard, I would contact the City and not contact PZC. He said the City would then inspect to assess the problem. Mr. Lipnos said there have been no complaints.

Ms. De Rosa requested clarification as she counted six landmark trees and she has heard in the discussion this evening that seven would be maintained. Ms. Rauch answered the plans show six trees.

Mr. Dugger said there may be some confusion with the tree survey. He said trees identified on the south are actually on school property. He confirmed there are six landmark trees preserved on this property.

Dennis Karem, 8220 Industrial Parkway, Environmental Management, Plain City, Ohio, 43064, said the tree located in area where the clubhouse parking lot is proposed is dead and identified as such. He confirmed there are six remaining landmark trees. Ms. De Rosa asked how many in total there were. Mr. Karem answered 11 – 12 trees.

The Chair requested the tree survey be presented on screen.

Ms. Rauch noted the various trees. Mr. Karem said they did a comprehensive study for Staff indicating trees to remain or be removed. He said the multi-stem apple tree (landmark) in the area of the proposed pond is not a high quality tree. Ms. Mitchell requested clarification that the study has been validated.

Ms. Rauch said tree protection fencing is provided during construction. She said more heavy-duty type fencing has been used in the past around landmark trees so that could be incorporated into this plan. Mr. Dugger said a chain-link fence will be used around the landmark trees to protect them.

Ms. Newell inquired again about the apple tree. Ms. Rauch said the survey shows it is in good condition. Claudia Husak said the survey has it listed as a 14-inch Maple tree with four trunks. Mr. Karem questioned if they were all looking at the same tree on the survey, which was confirmed. He seemed surprised it was listed as a maple. He said the trouble with multi-stem trees is they might not be in as good condition as others as they are subject to cracking.

Ms. Newell asked if there is any chance that tree could be saved and if something different could be done with the pond. Mr. Dugger said the applicant considered a design with that tree on a type of peninsula or island but he thought the overall grading of the site would not work for that. She asked him to elaborate.

Sean Gillian, EP Ferris and Associates, 880 King Avenue, Columbus, Ohio, said throughout the multiple iterations of the grading plan, there was quite a few criteria they were expected to meet with the design in terms of tying in the grade with the existing surrounding grade. He said it was a balancing act to save as many trees as possible. He said this tree could not be saved.

Mr. Dugger said there was concern about through-pedestrian traffic. He stated there is a five to six-foot tall chain-link fence along the entire south boundary of this property that was probably constructed when the high school was built. He said he assumed this was part of the security perimeter fencing. He said it would not be easy for someone to cross this property and then scale the fence to enter the stadium. He said the applicant is not concerned about having a significant amount of cut-through traffic for that very reason.

Mr. Dugger said Homewood would landscape and maintain the areas on the north side of the pond. He said Treplus is obligated to landscape and maintain the southern portion of the pond. He said the northern portion will eventually be conveyed to the HOA because it is part of Sections 8, 9 & 10.

Ms. De Rosa asked for clarification for responsibility for maintaining landscaping around the pond. She asked when it gets transferred over to the HOA, who ensures the plantings become viable before the HOA is responsible. Mr. Dugger said typically it would be turned over to the HOA during the 90% transfer of the houses built in Sections 9 & 10.

Mr. Lipnos said they do not have to transfer over to the HOA until a year of the last lot transferring. He said it is normally done when 90 – 95% is complete. He said sometimes they will deed the land over to the HOA earlier. He said there is a one-year warranty on the trees when they are planted.

Ms. De Rosa clarified that it is the HOA's responsibility immediately but there is a one-year warranty on the vegetation. Mr. Lipnos said the actual pond is maintained by the HOA, by Homewood, not Treplus.

Ms. Mitchell asked about the rationale for the sign; she liked the change and the lighting of the sign but wondered about the construction materials and the design of it.

Mr. Dugger said when this was reviewed last time, the applicant understood there was a strong preference about not having it internally illuminated and they made that change to be externally illuminated. He said there has not been previous discussions in terms of the other comments. He said Wyandotte Woods has a routed sign. He said he thought the proposed sign was more professional and the stone base was consistent with Dublin's standards.

Ms. Mitchell said her inference is that this community is more modern so the sign could be more modern so she asked if that was the rationale. Ms. Husak said from Staff's standpoint, the sign matches the architecture and the feel of this neighborhood. She said this is not necessarily Wyandotte Woods and not Hawthorne Commons at Wyandotte Woods. She said they reviewed comments from the Commission and determined it still had character and quality that fit.

Mr. Stidhem asked if the name of the developer is allowed and in this case, Treplus Communities. Ms. Husak said contents of signs cannot be regulated.

