



Planning

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PLANNING AND ZONING COMMISSION

MEETING MINUTES

SEPTEMBER 1, 2016

AGENDA

- 1. Dublin Road – The Overlook 16-062INF 6044 & 6076 Dublin Road Informal Review (Discussion Only)**
- 2. Avery Road Car Wash 16-055AFDP 5740 Avery Road Amended Final Development Plan (Approved 6 – 0)**
- 3. BSD SRN – Bridge Park, B3 Amenity Deck 16-061MPR 4551 Bridge Park Avenue Minor Project Review (Approved 7 – 0)**

The Chair, Victoria Newell, called the meeting to order at 6:27 p.m. and led the Pledge of Allegiance. Other Commission members present were: Cathy De Rosa, Stephen Stidhem, Deborah Mitchell, Bob Miller, and Chris Brown. Amy Salay arrived late. City representatives present were: Vince Papsidero, Phil Hartmann, Lori Burchett, Logan Stang, Nichole Martin, Michael Hendershot, Nick Badman, and Flora Rogers.

Administrative Business

Motion and Vote

Mr. Miller moved, Ms. Mitchell seconded, to accept the documents into the record. The vote was as follows: Mr. Stidhem, yes; Ms. De Rosa, yes; Ms. Newell, yes; Mr. Brown, yes; Mr. Miller, yes; and Ms. Mitchell, yes. (Approved 6 - 0)

The Chair briefly explained the rules and procedures of the Planning and Zoning Commission. She said the following cases are eligible for the Consent Agenda: Avery Road Carwash and Bridge Park, B3 Amenity Deck. She said members of the Commission have requested that the Bridge Park case be pulled from the Consent Agenda and presented in its entirety. She said the cases would be heard in the following order: 2, 1, and 3.

- 1. Dublin Road – The Overlook 16-062INF 6044 & 6076 Dublin Road Informal Review**

The Chair, Victoria Newell, said the following application is a proposal for a residential development of 15 single-family units on approximately 3.8 acres with a proposed density of 4 units per acre for a site on the east side of Dublin Road at the intersection with Longview Drive within Washington Township. She said this is a request for review and non-binding feedback of a potential future rezoning application.

Deb Mitchell said Section 11B of the Planning and Zoning Commission rules state the following:

“Commission Members should disclose any substantive discussions with resident(s) and/or the general public regarding a pending application at the next public meeting.

This should include all relevant information provided by the resident(s) and/or general public in order to ensure that all Commission Members are considering the same information, prior to rendering a decision.”

In accordance of Section 11B of the Planning and Zoning Commission rules, Ms. Mitchell made a statement of disclosure related to this case by addressing four points:

- 1) She said she attended a meeting organized by a neighbor, Erin Sheen, with the objective of potentially recruiting a new Board Member, Cindi Morehart, for the Mid-Century Dublin Neighborhood Association. She said she did not recall the date of the meeting. She reported at that meeting this development project was mentioned as one example of issues or events happening near or in the neighborhood. Ms. Morehart said she did not have the time to serve on the Board and if she did, it could appear as a conflict of interest given her occupation so for these reasons she declined. After that meeting, she said the Board of the neighborhood association decided to shelve plans to seek an additional Board Member.
- 2) She said a representative of Bethel Development Incorporated called her to schedule a meeting between the developer and the neighborhood to share information. She said she did not recall the date of the phone call. She said the representative offered two dates (August 11 and August 18). She indicated nothing about the project was discussed during the call. After the call was completed, she said she gave the dates to a Board Member. She reported the developer met with the residents on August 18th but said she did not attend and have conducted no discussions with anyone about the meeting before or after it occurred.
- 3) She said she was approached by a member of the City’s Legal Department on August 18th and asked questions to ascertain whether she might have potentially violated the ex-parte contact rule. She indicated after their discussion, she was advised she had not violated the rule.
- 4) She reported she had been told an individual asserted that she went door to door in her neighborhood advocating a position regarding this project. She said she has also been told that an individual asserted she met with the developer multiple times regarding this project. Both of these assertions she said were complete fabrications and untrue.

