City of Dublin

Office of the City Manager
5200 Emerald Parkway • Dublin, OH 43017-1090
Phone: 614-410-4400 • Fax: 614-410-4490

Memo

To: Members of Dublin City Council

From: Dana L. McDaniel, City Manager

Date: October 20, 2016

Initiated By: Vincent A. Papsidero, FAICP, Planning Director
Claudia D. Husak, AICP, Senior Planner

Re: Final Plat – Riviera, Section 1 (15-109FDP/FP)

Summary

This is a request for approval of a Final Plat to subdivide 57.282 acres into 40 single-family lots, rights-of-way and five reserves for open space along the south side of the main entry Boulevard, Riviera Boulevard.

Background

The Planning and Zoning Commission approved a final development plan and recommended approval of a preliminary and final plat for both Sections 1 and 2 of Riviera on April 21, 2016. City Council approved Ordinance 35-15 for the rezoning of approximately 152 acres from R: Rural District and R-1: Restricted Suburban Residential District to PUD: Planned Unit Development District, Riviera, in June of 2015. Council also approved a Preliminary Plat for 185 single-family lots for the Riviera development. Since then, the club house previously on the site has been demolished and tree clearing has been completed as well as the installation of infrastructure.

Description

Section 1 contains 40 lots along the south side of the main entry Boulevard, Riviera Boulevard. This section includes the connection of Tantalus Drive in Belvedere as well as reserve areas along the Avery Road frontage, the center island in Riviera Boulevard, as well as the largest open space in the development, Reserves M1 and M2 (split due to county boundaries) in the center of the development and the five-acre open space in the center of the lots.

Section 1 contains rights-of-way for the entry road, Riviera Boulevard, Albanese Circle from which each lot will be accessed, Devictor Way, Avery Road and the connection to Tantalus Drive in Belvedere to the south.

The lot sizes range from approximately ¼-acre to up to ½-acre in size. These lot sizes are consistent with the development text and meet all applicable development standards. The plats contain all applicable development requirements.

Section 1 has five reserves: Reserve A is 2.563 acres, Reserve B is 0.146 acre, Reserve C is 5.108 acres, Reserve M1 is 24.552 acres and Reserve M2 is 3.965 acres for a total of 36.334 acres. The plat accurately reflects the open space ownership and maintenance responsibilities.

Recommendation of the Planning and Zoning Commission

Final Development Plan
The Commission reviewed and approved a final development plan at the April 21, 2016 meeting with one condition. The applicant has provided plans fulfilling the condition.

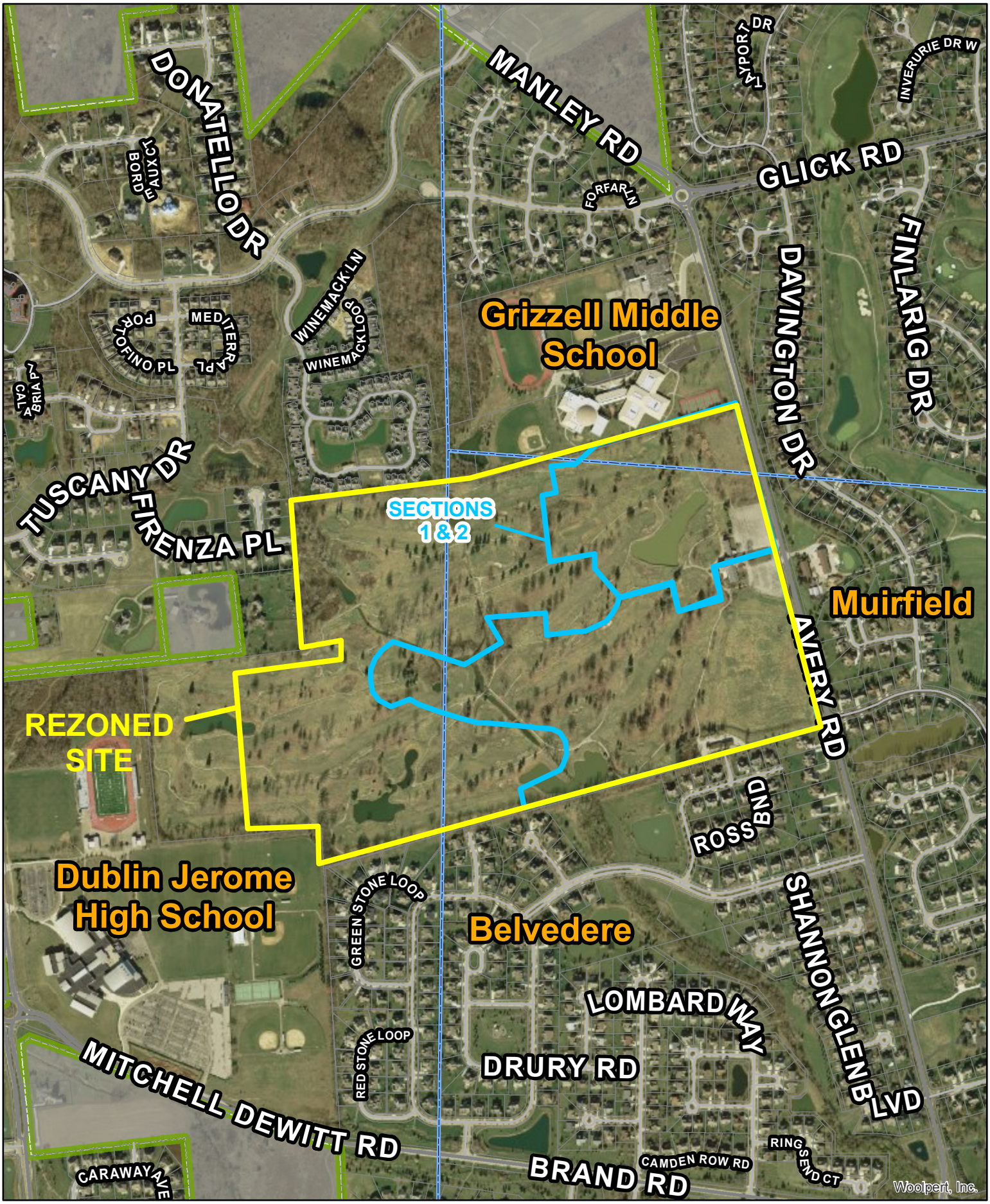
Final Plat
The Commission reviewed and recommended approval to City Council of the final plat at the April 21, 2016 meeting with one condition:

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

The applicant has met the condition for the final plat.

Recommendation

Staff recommends approval of the Final Plat for Riviera, Section 1 at the October 24, 2016 City Council meeting.

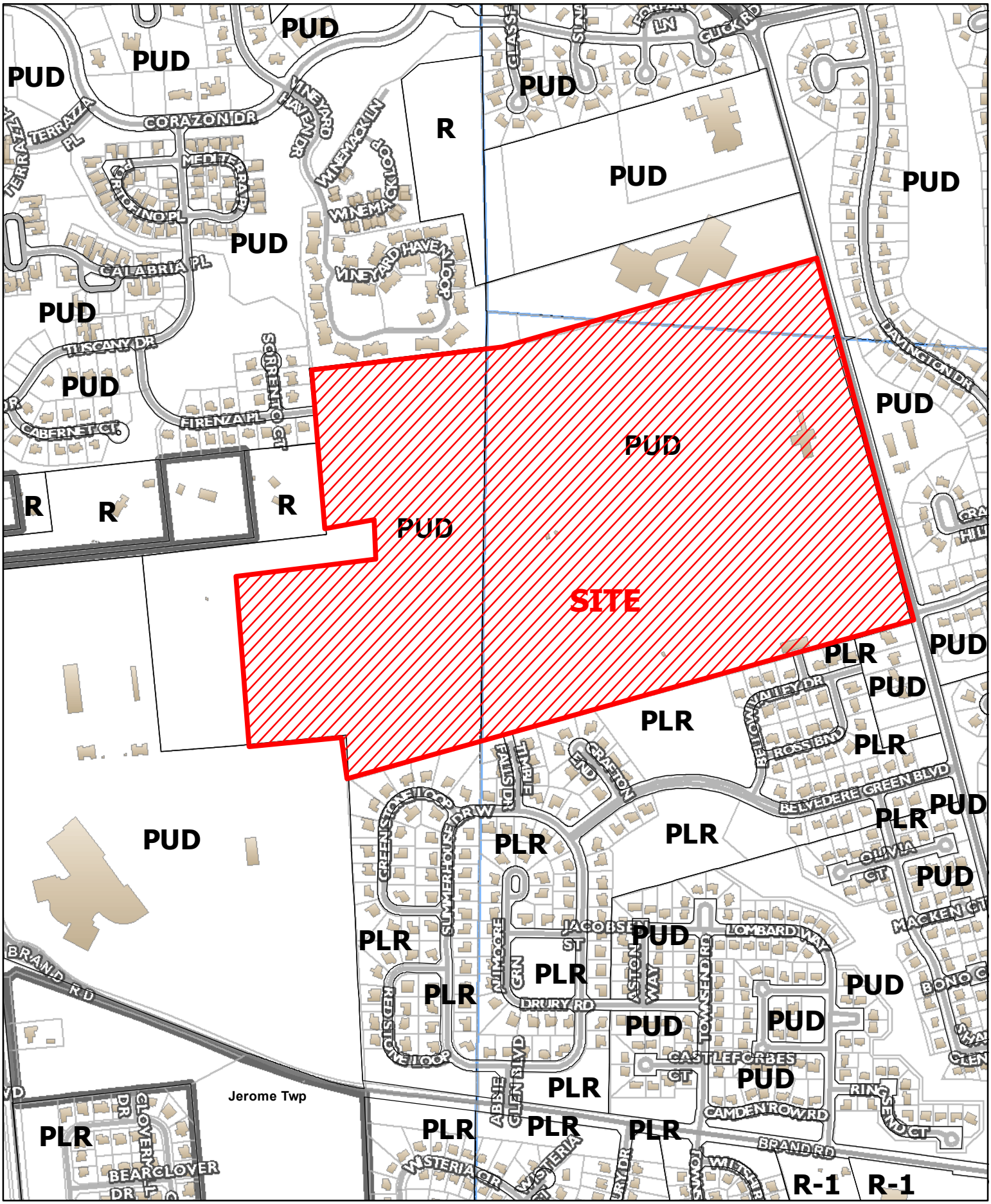


City of Dublin

16-011FDP/FP
Final Development Plan/Final Plat
Riviera
8205 Avery Road

0 400 800
Feet

N



City of Dublin

15-109FDP/FP
Final Development Plan/ Final Plat
Riviera, Sections 1 & 2
8025 Avery Road

0 150 300
Feet

CITY OF DUBLIN.