Ms. Newell referred to the review criteria and said she appreciated how hard this applicant worked with the neighborhood. She indicated this is the most positive feedback she has heard from the residents on any of the cases. She said she struggles with the criteria to provide adequate public space; there is not much usable space on this site. She said the open areas are where the detention ponds are located. She said she also struggles with the tree preservation on the site in terms of the quantity of trees being removed because that has been the natural feature of this site. She said she was okay with removing the one tree in the pond area since others would be preserved. She restated she is comfortable just having sidewalks on one side of a street. She said the one sidewalk in the far north corner should connect to the community center. She suggested cross walks. Mr. Dugger said the reason the applicant did not do a sidewalk where she noted was because there would be 9 or 10 driveway crossings, some of which will have a car parked. He said they would also have to provide a ramp up, ramp down, all the way across. He said they placed sidewalks on the front of the units without the driveway crossing. He said he liked the idea of the cross walk in the location she noted. Ms. Newell said she would like to see that as a condition in the application request.

Ms. Newell asked Staff if benches can realistically be incorporated in open space. Ms. Rauch said 'to the extent possible'. She said there might be space in the existing tree canopy.

Ms. De Rosa thanked the applicant for all their work with the residents. She said she is the lover of sidewalks on both sides of a street, consistent with what she said at the last review. She said we are trying to accomplish walkability particularly in a 50-plus neighborhood. She said she still wants to see more open space. She questions whether the density can be improved to attain more green space since the adjacent neighborhood has so much more green space.

Mr. Stidhem inquired about the land owned by the school to the west. Ms. Rauch said they use it for athletic fields.

Philip Hartmann said the schools are going through Master Planning this year so they probably would not have anything. Ms. Rauch said the schools have been part of this conversation. Mr. Dugger added the applicant has been in constant contact with the schools.

Mr. Stidhem agreed with the lack of open space, which does not meet the review criteria. He said he really worries about the ponds as the existing pond is an absolute mess. He suggested maybe the City could maintain the ponds like they have done in other areas. He said he is a fan of sidewalks on both

sides of a street but understands this layout. He agreed with the suggested location of a cross walk. He reiterated that the dumpster should be appropriately screened.

Ms. Mitchell added there is a tension here that is natural because there are trade-offs involved and when we consider density, we have to recognize it is a multidimensional concept. She indicated when building cars in a factory, everyone wants to go faster, with lower cost, and higher quality but you can never get all three. She said then the decision becomes what you give on. She said with density, there are the number of units, the height of units, and then the economic logic. She said space is multidimensional, too; it includes grass and open space but also involves what the eye sees. She said she has resided in places where things are very tall and looming, even though there is open space at ground level, it is really important to consider all. She questions what the best way is to approach a trade-off. The Chair said the decision has to be based on the review criteria.

Ms. De Rosa questions whether the Commission has done all they can to determine the appropriateness of a trade-off. She asked if they pushed every lever so they are certain this is where it could be. She said a lot of strides have been made in a lot of places but she is still concerned with the north side.

Ms. Newell said she did not think density was the question to ponder. She said the applicant is allowed to have 86 units. Ms. De Rosa said it is the way it sits on the property that is the question. Ms. Newell explained it is criteria #3 for usable open space. She said she can get around walkability and path of travel but struggles with open space because it just includes the two ponds and the small space left at the entries.

Mr. Dugger said the reason they got this plan to fit within the setback area was by reducing the size of the garages. He said they were a little larger to accommodate storage or a work bench but now they are a standard-depth garage. He said they reduced the total building cover by 12% per building and  $\pm 5,000$  square feet over the entire site. He said while it looks like the old plan, it fits within the setback lines and created the additional space on the east side and view corridor coming in through the entrance.

Ms. Newell said those are all distinct improvements. She said she appreciated that they staggered the buildings because aesthetically, she preferred them staggered but she could not support the units encroaching the property line.

Mr. Stidhem said he applauded all the work that had been done and for the applicant working so well with the neighbors. He said he would like to see a walkway and benches around the pond in the middle of the site.

Mr. Dugger said he thought it was going to work that way with the internal pond. He said he is concerned about providing a hardscape around that pond but a mulch path might be a good alternative. He said stormwater management with this site has been a challenge all along.

Ms. Rauch said the concern is with the grading. She presented a rendering of the central pond and the open space surrounding it. She said it was determined that the grading around the pond is too significant to accommodate a walkway.

Mr. Dugger reiterated that the grade falling from one side of the site to the other has been a challenge.

The Chair asked if there were further questions or comments. [Hearing none.]

Mr. Dugger requested a five-minute recess.

The Chair reconvened the meeting and reminded the applicant they have the right to request to table the case since only four Commissioners were present.

Mr. Dugger said his contract expires in one week and they are currently trying to obtain an extension because he wants the full Commission to review this application. He said some issues were raised this evening that he does not know how to deal with on the spot. He said they are trying to reach the owner so an extension could be issued to address the issues appropriately.

The Chair asked if it is possible to pause this review, move onto other cases, and reopen this case later this evening. Mr. Hartmann said that was fine if the applicant did not have an objection. Mr. Dugger said he did not object to a postponement to later in the evening. The Chair indicated this situation has not occurred before. Mr. Dugger apologized to the residents in attendance for delaying the proceedings. The Chair said she wanted to be fair to the applicant.

**Motion and Vote**

Ms. Newell moved, Ms. De Rosa seconded, to postpone the case until after the next case is reviewed. The vote was as follows: Ms. Mitchell, yes; Mr. Stidhem, yes; Ms. De Rosa, yes; and Ms. Newell, yes. (Approved 4 – 0)

The Chair resumed the meeting for this case.