Nichole Martin presented an aerial view of the site and noted it is adjacent to several residential neighborhoods including Karrer Place, South Civic, Longview, and Gould. She pointed out the area is outside of the City of Dublin’s jurisdiction and is under the jurisdiction of townships and other municipalities.

Ms. Martin presented the proposed Site Plan, which includes five separate parcels with two separate, existing, single-family residences with associated driveways and small accessory structures. She presented the topography for the existing site and noted how it slopes ± 10 feet from east to west toward the Scioto River. She pointed out Cosgray Creek that is along the boundary to the subdivision to the north.

Ms. Martin restated the proposal is for 15 single-family homes on individual lots with a single access point off of Dublin Road by a common circular drive with an associated common open space, proposed to include landscaping and paths and located within the center of the circular drive. Additionally, she said the plan shows a landscape buffer and stone wall along the length of the Dublin Road frontage. She said a net density of 3.88 units per acre have been proposed and lots surrounding this site are generally 1.5 units to the acre.

Ms. Martin presented a typical lot layout proposed. She said the lots would be ± 55 feet wide by ± 110 feet deep and the empty-nester product will take up the majority of the lot with private patio spaces in the rear. She said the lot coverage exceeds the Code maximum so rezoning to a PUD is likely anticipated, should the applicant move forward with annexation into the City boundaries.

Ms. Martin said the traditional style architectural character and detailing is conceptual at this point.

Ms. Martin presented discussion questions:

1. Is the proposed land use and overall density appropriate?
2. Is the proposal sensitive to the natural setting and the character of the surrounding development pattern?
3. Does the proposed site layout provide adequate pedestrian connections and open space?
4. Are there other considerations by the Commission?

Amy Salay inquired about the lot coverage. Ms. Martin said the Code permits 45% and the typical layout proposed covers more than half of the lot.

Steve Stidhem inquired about the structure on the southeast corner. Ms. Martin said she did not know what the structure was.

Cathy De Rosa inquired about environmental sensitivity. Ms. Martin explained natural features that exist are considered in the Community Plan; the close proximity to the river and creek with significant topography lent itself to Suburban-Rural zoning.

Mr. Stidhem inquired about the conceptual architecture proposed. He questioned the garage percentage as it related to the width of the house. Ms. Martin said all of these details would be worked out if the applicant decided to move forward.

Lee Puckett, Bethel Development, 201 Bradenton Avenue, Dublin, said the company was born in 1994 and they have witnessed the evolution of the City. He said this is a unique piece of land that could provide a housing option that does not currently exist in Dublin. He said that product could be for an empty-nester or affluent buyer in the Bridge Street District. He indicated that when the Community Plan was formulated, the BSD was probably not considered and the density in zoning reflects that. He emphasized this market is underserved. He indicated this will be a community with a very distinct identity and the homes will probably be in the million dollar range.

The Chair invited public comment.

Mary Ellen Wissel, 57 Longview Drive, said she bought her home over 20 years ago and treasures the rural nature of Dublin. She said the plans are beautiful and would probably be highly desirable but their neighborhood already has a distinct identity and want it preserved.

Robert Wistner, 140 Marion Street, referred back to the developer stating this would be ideal for empty-nesters. He said there are two types of empty-nesters – one that wants to abandon the yard and others that want a little land. He said he is 80 years old and his wife is 76 years old and they have lived on an acre and three quarters on Marion Street for 41 years. He said they have wonderful neighbors and could not be happier and anticipates the City of Dublin is going to make their life great with the new streets and curbs, etc. He said the builder wants to put in 15 homes at the end of their street. He indicated that if this proposal was approved it would be absolutely devastating to homeowners on Marion Street as it would set a precedent and attract more developers. He said the density proposed is far beyond anything that is appropriate for the area. He said four to six homes on four acres is plenty and follows the standards Dublin has set better.