Land Use and
Long Range Planning
5800 Shier-Rings Road
Dublin, Ohio 43016-1236

Phone/ TDD: 614-410-4600
Fax: 614-410-4747
Web Site: www.dublin.oh.us

PLANNING AND ZONING COMMISSION APPLICATION

(Code Section 153.232)

I. PLEASE CHECK THE TYPE OF APPLICATION:

- ☐ Informal Review
- ☐ Concept Plan (Section 153.056(A)(1))
- ☐ Preliminary Development Plan / Rezoning (Section 153.053)
- ☒ Final Development Plan (Section 153.053(E))
- ☐ Amended Final Development Plan (Section 153.053(E))
- ☐ Standard District Rezoning (Section 153.018)
- ☐ Preliminary Plat (Section 152.015)
- ☐ Final Plat (Section 152.085)
- ☐ Conditional Use (Section 153.236)
- ☐ Corridor Development District (CDD) (Section 153.115)
- ☐ Corridor Development District (CDD) Sign (Section 153.115)
- ☐ Minor Subdivision
- ☐ Right-of-Way Encroachment
- ☐ Other (Please Specify): _____

Please utilize the applicable *Supplemental Application Requirements* sheet for additional submittal requirements that will need to accompany this application form.

II. PROPERTY INFORMATION: This section must be completed.

Property Address(es): 8205 Avery Road Dublin, Ohio 43016

Tax ID/Parcel Number(s):
Franklin County 273-000401-00
Delaware County 600-334-06-034-000

Parcel Size(s) (Acres):
47.861 acres
5.888 acres
Total 53.749 acres

Existing Land Use/Development: Golf course / vacant

IF APPLICABLE, PLEASE COMPLETE THE FOLLOWING:

Proposed Land Use/Development: Detached single family residential homes and associated open space

Total acres affected by application: 53.749 acres

III. CURRENT PROPERTY OWNER(S): Please attach additional sheets if needed.

Name (Individual or Organization): Riviera Ventures LLC

Mailing Address: (Street, City, State, Zip Code) 3 Easton Oval, Suite 500
Columbus, Ohio 43219

Daytime Telephone: (614) 418-8023 (Jason Francis)

Fax: (614) 418-8023

Email or Alternate Contact Information: jfrancis@MIHOMES.com

IV. APPLICANT(S): This is the person(s) who is submitting the application if different than the property owner(s) listed in part III. Please complete if applicable.

Name: Riviera Ventures LLC	**Applicant is also property owner:** yes ☑ no ☐
Organization (Owner, Developer, Contractor, etc.): Owner and developer	
Mailing Address: (Street, City, State, Zip Code) 3 Easton Oval, Suite 500 Columbus, Ohio 43219	
Daytime Telephone: (614) 418-8023 (Jason Francis)	**Fax:** (614) 418-8023
Email or Alternate Contact Information: jfrancis@MIHOMES.com	

V. REPRESENTATIVE(S) OF APPLICANT / PROPERTY OWNER: This is the person(s) who is submitting the application on behalf of the applicant listed in part IV or property owner listed in part III. Please complete if applicable.

Name: EMH&T	
Organization (Owner, Developer, Contractor, etc.): Engineer and Landscape Architect	
Mailing Address: (Street, City, State, Zip Code) 5500 New Albany Road Columbus, Ohio 43054	
Daytime Telephone: (614) 775-4700	**Fax:**
Email or Alternate Contact Information: Jeffrey Strung (jstrung@emht.com)	

VI. AUTHORIZATION FOR OWNER'S APPLICANT or REPRESENTATIVE(S): If the applicant is not the property owner, this section must be completed and notarized.

I _____, the owner, hereby authorize _____ to act as my applicant or representative(s) in all matters pertaining to the processing and approval of this application, including modifying the project. I agree to be bound by all representations and agreements made by the designated representative.

Signature of Current Property Owner:	**Date:**

☐ Check this box if the Authorization for Owner's Applicant or Representative(s) is attached as a separate document

Subscribed and sworn before me this _____ day of _____, 20 _____

State of _____ Stamp or Seal

County of _____ Notary Public _____

VII. AUTHORIZATION TO VISIT THE PROPERTY: Site visits to the property by City representatives are essential to process this application. The Owner/Applicant, as noted below, hereby authorizes City representatives to visit, photograph and post a notice on the property described in this application.

I Jason Francis on behalf of Riviera Ventures LLC, the owner or authorized representative, hereby authorize City representatives to visit, photograph and post a notice on the property described in this application.

Signature of applicant or authorized representative:	**Date:** 10-22-15

VIII. UTILITY DISCLAIMER: The Owner/Applicant acknowledges the approval of this request for review by the Dublin Planning and Zoning Commission and/or Dublin City Council does not constitute a guarantee or binding commitment that the City of Dublin will be able to provide essential services such as water and sewer facilities when needed by said Owner/Applicant.

I Jason Francis on behalf of Riviera Ventures LLC, the owner or authorized representative, acknowledge that approval of this request does not constitute a guarantee or binding commitment that the City of Dublin will be able to provide essential services such as water and sewer facilities when needed by said Owner/Applicant.	
Signature of applicant or authorized representative:	Date: 10-22-15

IX. APPLICANT'S AFFIDAVIT: This section must be completed and notarized.

I Jason Francis on behalf of Riviera Ventures LLC, the owner or authorized representative, have read and understand the contents of this application. The information contained in this application, attached exhibits and other information submitted is complete and in all respects true and correct, to the best of my knowledge and belief.	
Signature of applicant or authorized representative:	Date: 10-22-15

Subscribed and sworn to before me this 22 day of October, 20 15

State of Ohio

County of Franklin

Notary Public Tracy Lynn Foltz

NOTARIAL SEAL STATE OF OHIO

Stamp or Seal

TRACY LYNN FOLTZ
NOTARY PUBLIC
STATE OF OHIO
Comm. Expires
August 19, 2019

FOR OFFICE USE ONLY			
Amount Received:	Application No:	P&Z Date(s):	P&Z Action:
Receipt No:	Map Zone:	Date Received:	Received By:
City Council (First Reading):		City Council (Second Reading):	
City Council Action:		Ordinance Number:	
Type of Request:			
N, S, E, W (Circle) Side of:			
N, S, E, W (Circle) Side of Nearest Intersection:			
Distance from Nearest Intersection:			
Existing Zoning District:		Requested Zoning District:	

Adjacent Property Owners

Parcel #	Owner	Address		
27300384700	TERRENCE W TOD LYDEN	6347 MEMORIAL DR	DUBLIN, OH	43017
27301079300	BALAJI VISHWANATH & SHRIVIDHYA KRISHNAMURTHY	8150 TIMBLE FALLS DR	DUBLIN, OH	43016
27301079000	TIMOTHY & CARA ALBRIGHT	8145 TIMBER FALLS DR	DUBLIN, OH	43016
27301080100	MONICA G SMITH	8155 GRAFTON END	DUBLIN, OH	43016
27300388300	MUIRFIELD ASSOCIATION INC C/O SUE LEONARD	8372 MUIRFIELD DR	DUBLIN, OH	43017
27300388400	MUIRFIELD ASSOCIATION INC C/O SUE LEONARD	8372 MUIRFIELD DR	DUBLIN, OH	43017
27300385600	STEPHEN S & CAROLYN E FRANCIS	6345 CRAGIE HILL CT	DUBLIN, OH	43017
27301051300	DENNIS D & ANN M STRAILY	6308 BELLOW VALLEY DR	DUBLIN, OH	43016
27301080400	DAVID C & LESLIE GRIMM	8148 GRAFTON END	DUBLIN, OH	43016
27301080300	MARK J & LISA K WEAVER	8156 GRAFTON END	DUBLIN, OH	43016
27301080800	CITY OF DUBLIN OHIO	6665 COFFMAN RD	DUBLIN, OH	43017
27301079200	THOMAS J & ARDITH I S TAIT	8158 TIMBLE FALLS DR	DUBLIN, OH	43016
27300039500	DUBLIN LOCAL SCHOOL DISTRICT BD OF EDUCATION	7030 COFFMAN RD	DUBLIN, OH	43017
27301133700	BEVILACQUA BUILDERS INC	5930 CLEVELAND AVE	COLUMBUS, OH	43231
27301133800	BEVILACQUA BUILDERS INC	5930 CLEVELAND AVE	COLUMBUS, OH	43231
27300385900	RYAN C & RACHEL F JARVIS	6352 CRAGIE HILL CT	DUBLIN, OH	43017
27300385700	RANDALL E & CAROLE M JOHNSON	6353 CRAGIE HILL CT	DUBLIN, OH	43017
27300385800	ROBERT J & PAMELA S BIRKENHOLZ TRUSTEES	6360 CRAGIE HILL CT	DUBLIN, OH	43017
27301079100	STEPHEN JOSEPH & AMANDA RENEE MEDVE	271 E WHITTIER ST	COLUMBUS, OH	43206
27300036200	DUBLIN LOCAL SCHOOL DISTRICT BOARD OF EDUCATION	7030 COFFMAN RD	DUBLIN, OH	43017
27300185000	THE COUNTRY CLUB AT MUIRFIELD VILLAGE	8715 MUIFIELD DR	DUBLIN, OH	43017
27300215300	BRETT & EMILEE LYNCH	5760 TRAFALGAR LN	DUBLIN, OH	43016
27301051500	COREY B & PAULA J MORITZ	6292 BELLOW VALLEY DR	DUBLIN, OH	43016
27301080200	TARA L & BRIAN MEADORS	8164 GRAFTON END	DUBLIN, OH	43016
27300384800	SCOTT M & CATHERINE W MCCORT	6350 MEMORIAL DR	DUBLIN, OH	43017
27301051800	SHAILESH & LEKHA SUMMIT TRUSTEES	6268 BELLOW VALLEY DR	DUBLIN, OH	43016
27301051700	TIMOTHY F & ANDREA H BARTON	6276 BELLOW VALLEY DR	DUBLIN, OH	43016
27301051400	DAVID P & KARYN C DEMATTEO	6300 BELLOW VALLEY DR	DUBLIN, OH	43016
27301051600	FENYUAN ZHENG & YUN WANG	6284 BELLOW VALLEY DR	DUBLIN, OH	43016
27301051900	JON R & TAWNYA S EWERT	6260 BELLOW VALLEY	DUBLIN, OH	43016
27300040100	RIVIERA VENTURES LLC	3 EASTON OVAL SUITE 500	COLUMBUS, OH	43219
60033406034000	RIVIERA VENTURES LLC	3 EASTON OVAL SUITE 500	COLUMBUS, OH	43219
60033406033000	BOARD OF EDUCATION DUBLIN LOCAL SCHOOL DISTRICT	7030 COFFMAN RD	DUBLIN, OH	43017