Mr. Dugger reported the applicant has some additional time to work on the issues raised this evening but would need to get on the next regularly scheduled Commission meeting. The Chair said she thought the Commission could make an exception.

Ms. Husak asked if the applicant would provide revised materials or if they will return with the same materials. Mr. Dugger said he did not know at this point and he probably would not have an answer until Monday. Ms. Husak said if the applicant is requesting to table the application that the 15-day rule would need to be waived.

Mr. Dugger said Staff has been wonderful and the applicant will do everything they can to provide them with materials in an expedient manner. The Chair stated it is a tough application. Mr. Dugger officially requested that this application be tabled.

**Motion and Vote**

Ms. Newell moved, Ms. De Rosa seconded, to table the Final Development Plan at the request of the applicant and waive the 15-day rule to return to the next scheduled Commission meeting. The vote was as follows: Mr. Stidhem, yes; Ms. Mitchell, yes; Ms. De Rosa, yes; and Ms. Newell, yes. (Tabled 4 – 0)

**2. Ballantrae Woods PUD  
15-119FDP/FP**

**Cosgray Road  
Final Development Plan/Final Plat**

The Chair, Ms. Newell, said the following application is for a subdivision and development of 45 single-family lots and 90 detached condominium units as part of the Ballantrae Woods Planned Unit Development. She said the site is east of Cosgray Road and north of the Conrail railroad tracks. She said this is a request for review and approval of Minor Modifications to the Development Text and a Final Development Plan under the provisions of Zoning Code Section 153.050 and request for review and recommendation of approval to City Council of a Final Plat under the provisions of the Subdivision Regulations. She noted the Commission will be required to vote on these requests separately. She said the Commission is the final authority on Minor Modifications to the Development Text and the Final Development Plan; anyone intending to address the Commission will need to be sworn-in.

The Chair swore in anyone intending to address the Commission with regard to this case.

Devayani Puranik stated the Final Development Plan is the final step of the approval process. She reported the Rezoning was approved September 8, 2015, and Planning and Zoning Commission recommended approval to City Council July 9, 2015. She said the character of the area is rural residential with limited commercial activity and presented an aerial view of the site. She noted the northern sections have wooded areas and there are tree rows along the railroad tracks.

Ms. Puranik said the Final Development Plan layout and density is consistent with the Preliminary Development Plan with 45 single-family lots, 90 detached condominium units, and the open space is 18.2 acres with an overall density of 2.72 units per acre. She said no major updates have been made regarding the site layout.

Ms. Puranik said the site is immediately west of Churchman Road with three access points, two of which will align with streets to the east. She said the private drives provide access to the condominium units and public roads will serve the single-family lots. She said the best buffer is 100 feet from the CXS railroad tracks with mounds and landscaping to the height of  $\pm 6 - 8$  feet continuously from north to south. She said the buildings will be 25 feet from the property line and will be buffered by landscaping along the southern property line. She said the open space is mainly along the buffer setback with a half-acre of open space within the condominium development. She said connectivity is continuous throughout this site with sidewalks and shared-use paths.

Ms. Puranik said the proposed architecture for the condominiums has eight different elevations, seven of which were part of the Preliminary Development Plan. She explained it is a cottage theme that includes high pitched roofs, dormers, and detailed window trim. She said all units are required to have four-sided architecture and permit the same primary building materials as the single-family residential units. She said design elements include a door that is at least 17 square feet in area, windows with minimum requirements for trim, chimneys, decorative gable vents, porches, or other appropriate design features for the approved architecture. She noted the applicant has added an eighth elevation that has a prominent wall of glass not consistent with the architectural theme and Development Text. She said Staff has recommended that this elevation be modified to better integrate with the required architectural theme. She added Staff is concerned that the architectural detailing on some side elevations is lacking. She explained that while the units will be 12 feet apart, there are large blank walls shown on the submitted elevations.

Victoria Newell asked which elevation was added. Ms. Puranik pointed out the elevation and presented the conceptual architecture proposed. Ms. Puranik explained because the applicant is introducing this elevation, they are also proposing additional design elements to include in the Development Text. She presented all the elements in addition to what has been previously approved. She presented the architectural drawings and noted the two new design elements proposed that they are proposing and to add the descriptions to the Development Text. She noted currently the text requires single-hung windows with a grid pattern of either 4/4, 6/6, or 9/9; they are requesting the modification for a fixed window pane with a minimum of 2 grids creating a minimum of 3 faux lights. She said the additional dormer styles include one windowed dormer and two dormers with dot motifs (one roof dormer and one porch dormer). She reported Staff is concerned that the large window addition and the two closed dormers do not successfully integrate into the architectural theme of "Carpenter Gothic". She said the other proposed window modification provides consistency between approved design elements and the Development Text while providing flexibility for additional design elements for windows and allows the residential units to have natural light in smaller areas of the home. She said Staff supports the minor text modification to permit the additional window and dormer styles except the large 9-square window and dot-motif dormers.