Erin Sheen, 191 Longview Drive, said she is opposed to the proposal because currently the area is beautiful containing larger yards and older homes with plenty of green space. She said the density proposed is too high for this rural part of town and it would ruin the flow from rural to downtown and negatively impact an overly congested small drive into downtown. She said she agreed with the previous

speaker in that permitting developers to build houses up to the lot lines of small lots invites other developers to do the same. She said no matter how upscale these homes are going to be, they do not align with the Community Plan. She said she is on her neighborhood's board and was speaking for others that could not be in attendance and who had the same response to this proposal as she did.

Ginger Beavers, 163 Longview Drive, said they love Dublin and are thrilled to be here. She said she is opposed to a high-density neighborhood at the end of their street.

Jeannie Nippa, 265 Franklin Street, said they are on 2.67 acres and their property is a gem with the creek running through it that they have a little bridge over. She said they have an orchard and a vegetable garden. She said suburban rural is a complete gem for Dublin and putting in high density housing would completely take away from what they have now. She said she echoes her neighbors' sentiments that they are all completely opposed to the proposal.

Richard Taylor, 48 S. High St., presented some three-dimensional drawings of the proposal. He said this is not the only development of this type in Dublin; there are at least two. He noted the lots in Riviera that have 7,200-square-foot lots with 70% lot coverage and this proposal has 60% lot coverage. He said the usable common space in the center is a benefit the other two developments do not have. He said the applicant is offering a large buffer to Dublin Road and most importantly they are walkable to the Historic District. He said density is a number and what is important is the impact it has on the area. He said this is not a proposal of 15 houses with families with kids or teenagers with cars but rather empty-nesters that will use their cars far less than a typical family would and because of the location, will use it very little so the impact on the surrounding area would be very low. He presented their proposal that pledges heavy landscaping on Dublin Road. He said the goal is to create a community and not a subdivision and the common space will create that and that is why the lots are small.

Mr. Taylor said they are creating a unified architectural character with these homes; there will be different styles, looks, and details but they are all going to work together in terms of scale, massing, and size. He said they are planning fence posts, fences, and hedges that unifies everything across the front. He indicated that front-facing garages can be seen as a bad thing typically because they dominate the front of the house and because the materials of the garage doors are often stamped, steel doors. He said they are planning very high quality materials and the fronts will look like an architectural element of the house and not the garage. He said they have conceptualized 1.5 story homes. He said a typical lot is 50 – 70 feet wide at 110 – 160 feet deep with 5-foot side yards and 20-foot front and rear yards. He said they have proposed 60% lot coverage and the Dublin standard is 45%. He indicated they have a great respect for the ravine and Karrer Place on the north side. He said the homes will have: a first-floor master suite; probably 2 – 3 bedrooms; open living/dining/kitchen area; two-car attached garage; full basement; and high-quality, low maintenance exterior materials like stone, brick, and wood. He said they will not use HardiPlank, stucco, or vinyl siding and windows.

Mr. Taylor referred to an article that appeared in the Dublin Villager last week where "a Dublin City Council Member suggested the City Staff study whether adjusting residential zoning is a feasible option to encourage the development of empty-nester housing. The Councilman said that all of the Bridge Street Development is positive but the City is missing a housing product in a more traditionally residential style that would suit empty-nesters. He said many people without children in their homes looking for alternative housing options have told them they have had to leave Dublin to find a suitable solution." Mr. Taylor stated this is the suitable solution for that person.

Mr. Stidhem asked about the square footage for these homes. Mr. Taylor answered 2,500 – 2,800 square feet.

Ms. Salay asked the applicant if they planned to age restrict this development to be 55 and over. Mr. Taylor said they have not discussed that but indicated the product type will appeal to that market they are after and not families with children.