Adjacent Property Owners

60033407023000	INAS ELDOUAIK	8339 DAVINGTON DR	DUBLIN, OH	43017
60033407022000	DAVID D MANKIN	8357 DAVINGTON DR	DUBLIN, OH	43017
60033407021000	WILLIAM C SABO JR	8375 DAVINGTON DR	DUBLIN, OH	43017
60033407020000	JEFFREY C KING	8393 DAVINGTON DR	DUBLIN, OH	43017
60033407019000	JOHN D & LORI VON CANNON	8411 DAVINGTON DR	DUBLIN, OH	43017
60033407018000	JOHN & JENNIFER MALONEY	8429 DAVINGTON DR	DUBLIN, OH	43017
60033407017000	KEVIN & MARTHA PETTIT	8447 DAVINGTON DR	DUBLIN, OH	43017
3900020020920	STEVEN L & JODI L RHODES	6475 GREENSTONE LOOP	DUBLIN, OH	43017
3900020020910	MARK M & KIMBERLY J MACE	6469 GREENSTONE LOOP	DUBLIN, OH	43017
3900020020900	SUNG YUNG 7 ANNA KIM	6465 GREENSTONE LOOP	DUBLIN, OH	43017
3900020020890	ROBERT J & KELLY M DARROW	6461 GREENSTONE LOOP	DUBLIN, OH	43017
3900020020880	GREGORY D & MARA C SMITH	6457 GREENSTONE LOOP	DUBLIN, OH	43017
3900020020870	JEFFREY & AMIE C SWADDLING	6453 GREENSTONE LOOP	DUBLIN, OH	43016
3900290011000	BOARD OF EDUCATION DUBLIN CITY SCHOOL DISTRICT	8300 HYLAND CROY RD	DUBLIN, OH	43017
3900240370000	KEVIN D & JOYCELYN MULLINS	8600 HYLAND CROY RD	PLAIN CITY, OH	43064
1700240600000	BARBARA & LANEY STROBIE	8622 HYLAND CROY RD	PLAIN CITY, OH	43064
3900240590000	NORMAN I & JOSEPHINE MALIK	8640 HYLAND CROY RD	DUBLIN, OH	43016
3900240401540	ARTHUR DVORKIN TRUSTEE	7025 FIRENZA PL	DUBLIN, OH	43017
3900240401530	JORDAN J & ELIZABETH R MATOLA	7033 FIRENZA PL	DUBLIN, OH	43017
3900240401460	JOSE H & TRANG N FOJAS	8782 SORRENTO CT	DUBLIN, OH	43017
3900240401450	MATHEW D & JENNIFER MAZZA	8790 SORRENTO CT	DUBLIN, OH	43017
3900240401440	STEWART & CLARE OLSON	8798 SORRENTO CT	DUBLIN, OH	43017
3900150270740	TARTAN DEVELOPMENT CO WEST LLC	8070 TARTAN FIELDS DR	DUBLIN, OH	43017
3900150271000	WOOD RUN PARTNERS LLC	600 STONEHENGE PARKWAY	DUBLIN, OH	43017

November 12, 2015

Ms. Claudia Husak, AICP
City of Dublin
Land Use and Long Range Planning
5800 Shier Rings Road
Dublin, Ohio 43016

Subject: Riviera (Final Development Plan)

Dear Ms. Husak,

On behalf of our client, Riviera Ventures LLC, we are respectfully submitting the final development plan for Riviera Sections 1 and 2 located in Franklin and Delaware counties on the west side of Avery Road south of Willard Grizzell Middle School in the City of Dublin, Ohio.

Riviera is a redevelopment of an existing golf course with detached single family residential homes based on conservation development standards and consisting of an overall development of approximately 167.055 acres. Within the development there are three different subareas with a range of lot and home sizes and a series of open spaces interconnected with sidewalks or pedestrian paths. The open spaces are a mix of manicured and natural areas with a formal entry area, tree preservation and reforestation, retention basins and tot lot.

Sections 1 and 2 consist of 53.749 acres with forty lots in Section 1 and forty-five lots in Section 2. As a part of the final development plan for Sections 1 and 2 we have provided to the City of Dublin the overall tree removal and replacement plan for the entire project so the city has an opportunity to look at the tree replacement plan comprehensively.

The entry features, signage and landscape components, have been designed as a very formal entry utilizing a boulevard street section. These features include; a brick stone wall with pin mounted letters of the development and the preservation of the existing Riviera stone sign within the island of the boulevard. At the terminus of the boulevard within the development is a radial trellis with swings that overlook a manicured lawn.

The final development plan is in compliance to the preliminary development plan and text that was recently approved by the City of Dublin. As a part of this submission further detail drawings and specifications have been included in the final development based on meetings with the city staff.

Sincerely,

Jeffrey Adam Strung, PLA, ASLA
Director of Planning and Landscape Architecture

RIVIERA SECTION 1

Situated in the State of Ohio, County of Franklin, City of Dublin, and in Virginia Military Survey Number 5162, containing 57.282 acres of land, more or less, said 57.282 acres being part of that tract of land conveyed to **RIVIERA VENTURES, LLC** by deed of record in Instrument Number 201508280120922 (Franklin County) and Instrument Numbe 201508310009091 (Union County), Recorder's Office, Ohio.

The undersigned, **RIVIERA VENTURES, LLC,** an Ohio limited liability company, by **M/I HOMES OF CENTRAL OHIO, LLC,** an Ohio limited liability company, Member, by **TIMOTHY C. HALL, JR.,** Area President, owner of the lands platted herein, duly authorized in the premises, does hereby certify that this plat correctly represents its **"RIVIERA SECTION 1",** a subdivision containing Lots numbered 1 to 40, both inclusive, and areas designated as Reserve "A", Reserve "B", Reserve "C" Reserve "M1" and Reserve "M2", does hereby accept this plat of same and dedicates to public use, as such, all of Riviera Boulevard, Devictor Way, Avery Road, Tantalus Drive and Albanese Circle shown hereon and not heretofore dedicated.

The undersigned further agrees that any use or improvements on this land shall be in conformity with all existing valid zoning, platting, health or other lawful rules and regulations, including applicable off-street parking and loading requirements of the City of Dublin, Ohio, for the benefit of itself and all other subsequent owners or assigns taking title from, under or through the undersigned.

Easements are hereby reserved in, over and under areas designated on this plat as "Easement", "Drainage Easement", "Landscape/Maintenance Easement" (see Note "R") or "Sidewalk Easement." Each of the aforementioned designated easements permit the construction, operation, and maintenance of all public and quasi public utilities above, beneath, and on the surface of the ground and, where necessary, are for the construction, operation, and maintenance of service connections to all adjacent lots and lands and for storm water drainage. Within those areas designated "Drainage Easement" on this plat, an additional easement is hereby reserved for the purpose of constructing, operating and maintaining major storm water drainage swales and/or other above ground storm water drainage facilities. No above grade structures, dams or other obstructions to the flow of storm water runoff are permitted within Drainage Easement areas as delineated on this plat unless approved by the Dublin City Engineer. Within those areas designated "Sidewalk Easement" on this plat, an additional easement is hereby reserved for the construction and maintenance of a sidewalk for use by the public. Easement areas shown hereon outside of the platted area are within lands owned by the undersigned and easements are hereby reserved therein for the uses and purposes expressed herein.

In Witness Whereof, **TIMOTHY C. HALL, JR.,** Area President of **M/I HOMES OF CENTRAL OHIO, LLC,** Member of **RIVIERA VENTURES, LLC** has hereunto set his hand this ____ day of _____, 20___.

Signed and Acknowledged
In the presence of:

RIVIERA VENTURES, LLC
By: M/I HOMES OF CENTRAL OHIO, LLC
Member

_____

By _____
TIMOTHY C. HALL, JR.,
Area President

_____

_____

STATE OF OHIO
COUNTY OF FRANKLIN ss:

Before me, a Notary Public in and for said State, personally appeared **TIMOTHY C. HALL, JR.,** Area President of said **M/I HOMES OF CENTRAL OHIO, LLC,** Member of **RIVIERA VENTURES, LLC** who acknowledged the signing of the foregoing instrument to be his voluntary act and deed and the voluntary act and deed of said **RIVIERA VENTURES, LLC** for the uses and purposes expressed herein.

In Witness Thereof, I have hereunto set my hand and affixed my official seal this _____ day of _____, 20___.

My commission expires _____

_____
Notary Public, State of Ohio

Approved this _____ Day of _____ 20___

_____
Director of Land Use and Long Range Planning,
Dublin, Ohio

Approved this _____ Day of _____ 20___

_____
City Engineer, Dublin, Ohio

Approved this _____ day of _____, 20___, by vote of Council, wherein all of Riviera Boulevard, Devictor Way, Avery Road, Tantalus Drive and Albanese Circle dedicated hereon is accepted as such by the Council of the City of Dublin, Ohio.

In Witness Thereof I have hereunto set my hand and affixed my seal this _____ day of _____, 20___.

_____
Clerk of Council, Dublin, Ohio

Transferred this ____ day of _____, 20___.

_____
Auditor, Franklin County, Ohio

_____
Deputy Auditor, Franklin County, Ohio

Filed for record this ___day of _____, 20___ at _____M. Fee $_____

_____
Recorder, Franklin County, Ohio

File No. _____

Recorded this ____ day of _____, 20___.

_____
Deputy Recorder, Franklin County, Ohio

Plat Book _____, Pages _____

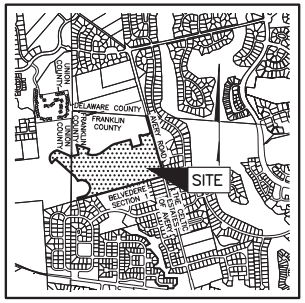
I hereby certify that the land by this plat was transferred on _____20___.