Ms. Puranik said Staff recommends approval of a Final Development Plan with five conditions:

- 1) That the applicant work with Staff to modify elevation C-8 of the condominium units for consistency with the architectural theme and meet the requirement of building materials permitted by the approved Development Text;
- 2) That the applicant modify the side elevations for the condominium units to introduce additional design elements to avoid large blank surfaces and achieve four-sided architecture;
- 3) That the applicant enter into an infrastructure agreement with the City of Dublin to address the fee to be paid for off-site traffic impacts, prior to the Recommendation of the Final Development Plan recording of a plat for any portion of the site, to the satisfaction of the City Engineer;
- 4) That the applicant resolves discrepancies between the Summary Table, Final Plat, and Development Text for open space reserves and area numbers prior to City Council review for Final Plat; and
- 5) That the applicant work with Staff in all areas that require disturbances in the reserve areas to locate the amenities in the least impactful manner.

Ms. Puranik presented the Final Plat that shows all the required setbacks, right-of-ways, and lots, but said the applicant needs to show continuous building lines and include "Reserve R" that was part of the Preliminary Development Plan that includes the preservation of landmark trees.

Ms. Puranik said approval is recommended for a 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; and
- 2) That the applicant revises the plat and summary table to include "Reserve R" for landmark tree protection and reserve area numbers and ownership details per approved Development Text.

Ms. Newell asked if vinyl windows were in the original Development Text to which Ms. Puranik confirmed.

The Chair invited the applicant to approach the Commission.

Scott McClintock, Kass Corporation, 6210 Taylor Road SW, Pataskala, Ohio 43062, said many of the items have been addressed. He said each of the conditions on the Final Development Plan and Final Plat can be addressed. He said he believes there are some solutions to the large bank of windows on the Hanover elevation. He said an agreement has been created in principle with Engineering and Development; just the paperwork is needed for final process. He concluded he has no issues with the conditions.

Ms. Newell asked why the additional style elevation was proposed. Mr. McClintock said there were footprint items this design worked better for, bringing an entertainment type room to the front and opening a central area allows for a patio space to be centrally located. He explained each of the other layouts have the patio space utilizing the back of the structure.

Ms. Newell asked if there was a specific location for each of the design styles planned for the site to provide a variety. Mr. McClintock said that would be driven by sales. He said the overall plan contains a footprint each of the buildings will fit into.

Cathy De Rosa asked for clarification on the second condition on the Plat about Reserve R for the landmark tree.

Ms. Puranik presented the Site Plan and noted the two landmark trees that are part of the reserve, which was not reflected on the Plat.

Steve Stidhem confirmed there were three new window types proposed that Staff did not want added to the Development Text. Ms. Puranik explained the windows now become a primary material and that was not listed in the Preliminary Development Plan and do not match the size and style of others.

The Chair invited the public to speak with regards to this case. [Hearing none.] She opened the meeting up to discussion for the Commissioners.

Ms. Newell said she agreed with Staff in regards to the ninth elevation as it stands out differently from the others. She said that elevation is missing the arched windows typical for this style but overall she likes the design of the structures. She reiterated that architectural elements that appear so well in drawings need to be brought to the reality of the final built product. She said she was fine with the minor development text change.

Mr. Stidhem said he liked the layout and design. He asked what the square footage was for each of the units.

David Parsley, Vice President of Sales, said all three units range between 1,900 – 2,100 square feet without the optional second floor. He said the applicant will not allow the same units to be built next to each other.

Ms. Newell requested that be made a condition. Deborah Mitchell suggested it be written in the design matrix requirements. Ms. Newell emphasized it should be written in some fashion beyond what is in the text currently.

Ms. Puranik said a diversity matrix was submitted with the application at one point and Staff will request it again.

Ms. Mitchell said her main concern was the variability; she liked the architecture. She said if the reality looks like the renderings, the development will look great.

Mr. Parsley clarified there are four different units so a full matrix could not be used but would ensure the same elevation would not be built side-by-side.

Ms. Newell said she did not want to see a unit used throughout, heavy handed because it was popular. Claudia Husak said a matrix could be worked out. Ms. Puranik said she added the sixth condition.

The Chair asked the applicant if they were in agreement with all six conditions for the Final Development Plan. Mr. McClintock answered he accepted each of the conditions and wanted to make sure the sixth one was to be worked out with Staff and a full matrix was not expected.

Ms. De Rosa concluded she loved the way the plan looks; specifically the green space and flow.

**Motion and Vote**

Ms. Newell moved, Mr. Stidhem seconded, to approve the Minor Text Modification. The vote was as follows: Ms. Mitchell, yes; Ms. De Rosa, yes; Mr. Stidhem, yes; and Ms. Newell, yes. (Approved 4 – 0)

**Motion and Vote**

Ms. Newell moved, Ms. Mitchell seconded, to approve the Final Development Plan with six conditions as presented:

- 1) That the applicant work with Staff to modify elevation C-8 of the condominium units for consistency with the architectural theme and meet the requirement of building materials permitted by the approved Development Text;
- 2) That the applicant modify the side elevations for the condominium units to introduce additional design elements to avoid large blank surfaces and achieve four-sided architecture;
- 3) That the applicant enter into an infrastructure agreement with the City of Dublin to address the fee to be paid for off-site traffic impacts, prior to the Recommendation of the Final Development Plan recording of a plat for any portion of the site, to the satisfaction of the City Engineer;
- 4) That the applicant resolves discrepancies between the Summary Table, Final Plat, and Development Text for open space reserves and area numbers prior to City Council review for Final Plat;
- 5) That the applicant work with Staff in all areas that require disturbances in the reserve areas to locate the amenities in the least impactful manner; and
- 6) That the applicant provides a diversity matrix for the condominium subarea.