Ms. De Rosa inquired about the placement of the houses near the ravine. She asked how the applicant is being environmentally sensitive to that area. Mr. Taylor said they have shifted the development to the south so the shallower lots are on the south side and the deeper lots are on the north to stay as far from the ravine as they can be. He restated this is just a preliminary conceptual layout but that is the goal.

Ms. Salay indicated the developer does not know exactly how many feet they are away from the ravine.

Mr. Taylor said he could measure but the houses presented are serving as placeholders and not exactly the houses that will be built there.

Ms. Newell inquired about the fall across the site. Mr. Taylor answered it is not very much. Mr. Puckett answered 12 feet from Dublin Road.

Mr. Taylor said there is rock on the site so whether they provide full basements or partial basements will be determined later after more detailed engineering.

Chris Brown said overall he is all for getting some density and more single-family development in the old Dublin area and if a product is a great concept he is enamored with the rhythm of the homes and lots coming north on Dublin Road into old Dublin. He indicated that gives a sense of place and character and he would hate to see that go away. He noted there are four lots designated on these two properties and that is the right rhythm that he is speaking about. He said that is not to say there is not room on acreage with the ravine. He said he thinks there is a demand for it but the proposed density is too high for this specific property, given its location. He said he loves the architecture and the character of the proposal.

Ms. De Rosa indicated she shares Mr. Brown's sentiment. She said homes that are not a condominium where retirees can continue to have their own footprint and their own property is needed. She said the Community Plan and the people in the area want to keep that semi-country feel. She said she is concerned about the environmental nature of that piece of land and how development would impact it. She indicated she liked the product type but is uncertain to whether this is the best place for that particular development.

Ms. Salay said she liked the unified character, the heavy landscaping, and the building material selection. She said she likes the side-loaded garages better than front-loaded garages but there seems to be too much garage in relation to the size of the front of the home.

Ms. Salay said when Council contemplated this area in the Community Plan they took it very seriously and this is what everyone looks to when they are going to move forward with a development. She explained when the Community Plan is amended they derive a lot of public input, first. She indicated it is very important to maintain the rhythm and character of Dublin Road as it exists and this proposal is such a departure from that. She said development on this land is not inappropriate because there are only two houses there now and there can be more but to go to 15 houses is too many. She said when offering this many bedrooms it is very possible there could be a half dozen families that move in there. She said unless there is an age restriction we cannot guarantee it will just be for seniors. She stated her answers to the discussion questions posed by Staff are all no. She encouraged the applicant to consider only 4 – 6 homes and to provide a more affordable home.

Mr. Stidhem said he agreed that empty-nester homes are needed but there are some serious issues with this specific location. He said the proposal is too dense for the location and the garages are too big.

Bob Miller indicated he was the most supportive of this project out of all the Commissioners but the density is way too high. He encouraged the applicant to put something valuable on that site for the empty-nester making it walkable while maintaining the nature of the existing architecture. He restated it is a great project but too much jammed onto too little of space to make it come to life.

Ms. Mitchell said the homes are beautiful but as the Community Plan has laid out, it would be inconsistent to have that many homes on this property.

Ms. Newell replied to the discussion questions:

1. *Is the proposed land use and overall density appropriate?* She answered yes and can support having additional homes on that site but probably not to the density proposed.
2. *Is the proposal sensitive to the natural setting and the character of the surrounding development pattern?* She said with a 12-foot fall across the property there will need to be substantial regrading for that many homes and it would change the character in a negative way. She noted there are a lot of very old mature trees on that property and it will be important they be preserved. She said the land is not currently within the City of Dublin's jurisdiction but she would love it to be.
3. *Does the proposed site layout provide adequate pedestrian connections and open space?* She said the layout does not appear to be walkable and the entry appears like it could be gated. She said it needs to be inviting to the rest of the community. She said even when there are charming residential streets in that area that do not have sidewalks they are very quiet residential streets and very beautiful to walk down. She emphasized it is important the character is kept.
4. *Are there other considerations by the Commission?* She said she was supportive of the architecture.