_____
Union County Auditor

I hereby certify that this plat was filed for recording on _____20___, and that it was recorded on _____ 20___ in Plat Book _____, Pages_____ plat records of Union County, Ohio.

_____
Union County Recorder

Fee $_____



LOCATION MAP AND BACKGROUND DRAWING

NOT TO SCALE

SURVEY DATA:

BASIS OF BEARINGS: The bearings shown hereon are based on the Ohio State Plane Coordinate System, South Zone, NAD 83 (NSRS 2007). Said bearings originated from a static GPS solution which was tied (referenced) to said coordinate system by GPS observations of Franklin County Engineering Department monuments MCNEAL and 04-0088. The portion of the centerline of Avery Road having a bearing of South 15°16'17 East is designated as the Basis of Bearings for this plat.

SOURCE OF DATA: The sources of recorded survey data referenced in the plan and text of this plat are the records of the Recorder's Office, Franklin County, Ohio.

IRON PINS: Iron pins, where indicated hereon, unless otherwise noted, are to be set and are iron pipes, thirteen sixteenths inch inside diameter, thirty inches long with a plastic plug placed in the top end bearing the initials EMHT INC.

PERMANENT MARKERS: Permanent markers, where indicated hereon, are to be one-inch diameter, thirty-inch long, solid iron pins. Pins are to be set to monument the points indicated and are to be set with the top end flush with the surface of the ground and then capped with an aluminum cap stamped EMHT INC. Once installed, the top of the cap shall be marked (punched) to record the actual location of the point.

SURVEYED & PLATTED BY

EMHT

Evans, Mechwart, Hambleton & Tilton, Inc.
Engineers • Surveyors • Planners • Scientists
5500 New Albany Road, Columbus, OH 43054
Phone: 614.775.4500 Toll Free: 888.775.3648
emht.com

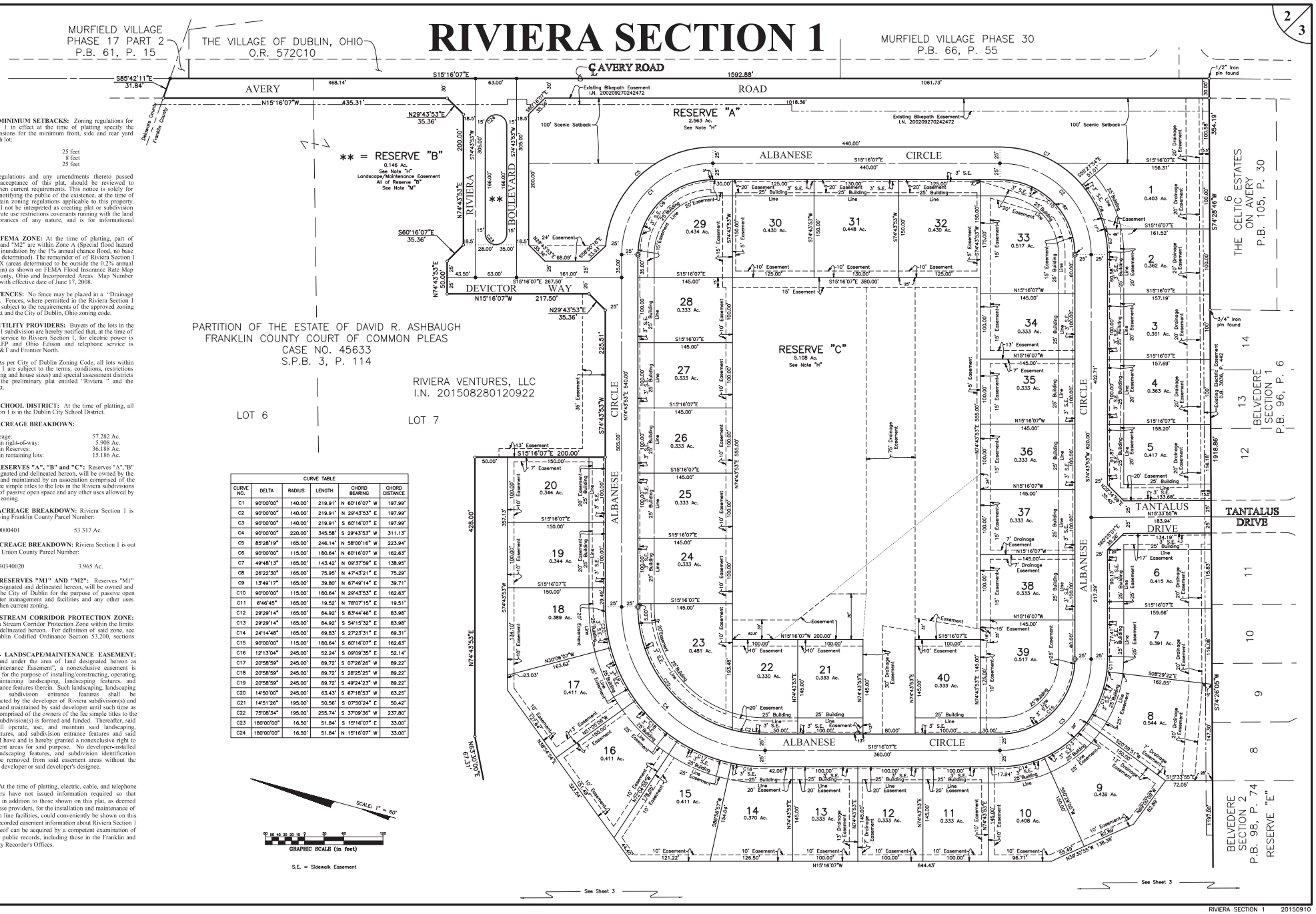
We do hereby certify that we have surveyed the above premises, prepared the attached plat, and that said plat is correct. All dimensions are in feet and decimal parts thereof.

o = Iron Pin (See Survey Data)
• = MAG Nail to be set
@ = Permanent Marker (See Survey Data)

By _____ _____
Professional Surveyor No. 7865 Date

J:\20150910\DWG\04SHEETS\PLAT\20150910-VS-PLAT-SEC1.DWG plotted by MASTON, JOHN on 4/8/2016 12:25:00 PM last saved by JMASTON on 4/8/2016 11:57:12 AM

RIVIERA SECTION 1



NOTE "A" - MINIMUM SETBACKS: Zoning regulations for Riviera Section 1 in effect at the time of platting specify the following dimensions for the minimum front, side and rear yard setbacks for each lot:

Front:	25 feet
Side:	8 feet
Rear:	25 feet

Said zoning regulations and any amendments thereto passed subsequent to acceptance of this plat, should be reviewed to determine the then current requirements. This notice is solely for the purpose of notifying the public of the existence, at the time of platting, of certain zoning regulations applicable to this property. This notice shall not be interpreted as creating plat or subdivision restrictions, private use restrictions covenants running with the land or title encumbrances of any nature, and is for informational purposes only.

NOTE "B" - FEMA ZONE: At the time of platting, part of Reserves "M1" and "M2" are within Zone A (Special flood hazard areas subject to inundation by the 1% annual chance flood, no base flood elevations determined). The remainder of of Riviera Section 1 is within Zone X (areas determined to be outside the 0.2% annual chance floodplain) as shown on FEMA Flood Insurance Rate Map for Franklin County, Ohio and Incorporated Areas Map Number 39049C0018K, with effective date of June 17, 2008.

NOTE "C" - FENCES: No fence may be placed in a "Drainage Easement" area. Fences, where permitted in the Riviera Section 1 subdivision, are subject to the requirements of the approved zoning development text and the City of Dublin, Ohio zoning code.

NOTE "D" - UTILITY PROVIDERS: Buyers of the lots in the Riviera Section 1 subdivision are hereby notified that, at the time of platting, utility service to Riviera Section 1, for electric power is provided by AEP and Ohio Edison and telephone service is provided by AT&T and Frontier North.

NOTE "E": As per City of Dublin Zoning Code, all lots within Riviera Section 1 are subject to the terms, conditions, restrictions (including lighting and house sizes) and special assessment districts as outlined in the preliminary plat entitled "Riviera " and the development text.

NOTE "F" - SCHOOL DISTRICT: At the time of platting, all of Riviera Section 1 is in the Dublin City School District.

NOTE "G" - ACREAGE BREAKDOWN:

Total acreage:	57.282 Ac.
Acreage in right-of-way:	5.908 Ac.
Acreage in Reserves:	36.188 Ac.
Acreage in remaining lots:	15.186 Ac.

NOTE "H" - RESERVES "A", "B" and "C": Reserves "A","B" and "C", as designated and delineated hereon, will be owned by the City of Dublin and maintained by an association comprised of the owners of the fee simple titles to the lots in the Riviera subdivisions for the purpose of passive open space and any other uses allowed by the then current zoning.

NOTE "I" - ACREAGE BREAKDOWN: Riviera Section 1 is out of the following Franklin County Parcel Number:

273-00000401	53.317 Ac.

NOTE "J" - ACREAGE BREAKDOWN: Riviera Section 1 is out of the following Union County Parcel Number:

3900240340020	3.965 Ac.

NOTE "K" - RESERVES "M1" AND "M2": Reserves "M1" and "M2", as designated and delineated hereon, will be owned and maintained by the City of Dublin for the purpose of passive open space, stormwater management and facilities and any other uses allowed by the then current zoning.

NOTE "L" - STREAM CORRIDOR PROTECTION ZONE: There shall be a Stream Corridor Protection Zone within the limits designated and delineated hereon. For definition of said zone, see the City of Dublin Codified Ordinance Section 53.200, sections 53.210-53.240.

NOTE "M" - LANDSCAPE/MAINTENANCE EASEMENT: Within, over, and under the area of land designated hereon as "Landscape/Maintenance Easement", a nonexclusive easement is hereby reserved for the purpose of installing/constructing, operating, using, and maintaining landscaping, landscaping features, and subdivision entrance features therein. Such landscaping, landscaping features, and subdivision entrance features shall be installed/constructed by the developer of Riviera subdivision(s) and operated, used, and maintained by said developer until such time as an association comprised of the owners of the fee simple titles to the lots in Riviera subdivision(s) is formed and funded. Thereafter, said association shall operate, use, and maintain said landscaping, landscaping features, and subdivision entrance features and said association shall have and is hereby granted a nonexclusive right to use said easement areas for said purpose. No developer-installed landscaping, landscaping features, and subdivision identification features shall be removed from said easement areas without the approval of said developer or said developer's designee.