The vote was as follows: Mr. Stidhem, yes; Ms. De Rosa, yes; Ms. Mitchell, yes; and Ms. Newell, yes. (Approved 4 – 0)

**Motion and Vote**

Ms. Newell moved, Ms. Mitchell seconded, to recommend approval to City Council for a 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; and
- 2) That the applicant revises the plat and summary table to include "Reserve R" for landmark tree protection and reserve area numbers and ownership details per approved Development Text.

Mr. McClintock agreed to the two conditions.

The vote was as follows: Ms. De Rosa, yes; Mr. Stidhem, yes; Ms. Mitchell, and Ms. Newell, yes. (Approved 4 – 0)

**3. Deer Run, Subarea A 5000 Deer Run Drive  
15-120FDP/PP/FP Final Development Plan/Preliminary and Final Plat**

This application was postponed prior to the meeting at the request of the applicant.

**4. NE Quad PUD, Subarea 2, Wyandotte Woods, Section 9 (Lots 203-216, Lots 236 and 237, and Lots 250-257) and Section 10 (Lots 217-235, and Lots 238-249)  
15-108FDP/FP Wyandotte Woods Boulevard  
Final Development Plan/Final Plat**

The Chair, Ms. Newell, said the following application is for the subdivision and development of 55 single-family lots as part of the Wyandotte Woods neighborhood in Subarea 2 of the NE Quad Planned Unit Development. She said the site is north of the eastern portion of Wyandotte Woods Boulevard, south and

west of the existing stub at Kelly Drive. She said this is a request for review and approval of a Final Development Plan under the provisions of Zoning Code Section 153.050 and a request for review and recommendation of approval to City Council of a Final Plat under the provisions of the Subdivision Regulations. She noted the Commission will be required to vote on these requests separately. She said the Commission is the final authority on Minor Modifications to the Development Text and the Final Development Plan and anyone intending to address the Commission will need to be sworn-in.

The Chair swore in anyone intending to address the Commission with regard to this case.

Claudia Husak reported Logan Stang did all the hard work on this case but was on vacation so she would present on his behalf.

Ms. Husak said this is the last single-family portion of the Wyandotte Woods neighborhood. She presented an aerial picture of the site. She explained the Final Development Plan is the last step for the Planning and Zoning Commission along with a recommendation for the Final Plat to be approved by City Council. She presented the two sections contemplated for approval. She said the connection of Kelly Drive from the north to the roundabout is proposed along with the creation of Domnall Drive and Kelly Court within the site. She reported all of the development requirements have been met in terms of front building lines, and rear and side yard setbacks, etc. She said the applicant has been asked to provide additional details for driveway spacing, which they have submitted satisfactorily.

Ms. Husak said there are conditions for the pond landscaping, which includes the north side of the pond. She presented the landscape plan, which is included with this application. She explained tree removal is also being addressed that has taken place over time. She said staff is working to ensure all the number of trees that were approved to be removed in the previous sections were replaced. She said Wyandotte Woods was approved for a Tree Waiver in the early 2000s so all the tree replacements planned for this area are under a Waiver approved by City Council. She indicated trees were removed last week including one tree to the north of Section 9 that was removed as there was a discrepancy on the survey and on table whether it was slated for removal or not. She said there are utilities being installed near there so the survival of this tree would not be great in any event.

Ms. Husak presented the Final Plat for Section 9. She said the applicant had included a tree preservation zone, noted in green. She said there are no tree preservation zones whatsoever within Wyandotte Woods and the Plat does not include any language for what the definition of a tree preservation zone would be nor does the City have such language in the Subdivision Regulations or the Zoning Code. She said the applicant has been asked to remove that zone from the Plat. She presented the Final Plat for Section 10. She said Staff has assumed that as this application moves forward that it would get approved by City Council potentially as two separate actions.

Ms. Husak said approval is recommended with seven conditions:

- 1) That the applicant continue to work with Staff to identify potential planting areas for the tree replacement balance;
- 2) That the applicant pay a Fee-in-Lieu of replacement for the remaining tree removal balance prior to building permitting;
- 3) That the portion of landscaping located around the pond be completed by fall 2016 or with the completion of the retention basin grading, whichever occurs first;
- 4) That, in the event the multi-family development remains undeveloped, the applicant provide landscaping for the entire pond by the deadline outlined in Condition 3;

- 5) That the applicant continue working with staff on the grading, site components, and other final details for the retention basin located south of Wyandotte Woods Section 8 to ensure all components of the basin are coordinated with the multi-family project;
- 6) That a fountain be added to the retention basin south of Wyandotte Woods Section 8; and
- 7) That the applicant continue working with Engineering to address all technical comments regarding stormwater management and demonstrate all stormwater requirements are met as defined in Chapter 53.