Mr. Brown added porches are a wonderful element to have and the community should be walkable so the front porches can engage people. He suggested the houses be positioned on the lot where there is one big side yard with the other minimal in size instead of having two small side yards in between each home.

**2. Avery Road Car Wash
16-055AFDP**

**5740 Avery Road
Amended Final Development Plan**

The Chair, Victoria Newell, said the following application is for a proposed building and site modifications for an existing car wash business on the east side of Avery Road, south of the intersection with Woerner-Temple Road. She said this is a request for review and approval of an Amended Final Development Plan under the provisions of Zoning Code §153.050. She asked if the applicant has agreed to all of the conditions. Jeanne Cabrel, 2939 Bexley Park, Columbus, Ohio, 43209, answered the applicant agreed to all the conditions set forth.

Motion and Vote

Mr. Brown motioned, Mr. Miller seconded, to approve an Amended Final Development Plan with seven conditions:

- 1) That the applicant provide an elevation of the dumpster enclosure demonstrating the development text requirements are met, with the building permit application;
- 2) That the applicant revise the drawings to show tree protection fencing on all construction documents, prior to filing for building permitting;

- 3) That the applicant revise the landscape plans to address required plantings around vehicular use areas, subject to staff approval, prior to filing for building permitting;
- 4) That the applicant continue to work with staff to bring the site into landscape compliance, prior to filing for building permits;
- 5) That the applicant substitute the Red Maple and Honey Locust trees for a mixture of Linden, Sweetgum, and Shingle Oak, subject to staff approval, prior to filing for building permitting;
- 6) That the applicant pay a fee-in-lieu of tree replacement for any outstanding caliper inches prior to filing for building permitting; and
- 7) That the applicant continue to work with staff to eliminate undesirable landscaping within the existing southeast dry basin, prior to filing for building permitting.

The vote was as follows: Ms. De Rosa, yes; Ms. Newell, yes; Ms. Mitchell, yes; Mr. Stidhem, yes; Mr. Miller, yes; and Mr. Brown, yes. (Approved 6 – 0)

**3. BSD SRN – Bridge Park, B3 Amenity Deck
16-061MPR**

**4551 Bridge Park Avenue
Minor Project Review**

The Chair, Victoria Newell, said the following application is a proposal for exterior modifications to a previously approved building to eliminate an approximately 1,000-square-foot rooftop amenity deck and associated structures for building B3 in the Bridge Park Development, southeast of the intersection of Bridge Park Avenue and Longshore Street. She said this is a request for a review and approval of a Minor Project Review under the provisions of Zoning Code §153.066.

The Chair swore in anyone wishing to address the Commission regarding this case.

Nichole Martin presented the conceptual site plan. She presented the Minor Project Review Procedures and explained they are usually determined at the Administrative Review Team level but because this case raises complex issues it was determined that the PZC should be the final reviewing body.

Ms. Martin presented a brief development history regarding the B & C blocks currently under construction. She noted that on August 14, 2015, a development agreement was prepared between the developer and City Council and at that time, open space provisions as well as other allowances were granted.

Ms. Martin presented a map showing publically accessible open space and private amenity decks. She recalled there was significant discussion at the time of approval how publically accessible open spaces as well as private inaccessible open spaces are balanced across the community to create a high quality pedestrian-oriented environment meeting the intent of the BSD both for the residents who live there and those who visit.

Ms. Martin presented photographs of the existing conditions, site photos from today that included the east elevation of building B3 and the south elevation where the proposed amenity deck and associate penthouse are proposed to be removed. She presented the previously approved elevation and remarked how the change to the rooftop would provide a cleaner look and the ART was generally supportive of these modifications. She presented before and after elevation graphics and rooftop plans. She reported the applicant demonstrated that the rooftop equipment will be adequately screened after the rearrangement.

Ms. Martin said the applicant has committed to programming an interior ±1,000-square-foot amenity space in lieu of the rooftop amenity that can be utilized by the residents throughout the development year round. She said it is located at level 3 at the intersection of two pedestrian bridges.