NOTE "M1": At the time of platting, electric, cable, and telephone service providers have not issued information required so that easement areas, in addition to those shown on this plat, as deemed necessary by these providers, for the installation and maintenance of all of their main line facilities, could conveniently be shown on this plat. Existing recorded easement information about Riviera Section 1 or any part thereof can be acquired by a competent examination of the then current public records, including those in the Franklin and Delaware County Recorder's Offices.

CURVE TABLE

CURVE NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD DISTANCE
C1	90°00'00"	140.00'	219.91'	N 60°16'07" W	197.99'
C2	90°00'00"	140.00'	219.91'	N 29°43'53" E	197.99'
C3	90°00'00"	140.00'	219.91'	S 60°16'07" E	197.99'
C4	90°00'00"	220.00'	345.58'	S 29°43'53" W	311.13'
C5	85°28'19"	165.00'	246.14'	N 58°00'16" W	223.94'
C6	90°00'00"	115.00'	180.64'	N 60°16'07" W	162.63'
C7	49°48'13"	165.00'	143.42'	N 09°37'59" E	138.95'
C8	26°22'30"	165.00'	75.95'	N 47°43'21" E	75.29'
C9	13°49'17"	165.00'	39.80'	N 67°49'14" E	39.71'
C10	90°00'00"	115.00'	180.64'	N 29°43'53" E	162.63'
C11	6°46'45"	165.00'	19.52'	N 78°07'15" E	19.51'
C12	29°29'14"	165.00'	84.92'	S 83°44'46" E	83.98'
C13	29°29'14"	165.00'	84.92'	S 54°15'32" E	83.98'
C14	24°14'48"	165.00'	69.83'	S 27°23'31" E	69.31'
C15	90°00'00"	115.00'	180.64'	S 60°16'07" E	162.63'
C16	12°13'04"	245.00'	52.24'	S 09°09'35" E	52.14'
C17	20°58'59"	245.00'	89.72'	S 07°26'26" W	89.22'
C18	20°58'59"	245.00'	89.72'	S 28°25'25" W	89.22'
C19	20°58'59"	245.00'	89.72'	S 49°24'23" W	89.22'
C20	14°50'00"	245.00'	63.43'	S 67°18'53" W	63.25'
C21	14°51'26"	195.00'	50.56'	S 07°50'24" E	50.42'
C22	75°08'34"	195.00'	255.74'	S 37°09'36" W	237.80'
C23	180°00'00"	16.50'	51.84'	S 15°16'07" E	33.00'
C24	180°00'00"	16.50'	51.84'	N 15°16'07" W	33.00'

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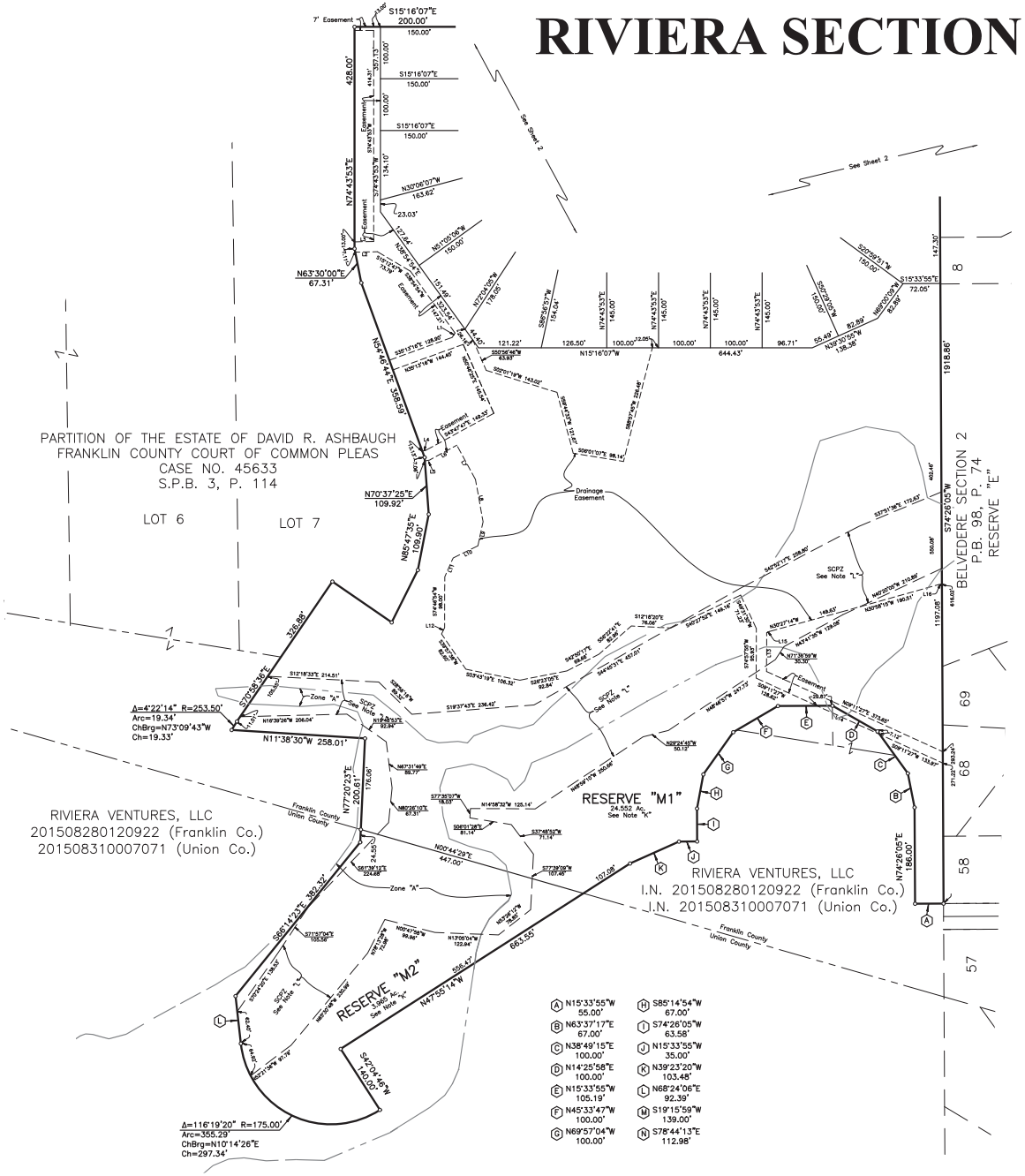
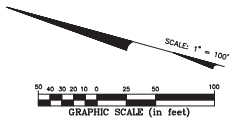
RIVIERA SECTION 1



LINE TABLE		
LINE	BEARING	DISTANCE
L1	S72°04'05"E	10.17'
L2	N16°18'39"W	42.98'
L3	N16°18'39"W	37.01'
L4	N27°05'19"E	7.03'
L5	S27°05'19"E	9.06'
L6	S43°47'47"E	60.05'
L7	N46°12'13"E	72.53'
L8	S64°34'30"W	82.60'
L9	S86°50'23"W	47.62'
L10	N41°25'04"W	53.21'
L11	N81°17'10"W	39.98'
L12	N78°37'17"W	13.81'
L13	S74°57'35"W	75.08'
L14	S09°11'27"W	133.22'
L15	S39°35'30"E	5.34'
L16	S15°33'55"E	5.47'



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PLANNING AND ZONING COMMISSION

RECORD OF ACTION

APRIL 21, 2016

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

4. Riviera, Subareas A & B, Section 1 (Lots 1 – 40) and Section 2 (Lots 41 – 85)
6335 Perimeter Loop Road
16-109FDP/FP **Final Development Plan/Final Plat**

Proposal:	The subdivision and development of 85 single-family lots and associated open space, rights-of-way and landscaping as part of Subareas A and B in the Riviera Planned Unit Development District. The site is on the west side of Avery Road, north of the intersection with Memorial Drive.
Request:	Review and approval of a Final Development Plan under the provisions of Zoning Code Section 153.050 and review and recommendation of approval to City Council of Final Plats under the provisions of the Subdivision Regulations.
Applicant:	Riviera Ventures, LLC; Jeffrey Strung, EMHT.
Planning Contact:	Claudia D. Husak, AICP, Senior Planner.
Contact Information:	(614) 410-4675, chusak@dublin.oh.us

MOTION #1: Ms. Newell moved, Ms. Mitchell seconded to approve the Final Development Plan with the following condition:

1) That the applicant provide landscaping on either side of the path to buffer the area from Lots 55 and 56.

VOTE: 7 – 0

RESULT: The Final Development Plan was approved.

RECORDED VOTES:

Victoria Newell	Yes
Amy Salay	Yes
Chris Brown	Yes
Cathy De Rosa	Yes
Robert Miller	Yes
Deborah Mitchell	Yes
Stephen Stidhem	Yes

4. Riviera, Subareas A & B, Section 1 (Lots 1 – 40) and Section 2 (Lots 41 – 85)
6335 Perimeter Loop Road
16-109FDP/FP **Final Development Plan/Final Plat**

MOTION #2: Ms. Newell moved, Mr. Brown seconded to recommend approval to City Council for a Final Plat with one condition:

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

VOTE: 7 – 0

RESULT: The Final Plat was recommended for approval.

RECORDED VOTES:

Victoria Newell	Yes
Amy Salay	Yes
Chris Brown	Yes
Cathy De Rosa	Yes
Robert Miller	Yes
Deborah Mitchell	Yes
Stephen Stidhem	Yes

STAFF CERTIFICATION

Claudia D. Husak, AICP, Senior Planner

4. Riviera, Subareas A & B, Section 1 (Lots 1 – 40) and Section 2 (Lots 41 – 85)
15-109FDP/FP **Avery Road**
Final Development Plan (Approved 7 – 0)
Final Plat (Approved 7 – 0)

The Chair, Ms. Newell, said the following application is a proposal for the subdivision and development of 85 single-family lots and associated open space, rights-of-way and landscaping as part of Subareas A and B in the Riviera Planned Unit Development District. She said the site is on the west side of Avery Road, north of the intersection with Memorial 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 review and recommendation of approval to City Council of Final Plats under the provisions of the Subdivision Regulations. She stated anyone intending to address the Commission will need to be sworn-in.

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

Motion and Vote
Ms. Newell moved, Ms. Mitchell seconded, to approve the Final Development Plan with the following condition:

1) That the applicant provide landscaping on either side of the path to buffer the area from Lots 55 and 56.