Ms. Husak said approval to City Council is recommended for a Final Plat with two conditions:

- 1) That the applicant revise the tree protection zone along Lots 211 to 215 to a No-Disturb Zone prior to City Council submittal; and
- 2) That the applicant ensures that any minor technical adjustments to the plat are made prior to City Council submittal.

Victoria Newell asked if a "Do Not Disturb" area could replace the tree preservation zone. Ms. Husak said there is going to be disturbance for the utilities to be installed. Steve Stidhem further questioned the reasoning for not permitting a tree preservation zone. Ms. Husak explained the setback is more than that area in any event. She indicated the setbacks are 50 feet. Ms. Newell said nothing could be built there but the land is owned by the respective landowners and they could remove trees.

Cathy De Rosa asked if the trees have all been cut and the area graded. Ms. Husak said the trees have been cut but the land has not been graded.

The Chair invited the applicant to come forward.

Jim Lipnos, Homewood Corporation, 2700 E. Dublin-Granville Road, reiterated these are the last two sections of Wyandotte Woods. He indicated he was present to answer questions.

Cathy De Rosa inquired about stormwater management. Mr. Lipnos said the overall stormwater management is for the entire site. He explained Sections 8, 9, & part of 10 drain to the basin within Subarea 3.

Steve Stidhem inquired about the pond that was discussed for two cases this evening. Mr. Lipnos said the pond needs to be completed prior to the homes being built.

The Chair invited public comments.

Jerry Kosicki, 4313 Wyandotte Woods Boulevard, indicated this process has exposed some weaknesses in the City's development regulations or policies/procedures. He asked how hundreds of trees can be removed in different phases without Final Development Plans and there are no penalties involved. He asked the Commission to address the issues with City Council. He inquired about the really big pond that is supposed to serve a large area for stormwater management; the process is not transparent enough so prospective buyers know what they are really getting into.

Kathy Harter, 7825 Holiston Court, said she has been in contact with Jim Lipnos about some of the neighbors' concerns and he relayed information about the site. She said there is a lot going on in their neighborhood and communication is very important. She said they like the idea of being connected with the bike path but the entrance to the bike path needs landscaping and Homewood does not feel that is their obligation. She asked who would be responsible for that and the bike path. She indicated that the

neighbors would like to be involved when decisions are being sought about the entrance. She inquired about the cost of maintenance of the pond, once it is completed because then it is the responsibility of the HOA. She estimates the cost to be \$2,000 for each pond and there are two in this area. She expressed concern about the trees that will be planted around the pond. She said she lives at the beginning of the development where there is a detention pond that works well but the trees that were planted around it have not done well and a one-year warranty is not enough. She asked that the entrance be reconfigured: the sign is too far back, the landscaping is not appropriate for a proper entrance, and the roundabout needs something planted in the center or perhaps stones added. She asked if all the cul-de-sacs could be coordinated and all the mailboxes be painted the same color.

Brett Page, 763 Kelly Drive, said his lot is the closest to the northeast corner and has resided there for 10 years. He said until 2013 there was a wetland in that area. He reported he called the Ohio EPA and his Webelos did a conservation project back there as ducks, coyotes, and all kinds of animals that considered that area their home along with a 26-inch Cottonwood tree, a 20-inch Cottonwood both at about 80 feet high. He said they had hoped that would be kept as a beautiful feature of that area as development went in but that was the first area to be cut down. He questioned how beautiful majestic trees could be cut down before a Final Development Plan was approved. He said after consulting pictures, there was a beautiful buffer in the tree preservation area that is now completely gone that lined a walkway going north and south that many of the neighbors use that wraps around Emerald Fields Park. He said he can now view the entire park from the back of his home. Now that seven or eight trees have been removed, he said they now have a lot of cut-through traffic through their backyards from the park. He thought there was a connected path in previous plans from Section 9 to the park. He asked that a unit be eliminated to put in a walkway to the park. He said there was a twin maple right next to his property that supposedly was in the way of the utilities to be installed but it is not on the buildable part of the land. He reported he called Mr. Hiatt to ask him to look at that tree as they were scraping the land and he indicated it was marked to be preserved. Mr. Paige said it was removed. He questioned the usefulness of tree surveys if something like that can happen and with no communication with the neighbors that have been living there for years; they have been stewards of the land for the past 10-plus years. He requested a lot of replacement trees since the area is now barren and all buffers gone. He said it has been a shocking change in Sections 9 & 10. He asked that landscaping be provided to soften the area and have it blend in with the rest of the neighborhood. He requested that construction traffic not be permitted on Kelly Drive.

Daniel Zupnick, 4080 Wyandotte Woods Boulevard, pointed out his house, which was purchased in 2014 and indicated they knew this land was going to be raised. He reported the trees that were replaced in his yard are now dead and he is responsible for replacement now. He asked if the one-year warranty could be extended. He explained trees were planted, staked, and mulched in his yard before the house was completed and before the builder could put the grass in, they had to move the trees and they died. He said they were replaced but kept falling over 45 degrees. He said at that point, it was passed the one-year warranty and became his responsibility. He asked that scenario be prevented from happening to the new owners.