Ms. Martin emphasized that amenity decks are not a zoning requirement and since the plan is substantially similar to the Site Plan and Development Plan approved at the PZC level, the ART recommended approval of this application with no conditions.

Victoria Newell asked when this case was approved originally if the plaza deck was taken into account when discussing the pocket parks and the plazas that this was crediting to that overall area. Ms. Martin said it is not factored into the calculation of the open space provision for Block B.

Cathy De Rosa inquired about the green wall that was proposed for the back side. Ms. Martin said this is one of two applications where a green wall was proposed.

Russ Hunter, 555 Metro Place, explained that originally the building did not have the penthouse on it and when proposed, the PZC did not like it because it stuck out like a sore thumb and that is when the applicant proposed a green wall to mitigate that. He said a green wall still exists on the C3 building across the street.

Ms. De Rosa indicated that green wall would have been quite visible from a variety of different areas. Mr. Hunter said that was not correct. He said currently there was only one place he could see the penthouse before building B2 got in the way. He confirmed it cannot be seen from any of the pocket plazas.

Amy Salay asked why the applicant would like to remove the amenity deck and penthouse. Mr. Hunter answered as they are beginning to lease spaces (C1 is 60 – 70% leased) people are appreciating the indoor amenity spaces and everything is getting more expensive so budget wise, this was an area they could cut costs.

Ms. Salay asked if it is possible to provide access to the roof. Mr. Hunter answered it was not possible because as soon as that is a publically accessible space, stairs and an elevator would be needed and that is where the cost is. He said there are other places where rooftops are accessible.

Chris Brown said he would not miss that penthouse and would rather have the people down on the street with access to the restaurants and parks.

Ms. De Rosa asked how many rooftop amenities would be left. Mr. Hunter answered there is one for building C3 and one on top of the hotel but there are multiple sizeable balconies.

Ms. Newell said she was disappointed this was going away. She thanked the applicant for admitting this was a cost-saving measure.

Deb Mitchell said she was disappointed too and agreed with everything Ms. Newell just said.

Motion and Vote

Chris Brown motioned, Mr. Miller seconded, to approve a Minor Project Review with no conditions. The vote was as follows: Ms. Salay, yes; Ms. De Rosa, yes; Mr. Stidhem, yes; Ms. Mitchell, yes; Ms. Newell, yes; Mr. Miller, yes; and Mr. Brown, yes. (Approved 7 – 0)

Communications

The Chair called for any communications. Bob Miller inquired about the Minor Project Review criteria. Vince Papsidero said he could not quote the specific criteria but it permits the Administrative Review Team to kick up an application to the PZC. He indicated that the MPR for B4/5 will be coming to the PZC also because the applicant is proposing to change the skin as a cost-saving measure and it is a lot different than what was approved. He said the City would have to contribute more funds towards construction. Mr. Papsidero said the applicant was before the ART three times on the application this

evening because the ART was pushing back quite a bit. He said Staff wanted to hear from the Commission to get a better sense of what is important to the Commission.

Victoria Newell agreed that when the Commission has significant discussions on an application that later are requested to be changed they would be disappointed if they did not have the opportunity to weigh in on it, no matter how minor.

Mr. Papsidero indicated the Commission will be seeing an application from Cap City where they are proposing a vinyl roll-down screen for inclement weather for their patio area. He said if this were to be approved it would set a precedent. He said they will also be coming back later for signs.

Ms. Newell said if infrared heaters are used, they need to be screened well.

Chris Brown inquired about parapets being finished on all four sides of the buildings in the BSD; that is a detail that matters.

Mr. Papsidero said the OKI Regional Planning Conference is in Indianapolis, Indiana in the beginning of October and the registration opens September 13th.

The Chair adjourned the meeting at 8:06 p.m.

As approved by the Planning and Zoning Commission on October 13, 2016.