The vote was as follows: Ms. Salay, yes; Mr. Brown, yes; Ms. De Rosa, yes; Mr. Miller, yes; Mr. Stidhem, yes; Ms. Mitchell, yes; and Ms. Newell, yes. (Approved 7 – 0)

Motion and Vote
Ms. Newell moved, Mr. Brown seconded, to recommended approval to City Council for a Final Plat with the following condition:

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

The vote was as follows: Mr. Stidhem, yes; Ms. Mitchell, yes; Mr. Miller, yes; Ms. De Rosa, yes; Ms. Salay, yes; Mr. Brown, yes; and Ms. Newell, yes. (Approved 7 – 0)

Planning Items
Claudia Husak said a copy of the Bright Road Area Plan update memo that was sent to Council and the residents in the area was included in the packets. She said there have been requests for additional traffic studies and there is a delay.

Ms. Husak said Staff has engaged Greg Dale again to provide training to the PZC and June 9, 2016 has been slated for that training. She said the idea is to have the ARB and BZA join the training that evening and possibly spending time prior to 6:30 with the Chairs and Vice Chairs of all of the boards and Commission to focus on certain topics. She said dinner would be provided. She asked if this would work for the Commission.

Ms. Husak said May 16 is the joint work session with City Council. She said the tentative plan is for dinner at 5:30 pm in the Council planning room or bring it out here with an official start at 6 or 6:15 pm for the work session. She requested topics from Ms. Salay so Staff can be prepared. Ms. Husak said three things were sent to Council for the 11th, which were architecture, signs and the ART.

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City of Dublin Planning and Zoning Commission

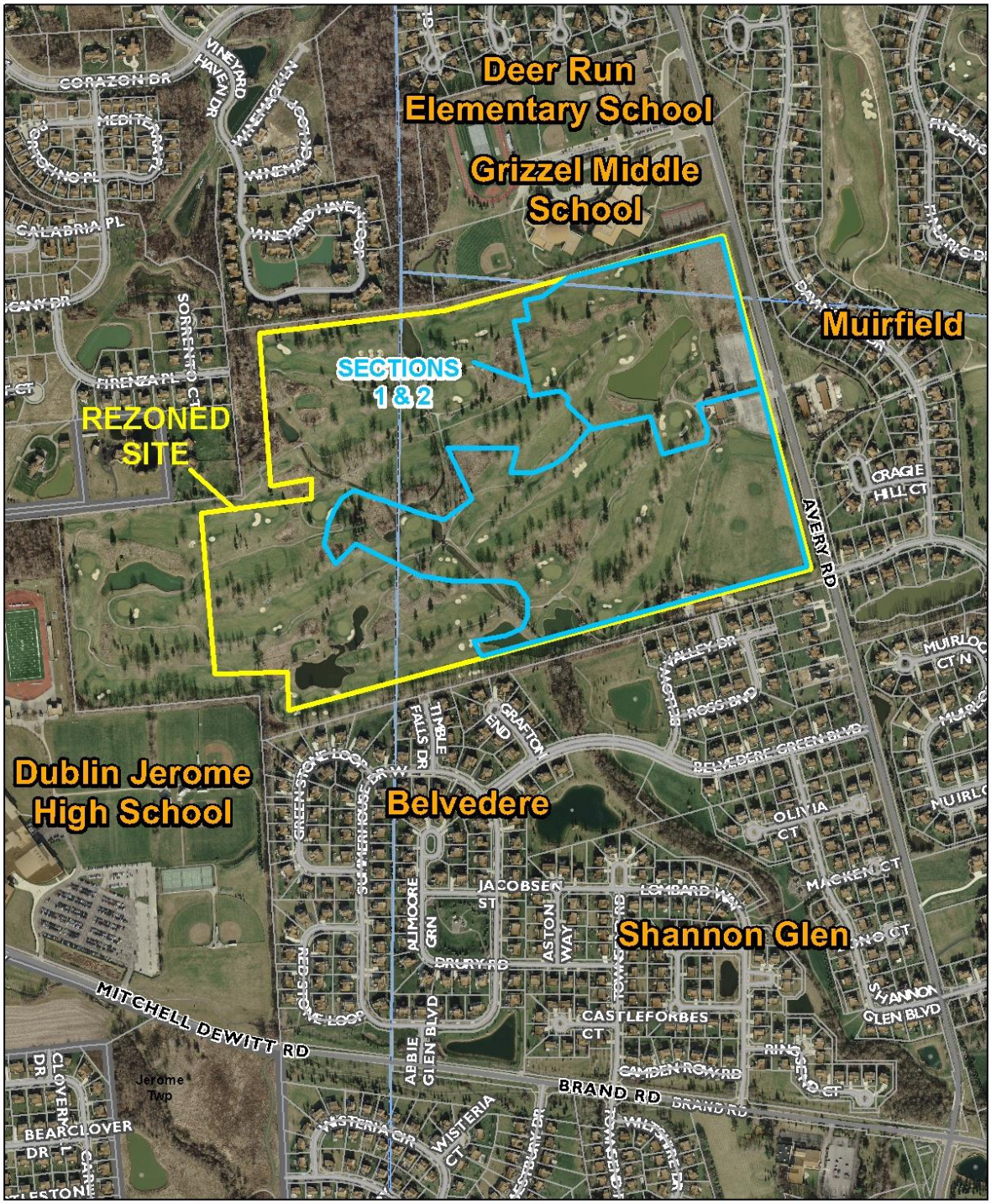
Planning Report

Thursday, April 21, 2016

Riviera – Subareas A and B
Section 1 (Lots 1-40) and Section 2 (Lots 41-85)

Case Summary

Agenda Item	4
Case Number	15-109FDP/FP
Proposal	The subdivision and development of 85 single-family lots and associated open space, rights-of-way and landscaping as part of Subareas A and B in the Riviera Planned Unit Development District.
Request	Review and approval of a Final Development Plan under the provisions of Zoning Code Section 153.050 and review and recommendation of approval to City Council of Final Plats under the provisions of the Subdivision Regulations.
Site Location	The site is on the east side of Avery Road, north of the intersection with Memorial Drive.
Applicant	Riviera Ventures, LLC.
Representative	EMH&T, Jeffrey A. Strung, PLA, ASLA.
Case Manager	Claudia D. Husak, AICP, Senior Planner | (614) 410-4675 | chusak@dublin.oh.us
Planning Recommendation	<u>Approval of a Final Development Plan</u> Planning recommends approval of the proposal because it complies with the final development plan criteria and the existing development standards. Planning recommends approval of this request with one condition: 1) That the applicant provide landscaping on either side of the path to buffer the area from Lots 55 and 56. <u>Approval to City Council of a Final Plat</u> Planning recommends approval of the proposal because it complies with the final plat criteria and the existing development standards. Planning recommends approval of this request to City Council with one condition: 1) That the applicant ensure any minor technical adjustments to the plat are made prior to City Council submittal.



City of Dublin	15-109FDP/FP Final Development Plan/ Final Plat Riviera 8025 Avery Road	0 400 800 Feet

Facts	
Site Area	• Total PUD Site: 152.2 acres • Subject Site: 82.265 acres • Frontage: 2,020 feet (Avery Road) • The site is located in three counties, Franklin, Delaware and Union County.
Zoning	PUD, Planned Unit Development, Riviera
Surrounding Zoning and Uses	North: Grizzelll MiddleSchool and Deer Run Elementary School zoned R-1. Single family and multiple family sections of Tartan West, zoned PUD, Planned Unit Development District. East: Muirfield Village, zoned PUD, across Avery Road. South: Residential subdivisions including Celtic Estates (zoned PUD) and Belvedere (zoned PLR, Planned Low Density Residential District). Shannon Glen is farther to the south (also zoned PUD). West: Large lot single family homes, accessed from Hyland-Croy Road (one home shares a property line with the golf course). Dublin Jerome High School is to the southwest and is zoned PUD.
Site Features	• Generally rectangular site with 2,020 feet of frontage on Avery Road. • Significant natural features include two tributary streams to the North Fork of the Indian Run, which converge at the center of the site flowing south into Shannon Glen Park. • There are many mature trees existing on the site most of which were planted over time with the development of the golf course. • The western fork of the stream has significant floodway and a Stream Corridor Protection Zone (SCPZ) borders the stream. • The site was developed as a golf course 40+ years ago with many constructed features such as ponds, fairways, greens, cart paths and varying topography. • The site currently has two access points from Avery Road serving the parking lot for the clubhouse.
Site History	City Council approved Ordinance 35-15 for the rezoning of approximately 152 acres from R: Rural District and R-1: Restricted Suburban Residential District to PUD: Planned Unit Development District, Riviera, in June of 2015. Council also approved a Preliminary Plat for 185 single-family lots for the Riviera development. Since then, the club house previously on the site has been demolished and tree clearing has begun. The Planning and Zoning Commission approved a Rezoning with Preliminary Development Plan and a Preliminary Plat on April 9, 2015, which outlined details for Subareas A and B including dedicated public streets, dedicated reserves, development standards and lot configuration.

Details — Final Development Plan

Process

The final development plan conforms with and provides a detailed refinement of the approved preliminary development plan. The final development plan includes all of the final details of the proposed development and is the final stage of the PUD process.

Proposal

The proposal includes 81 single-family residential lots, dedication of public rights-of-way for 10 streets and 10 reserves amounting to 44.814 acres of open space. This application is for the first phase of the Riviera development.

Layout

Section 1 contains 40 lots along the south side of the main entry Boulevard, Riviera Boulevard. This Section includes the connection of Tantalus Drive in Belvedere as well as reserve areas along the Avery Road frontage, the center island in Riviera Boulevard, as well as the largest open space in the development, Reserves M1 and M2 (split due to county boundaries) in the center of the development and the five-acre open space in the center of the lots.

Section 2 contains 44 lots along the north side the main entry Boulevard, Riviera Boulevard. This Section includes right-of-way for Timble Falls Drive, which will in the future, extend and connect toward the existing street in Belvedere to the west. The reserve in this Section includes the approximately two-acre reserve at the terminus of Riviera Boulevard, the Avery Road frontage and the four-acre reserve in the center of the lots that accommodates a stormwater management pond.

Development Standards

Minimum Lot Requirements	Subarea	
	A	B
Area (sq. ft.)	13,000	9,750
Width (ft.)	100	75
Depth (ft.)	125	125
Front Yard (ft.)	25	25/ 20 on Cacchio Lane only
Rear Yard (ft.)	25	25
Side Yard (ft.)	8	6
Lot Coverage (%)	45 (Code)	45 (Code)

The proposed lots meets these text requirements.