The Chair asked for further public comment. [Hearing none.] She closed the public portion of the meeting. She requested to see the review process slide. She emphasized this application has gone through Concept Plan approval, through Rezoning and the Preliminary Development Plan, and now the process is in the final stage – the Final Development Plan approval. She explained the Commission's task is to compare the Final Development Plan with the Preliminary Development Plan. She requested that anything that has significantly changed to be highlighted by Staff.

Ms. Husak explained there are a couple of areas in the City where large areas were included in Preliminary Development Plans that have taken a long time to finish out. She provided an example where it takes time to fill out hundreds and hundreds of houses – Ballantrae Woods is a 500-acre zoning district.

Ms. Newell inquired about the detention pond. She said it is sad there is not a way to regulate a temporary basin when it is in that form for so long. She indicated she is sympathetic to the adjacent homeowners' frustration as nobody wants to live next to that. She said it is really unfortunate it has taken this long to get to the point. She indicated she understands the function of detention and retention ponds. She explained a pond completely draining out is a detention pond. She said what is proposed on these sites are retention ponds. She said the City has struggled with detention ponds, getting grass to grow in them because they remain wet enough. She said retention ponds are easier to maintain. She asked if the HOAs normally maintain those.

Ms. Husak said the HOA would be expected to maintain that open space. She said the City sometimes maintains the structural integrity of the ponds. In terms of how many houses there are in Wyandotte Woods and how little manicured open space there is to maintain, she stated the City has taken on over maintenance for maybe three neighborhoods over the years that have asked and that is in the last 20 years.

Ms. Newell asked if there is an ability to regulate time for tree replacement. She said she knows that one-year is a standard warranty.

Ms. Rauch added that is a standard practice with every development. Ms. Newell said she just wanted to make sure there was not a way to address it. She said there is one landmark tree that was taken down.

Ms. Husak said that one was shown on the survey to be preserved and in the table to be removed, which was then removed. She clarified she did not say all the landmark trees are being preserved.

Ms. Newell said she has heard from residents this evening that trees were cut down that they believed were supposed to remain. She said her understanding of Staff's presentation is that only one tree that was supposed to remain was cut down and asked if that was an accurate statement.

Ms. Husak said there was discrepancy in the information. She said Staff has written a condition that is requesting the reconciliation of all of these documents. She said after discussions with Staff, the tree was not expected to survive, regardless.

Ms. Newell asked why any of the other trees were approved to get cut down. Ms. Husak said it happened with the tree removal permit.

Ms. Husak stated the US Fish and Wildlife Service has a deadline for tree removal that is March 31<sup>st</sup> to protect the Indiana Bat as an endangered species in our habitat.

Ms. Newell said she wanted to ensure that we are not left with a situation where trees have been removed that should not have been. She said we have the ability to address it and hopes the people responsible will be held accountable.

Ms. Husak said the City does not have a tree preservation requirement; there is a tree replacement requirement. Ms. De Rosa asked if that applied to the landmark trees to which Ms. Husak replied affirmatively.

Ms. De Rosa asked if the tree permit was issued because this was a Fee-in-Lieu situation. Ms. Newell answered no it was not. She explained a permit is filed to get a foundation started. She said if it was already approved that those trees could come down and the applicant filed the appropriate permit, they were permitted to take those trees down. Ms. Newell emphasized she was sympathetic to the residents. She indicated part of the trees on that side of the river made it spectacular. She apologized for the Commission being held to the previous zoning.

Mr. Stidhem asked about the cost to the HOA. Ms. Newell encouraged the residents to go to City Council to ask for assistance.

Mr. Stidhem agreed with the earlier comment about the end of the bike path and that landscaping should be added.

Ms. De Rosa inquired about the tree replacement proposed for some of those homes as a buffer.

Mr. Lipnos reiterated that the land around the existing pond is owned by the City of Dublin. He said the HOA takes care of the landscaping and trees; the City treats the pond, currently. He said there is a table for the tree replacements. He said in Sections 9 & 10, trees that are required to be replaced are a certain caliper of six inches or greater. He said in Section 9, there are 14 trees removed and in Section 10, there are 50 trees. He said the applicant is replacing 50 trees along Summit View along the Section 3 side. He said landscaping will be done all around the pond. He explained the buffer landscaping between the lots, there is a build reserve zone typically but the electric, phone/cable, and storm lines usually run along that. He said they are required to replant trees and there are 37 trees remaining that they do not have room for but have to plant the trees as part of the development. He said when they go in and are accepted, the lots are turned over to the builders. He said in this case, his lot was sold to a different builder and depending on house size, those trees could be moved. He said they are going to replace as many trees as possible in the buffer zones and those they cannot they will pay the Fee-in-Lieu.

Ms. De Rosa inquired about the statement "replace as many as we possibly can". She asked if that was worked out with the City. Ms. Husak clarified the applicant either finds room for the trees with the City's assistance or they pay the Fee-in-Lieu.