Tree Preservation and Replacement

The applicant has provided a tree impact plan for the entire Riviera development. Staff has been working very closely with the applicant to ensure that tree removal take place in a manner that ensures trees to be preserved are indeed protected. The layout of the development for Riviera was approved to include the removal of 45 trees in good or fair condition at a size above 24 inches diameter. Other protected trees (6 inches to 24 inches in good or fair condition) total 158 for a complete removal of 3,882 inches of trees and a replacement requirement (inch-for-inch per Code) of 1,553 trees.

Planning and the Park Operations Division have worked closely to ensure

Details	**Final Development Plan**
	replacement trees will be planted in the city-owned reserves. The intent of heavy plantings of trees is to create a reforestation program of the stream corridor protection zone as well as reduce turf areas that would require more intensive maintenance by the city. The plans include the number and species of 21 different types of trees including deciduous, evergreens and ornamental trees. The plans also include different types of spruce trees along the rear of lots adjacent to the school property to the north and the existing residential lots to the south to create a landscape buffer. These trees are not counted as replacement trees. All reserves within Riviera will be owned by the City of Dublin based on the requirement from the rezoning stage to provide 50% open space. Reserves A, B and C in Section 1 and Reserves D, E1, E2 and G will be maintained by the Homeowners Association and Reserves M1 and M2 in Section 1 and Reserve F in Section 2 will be maintained by the City of Dublin.
Landscaping/Open Space/Entry Feature/Paths	*Avery Road Frontage* The open space along Avery Road includes a 100-foot scenic setback and the design proposed is consistent with the Community Plan element for a Rural Roadway. *Entrance Boulevard and Park* The entry off Avery Road, Riviera Boulevard, includes a large island with a formal tree planting of crabapples, boxwoods, liriope and rosebushes. The entry feature includes a brick wall in a curvilinear arrangement with limestone caps and pin mounted letters "Riviera" with gold finish as the sign for the neighborhood. The entry park includes a path as well as formal tree rows on either side of the path. Existing trees will be preserved in this area and the plantings are focused on the edge of the proposed path. Landscape beds are proposed at the entry of the park and the design includes trellises with swing benches and seating areas along the path. *Path Connections* There are extensive paths proposed throughout the development in addition to the bikepath/sidewalk required along the public streets. Open space connections are made to other surrounding active and passive recreation areas and trail connections are provided at various points around the site. Reserve G provides a path connection to the north to Grizzelll Middle School. The applicant should provide landscaping on either side of the path to buffer the area from Lots 55 and 56.
Stormwater Management & Utilities	A 12-inch water line is on the east side of Avery Road. This will be the main connection point for this development to obtain public water service. Looping of the water line system will be accomplished along any new streets as well as

Details	**Final Development Plan**
Stormwater Management & Utilities Cont.	connecting to the existing 8-inch water lines in adjacent subdivisions. These connections will provide adequate public water service for development of this property without adverse effects to existing users. The North Fork Indian Run sanitary trunk sewer is along the southern and western boundaries of this property. This 18-inch sewer line was installed to provide service to land to the northwest of this site as part of the development of Tartan West. When the extension was made in 2003, an analysis was performed that indicated capacity issues downstream in the trunk sewer with full build-out considered for the land in northwest Dublin. This analysis assumed that the Riviera property would remain as a golf course. With the proposed change in use of this property from golf course to single family housing, the impact of this change on the City's trunk sewer was separately studied. Knowing that there is a system deficiency, the applicant modeled the proposed development impact on system deficiency and proposed improvements. The applicant will partner with the City via the infrastructure agreement to ensure the necessary sewers to mitigate the impacts of development on the sanitary sewer system are in place and the development text has been updated to reflect this requirement. The design of the sewer improvement is scheduled for this year, with construction of the improvement scheduled in 2018. The development will be required to follow Chapter 53, the Stormwater Regulations. These requirements will be met by the installation of new stormsewer pipe and structures along with stormwater management ponds. The tributary for the North Fork of Indian Run provides ample outlet opportunities for managing the stormwater on this property. The latest FEMA maps show that this tributary has a 100-year floodplain bisecting the site. Adherence to the requirements of Chapter 151 is required for this area. At the northern side of the site, an area that is outside of the FEMA designated floodplain, along one of the streams, will need to follow the Stream Corridor Protection Zone regulations in Chapter 53. Existing developments in this area have been arranged so that any new lots are not being created in the designated floodplains. This minimizes the need for flood insurance requirements for future residents.
Transportation Analysis	As the property requires rezoning to a Planned Unit Development District, the developer was required to have a traffic impact study (TIS) performed. The TIS evaluates impacts of the additional traffic on the surrounding roadway network and suggests mitigation measures for these impacts. The Riviera TIS identifies the following improvements for this proposed development: Avery Road Improvements • A northbound left turn lane will be required on Avery Road at the proposed site entrance. This improvement will be required with the first

Details **Final Development Plan**

Transportation Analysis Cont.

phase of development and any costs for installation is solely the responsibility of the developer.

Avery Road Pedestrian Crossing

- A pedestrian crossing system shall be installed across Avery Road at the intersection with Memorial Drive. This shall be installed as a portion of the Avery Road turn lane improvement, in the first phase. The developer should install any necessary sidewalks, curb ramps, crosswalk markings and pole foundations. The City will be responsible for installing the pedestrian crossing warning system.

Other Off-Site Improvements

- The TIS also identified other off-site intersections that would be impacted by the development. The following table lists the impacted intersection and the site's contributions.

Offsite Improvements Table

Intersection Improvement	Improvement Estimate	Percent Site Contribution	Site Contribution
Avery Rd and Brand Rd roundabout	$2,000,000	3.0%	$60,000
Hyland-Croy Rd and Post Rd intersection improvement	$2,000,000	1.3%	$26,000
Jerome Rd and McKitrick Rd roundabout	$1,000,000	1.8%	$18,000
Hyland-Croy Rd and McKitrick Rd roundabout	$1,000,000	1.1%	$11,000
Hyland-Croy Rd and Brand Rd roundabout expansion	$500,000	2.0%	$10,000
Total	$6,500,000	1.92%	$125,000

Analysis	**Final Development Plan**
Process	Section 153.050 of the Zoning Code identifies criteria for the review and approval for an amended final development plan. Following is an analysis by Planning based on those criteria.
1) Consistency with the approved preliminary development plan.	**Criterion met:** The proposal is consistent with the requirements of the Zoning Code and the Riviera development text.
2) Traffic and pedestrian safety	**Criterion met:** The proposed street network meets all applicable construction standards and regulations outlined in the development text.
3) Adequate public services and open space	**Criterion met:** The site has access to adequate utilities and has defined appropriate future services for the development. Open space dedication exceeds requirements.
4) Protection of natural features and resources	**Criterion met:** As stated above, the applicant has worked closely with staff to ensure trees are preserved where indicated and the requirements of the Stream Corridor Protection Zone are met.
5) Adequacy of lighting	**Criterion met:** Adequate street lights are included as part of this application.
6) Signs consistent with preliminary development plan	**Criterion met:** The proposed sign in the entry feature is appropriate and meets all applicable requirements.
7) Appropriate landscaping to enhance, buffer, and soften the building and site Condition 1	**Criterion met with condition:** The proposal meets the requirements of the development text. Additional buffering is provided along the north and south property lines. The applicant should provide landscaping on either side of the path to buffer the area from Lots 55 and 56.
8) Compliant Stormwater management	**Criterion met:** The proposal included a detailed stormwater management plan that demonstrates adherence to all stormwater requirements as defined in Chapter 53 are met.
9) All phases comply with the previous criteria.	*Not Applicable.*
10) Compliance with other laws and regulations.	**Criterion met:** The proposal meets all other applicable laws and regulations.

Recommendation	**Final Development Plan**
Approval	In Planning's analysis, the proposal complies with the final development plan criteria and the existing development standards. Planning recommends approval of this request with one condition.
Conditions	1) That the applicant provide landscaping on either side of the path to buffer the area from Lots 55 and 56.

Details	**Final Plat**
Process	The purpose of the final plat is to assure conformance with the requirements set forth in Sections 152.085 through 152.095 of the Code, exclusive of other standards in the Code.
Plat Overview	The proposed plats subdivide approximately 82.265 acres of land into 85 single-family lots with right-of-way dedication for 10 public streets and open space dedication for 10 reserves. Section 1 contains 40 lots, the entry road, Riviera Boulevard, Albanese Circle from which each lots will be accessed, Devictor Way, Avery Road and the connection to Tantalus Drive in Belvedere to the south. Section 2 contains 45 single-family lots along with rights-of-way for Avery Road, Devictor Way, Dicesare Loop, Timble Falls Drive, and Gatto Lane The lot sizes range from approximately ¼ -acre to up to ½-acre in size. These lot sizes are consistent with the development text and meet all applicable development standards. The plats contain all applicable development requirements.
Streets	The plats include the dedication of public rights-of-way for 10 streets. A stub in Belvedere will be connected with this phase of Riviera. The plats includes a portion of Timble Falls Drive that will connect to the existing stub in Belvedere. All streets are public and contain 50 feet of right-of-way per city standards.
Open Space	Section 1 has five reserves: Reserve A is 2.563 acres, Reserve B is 0.146 acre, Reserve C is 5.108 acres, Reserve M1 is 24.552 acres and Reserve is M2 3.965 acres for a total of 36.334 acres. Section 2 has also has five reserves: Reserve D is 1.912 acres, Reserve E1 is 1.401 acres, Reserve E2 is 0.894 acre, Reserve F is 4.153 acres and Reserve G is 0.120 acre for a total of 8.480 acres. The plats accurately reflect the open space ownership and maintenance responsibilities.

Analysis	**Final Plat**
Process	Following a recommendation by the Commission, the final plat will be forwarded to City Council for final action. The plat can be recorded after City Council approval.
1) Plat Information and Construction Requirements Condition 1	**Criterion met with condition:** This proposal is consistent with the requirements of the Subdivision Regulations and all required information is provided on the plat. The applicant should ensure that any minor technical adjustments to the plat should be made prior to City Council submittal.
2) Street, Sidewalk, and Bikepath Standards	**Criterion met:** Street widths, grades, curvatures, and intersections comply with the appropriate Code sections and City standards. Sidewalks are required on both sides of all public streets in compliance with City construction standards.
3) Utilities	**Criterion met:** This plat establishes necessary easements for the construction and maintenance of utilities in accordance with all applicable standards.
4) Open Space Requirements	**Criterion met:** The plat dedicates open space as required per the development text and the preliminary plat.