Ms. Newell said in the past, Staff will normally walk the sites because the true picture cannot be realized on paper - where to plant ten trees, for example.

Mr. Lipnos said the applicant has replaced over 300 trees in Sections 3 through 8 and paid the Fee-in-Lieu for the outstanding 200 trees. He said the homes that are there, went through the same process.

The Chair asked to review the conditions.

Ms. Husak said no changes were made to the Final Development Plan conditions and for the Final Plat, #1 was changed to state "The applicant revised the tree protection zone along Lots 211 to 215 to a "No Disturb Zone" prior to City Council submittal.

Mr. Lipnos asked what the language is for the "No Disturb Zone". Ms. Husak said it means no playground equipment plus no mowing, etc. Mr. Lipnos indicated when there is a large area that cannot be mowed, all that is achieved is gaining snakes, mice, and deer tick complaints. He said he is not going to object to the condition although it is not desirable.

Ms. Newell said she is happy to discuss that. She said wildlife and ticks are part of Ohio's environment. She indicated the naturalized areas in Dublin are what makes Dublin so fabulous. She said she is on the side of saving natural areas. She said she can support the No Disturb Zones.

Ms. Husak said a tree preservation zone would have been the same thing.

Mr. Lipnos said with a tree preservation zone, the developer can go in there, grade it, and seed it but not with a No Disturb Zone. Ms. Newell restated the City does not have any regulations for tree preservation zones. Ms. Husak said she assumes the lawn stops where the zone starts.

Mr. Lipnos said he would need a condition to ensure there were no utilities in that area. Ms. Newell said she supports that idea.

Ms. De Rosa asked if it was possible to add a condition about landscaping to make the entry and the bike path appear as they should instead of a driveway.

Mr. Lipnos said he was corrected; that area is part of the Final Development Plan for Section 8 and there is a landscape plan for that area of which the applicant will comply.

Ms. Newell asked the applicant if he was in agreement with the seven conditions for the Final Development Plan:

- 1) That the applicant continue to work with Staff to identify potential planting areas for the tree replacement balance;
- 2) That the applicant pay a Fee-in-Lieu of replacement for the remaining tree removal balance prior to building permitting;
- 3) That the portion of landscaping located around the pond be completed by fall 2016 or with the completion of the retention basin grading, whichever occurs first;
- 4) That, in the event the multi-family development remains undeveloped, the applicant provide landscaping for the entire pond by the deadline outlined in Condition 3;
- 5) That the applicant continue working with staff on the grading, site components, and other final details for the retention basin located south of Wyandotte Woods Section 8 to ensure all components of the basin are coordinated with the multi-family project;
- 6) That a fountain be added to the retention basin south of Wyandotte Woods Section 8; and
- 7) That the applicant continue working with Engineering to address all technical comments regarding stormwater management and demonstrate all stormwater requirements are met as defined in Chapter 53.

Mr. Lipnos questioned #4. He said if Treplus development does not get approved and Homewood takes the land back, they would submit their plan for landscaping on the multi-family side which could take a couple years to get approval. He said there are no homeowners to the south; it is basically the school and vacant land so he is not buffering it from anybody. He said the plan could significantly change; he does not know what that future application would look like.

Ms. Husak said we have to get this done because we just do not know what the future brings.

The Chair said she realized that but clarified that if the applicant needs to change the design in the future because the other development does not happen, the applicant has to return to the Commission, starting a new application. She said what is being put into place tonight is continuing what was there. She said the residents have lived long enough with a sediment basin that is not functioning properly. She said we need some guarantee this is going to get resolved and this condition is the only way to ensure that as a Commission.

Mr. Lipnos said he understands her point and agrees to the landscaping to the north.

### **Motion and Vote**

Ms. Newell moved, Ms. Mitchell seconded, to approve the Final Development Plan with seven conditions as written. The vote was as follows: Mr. Stidhem, yes; Ms. De Rosa, yes; Ms. Mitchell, yes; and Ms. Newell, yes. (Approved 4 – 0)

**Motion and Vote**

Ms. Newell moved, Ms. Mitchell seconded, to recommend approval to City Council for a Final Plat with two conditions:

- 1) That the applicant revise the tree protection zone along Lots 211 to 215 to a No-Disturb Zone prior to City Council submittal; and
- 2) That the applicant ensures that any minor technical adjustments to the plat are made prior to City Council submittal.

Mr. Lipnos agreed to the conditions.

The vote was as follows: Ms. De Rosa, yes; Mr. Stidhem, yes; Ms. Mitchell, yes; and Ms. Newell, yes. (Approved 4 – 0)

**Planning Items**

[There were none.]

**Communications**

Ms. Husak introduced Lori Burchett, Planner II, as the most recent addition to the Planning Department. The Commission welcomed her aboard.

Ms. Husak congratulated Ms. Newell and Chris Brown on their re-appointment by City Council. She said the swearing in will take place at the first Commission meeting in April and the elections for Chair and Vice-Chair will also occur.

Ms. Newell adjourned the meeting at 10:24 p.m.

As approved by the Planning and Zoning Commission on April 21, 2016.