Recommendation	**Final Plat**
Summary	This proposal complies with the final plat review criteria and approval of this request is recommended with one condition.
Condition	1) That the applicant ensures that any minor technical adjustments to the plat are made prior to City Council submittal.

FINAL DEVELOPMENT PLAN REVIEW CRITERIA

Review Criteria
In accordance with Section 153.055(B) Plan Approval Criteria, the Code sets out the following criteria of approval for a final development plan:

1) The plan conforms in all pertinent respects to the approved preliminary development plan provided, however, that the Planning and Zoning Commission may authorize plans as specified in §153.053(E)(4);
2) Adequate provision is made for safe and efficient pedestrian and vehicular circulation within the site and to adjacent property;
3) The development has adequate public services and open spaces;
4) The development preserves and is sensitive to the natural characteristics of the site in a manner that complies with the applicable regulations set forth in this Code;
5) The development provides adequate lighting for safe and convenient use of the streets, walkways, driveways, and parking areas without unnecessarily spilling or emitting light onto adjacent properties or the general vicinity;
6) The proposed signs, as indicated on the submitted sign plan, will be coordinated within the Planned Unit Development and with adjacent development; are of an appropriate size, scale, and design in relationship with the principal building, site, and surroundings; and are located so as to maintain safe and orderly pedestrian and vehicular circulation;
7) The landscape plan will adequately enhance the principal building and site; maintain existing trees to the extent possible; buffer adjacent incompatible uses; break up large expanses of pavement with natural material; and provide appropriate plant materials for the buildings, site, and climate;
8) Adequate provision is made for storm drainage within and through the site feeding into regional stormwater basin which complies with the applicable regulations in this Code and any other design criteria established by the City or any other governmental entity which may have jurisdiction over such matters;
9) If the project is to be carried out in progressive stages, each stage shall be so planned that the foregoing conditions are complied with at the completion of each stage; and
10) The Commission believes the project to be in compliance with all other local, state, and federal laws and regulations.

FINAL PLAT REVIEW CRITERIA

The Zoning Code does not contain specific criteria to guide the review of plats. Planning bases the evaluation on the conformance of the plat with the requirements set forth in Chapter 152: *Subdivision Regulations* of the Code, which are summarized below:

- The proposed final plat document includes all the required technical information.
- Construction will be bonded and completed in an appropriate time frame, inspections will be conducted by the City in accordance with Engineering standards for improvements, and maintenance will be completed as necessary.
- The proposed lots, street widths, grades, curvatures, intersections, and signs comply with the standards set forth in these Code sections.
- The proposal includes provisions for water, storm drainage, sanitary sewer, electric, telephone, and cable supplies in accordance with approved standards.
- The proposed development complies with the open space and recreation facility requirements or payment into the Parkland Acquisition Fund is made in lieu of dedication.

In addition, the Planning and Zoning Commission is to determine that the final layout and details of the final plat comply with the approved preliminary plat. The Commission is to consider several factors in making its recommendation:

1) The final plat conforms with the approved preliminary plat;
2) The plat conforms to the adopted Thoroughfare Plan and meets all applicable parkland dedication and open space requirements; and
3) The final plat conforms to the subdivision and zoning regulations, municipal stormwater regulations, and other applicable requirements.

RECORD OF ORDINANCES

Dayton Legal Blank, Inc. Form No. 30043

Ordinance No. 35-15 *Passed* _____, 20____

AN ORDINANCE REZONING APPROXIMATELY 152.2 ACRES FROM R, RURAL DISTRICT AND R-1, RESTRICTED SUBURBAN RESIDENTIAL DISTRICT TO PUD, PLANNED UNIT DEVELOPMENT DISTRICT FOR THE POTENTIAL DEVELOPMENT OF THE SITE WITH UP TO 185 SINGLE-FAMILY LOTS AND APPROXIMATELY 76 ACRES OF OPEN SPACE ON THE WEST SIDE OF AVERY ROAD, NORTH OF THE INTERSECTION WITH BELVEDERE GREEN BOULEVARD UNDER THE PROVISIONS OF ZONING CODE SECTION 153.050 AND A PRELIMINARY PLAT FOR 185 SINGLE-FAMILY LOTS, RIGHTS-OF-WAY, AND OPEN SPACE IN ACCORDANCE WITH CHAPTER 152, THE SUBDIVISION REGULATIONS (CASE #14-068Z/PDP/PP).

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Dublin, 5 of its elected members concurring, that:

Section 1. The following described real estate, (see attached legal description, Exhibit A), situated in the City of Dublin, State of Ohio, is hereby rezoned PUD, Planned Unit Development District, and shall be subject to regulations and procedures contained in Ordinance No. 21-70 (Chapter 153 of the Codified Ordinances), the City of Dublin Zoning Code and amendments thereto.

Section 2. The application, including the list of contiguous and affected property owners, and the recommendations of the Planning and Zoning Commission, are all incorporated into and made an official part of this Ordinance and said real estate shall be developed and used in accordance there within.

Section 3. This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed this 8th day of June, 2015.

Mayor - Presiding Officer

ATTEST:

Clerk of Council

- **Resolution 49-15 (Introduction/vote)**
  Accepting the Lowest and Best Bid for the Donegal Cliffs Playground Rehabilitation Project.
- **Resolution 50-15 (Introduction/vote)**
  Authorizing the City Manager to Enter into a Letter of Agreement with Ohio Power Company, an Ohio Corporation, ("AEP Ohio") to Relocate Existing AEP Ohio Overhead Facilities Along Riverside Drive, Over the Scioto River, in the Dale Drive Area and Around the SR 161 and Dale Drive Intersection.
- Approval of Preliminary and Final Plats – NE Quad, Subarea 5B – Sawmill-Emerald Subdivision (Case 15-022FDP/CU/PP/FP)

Mayor Keenan moved to waive the Rules of Order in order to address Ordinances 35-15 and 36-15 together.
Ms. Chinnici-Zuercher seconded the motion.
Vote on the motion: Ms. Salay, yes; Mr. Lecklider, yes; Mr. Reiner, yes; Mayor Keenan, yes; Ms. Chinnici-Zuercher, yes; Mr. Peterson, yes.
Vice Mayor Gerber recused himself from consideration of Ordinances 35-15, 36-15 and the preliminary plat due to his conflict as noted at the last hearing.

SECOND READING/PUBLIC HEARING – ORDINANCES
Ordinance 35-15
Rezoning Approximately 152.2 Acres from R, Rural District and R-1, Restricted Suburban Residential District to PUD, Planned Unit Development District for the Potential Development of the Site with up to 185 Single-Family Lots and Approximately 76 Acres of Open Space on the West Side of Avery Road, North of the Intersection with Belvedere Green Boulevard. (Riviera) (Case #14-068Z/PDP/PP)

- Preliminary Plat – Riviera (Case 14-068Z/PDP/PP)

Ordinance 36-15 (Amended)
Authorizing the City Manager to Enter into an Infrastructure Agreement with Davidson Phillips for the Riviera Development.

Ms. Husak provided an update on the proposed development plans.

- Changes have been made to the proposed development plan since first reading, specifically to the lot configuration. At the first reading, Council requested the applicant review Lots 41 and 42 in terms of relocating them for increased tree preservation.
- Questions were raised at first reading regarding the definition of a "Landmark Tree." While the Zoning Code does not have a specific definition, typically those are trees considered to be 24 inches or greater in circumference at breast height. When applicants request waivers from the tree preservation requirements, trees are sometimes permitted to be replaced on a tree-for-tree basis as opposed to an inch-for-inch basis.
- The proposal continues to have 185 single-family lots at a density of 1.22 dwelling units per acre; the proposal still meets a majority, if not all of the requirements of the conservation design resolution, including 50 percent open space. There are 13 reserves consisting of a total of 76 acres of open space provided in the development plan.
- There are three subareas proposed: Subarea A has the largest lots; Subarea B has more typical sized single-family lots; Subarea C has a development pattern more geared to empty nester homeowners, with less maintenance and fewer stairs.
- All of the open spaces provided within the development are to be owned by the City of Dublin. Approximately 56 acres is to be maintained by the City. Parks staff reviewed what level of maintenance responsibility will exist for the 25 acres intended to be maintained by the HOA. This is estimated at $325/year for each of the homeowners within the development. She shared a breakdown of the maintenance responsibilities for each of the reserves.
- This proposal provides open space connections to open space and parkland to the south, including Avery Park, Westbury Park, Bishop's Run Park; to the Metro Park

areas on the south side of Brand Road; connection along the stream corridor and Shannon Glen Park through what is proposed to be open space areas within the Riviera development; and to the northwest and Tartan West.

Staff is requesting three actions of Council tonight:

1. A vote on Ordinance 35-15, which includes 13 conditions from the Planning and Zoning Commission. One of the conditions was the elimination of asphalt as a permitted driveway material. However, the applicant's submission includes asphalt as a permitted material for driveways. Should Council approve the applicant's plan as submitted, this would be a change to the P&Z recommendation regarding this item. The memo includes research conducted by staff that indicates one development exists in the City where asphalt is eliminated as a permitted driveway material. All other developments regulated by the City in terms of driveway material defer to the Zoning Code, which permits asphalt.
2. A vote on the preliminary plat.
3. A vote on Ordinance 36-15, the infrastructure agreement related to the development. Staff is recommending approval of this ordinance.

She noted that Engineering and Public Works staff are present to respond to questions as well.

Mr. Lecklider asked if there are recent neighborhoods approved where asphalt was utilized, aside from the examples in the staff report.
Ms. Husak responded that staff found only a Deer Run subarea that eliminated asphalt as a permitted driveway material. All other recent and older PUDs approved through the City allowed asphalt as a driveway material, including such PUDs as Tartan West, Tartan Ridge, Oak Park, Celtic Crossing, Wellington Place, Wellington Reserve, Bishop's Crossing and Post Preserve. She added that staff does not have information about whether these subdivisions have HOA deed restrictions regarding this matter.
Mr. Lecklider stated that he is familiar with these neighborhoods but does not observe asphalt driveways on the lots. Perhaps it is an option for the homeowner, but he believes that the majority of homeowners do not desire an asphalt driveway. Staff recommended no asphalt driveways and the Commission supported this recommendation. He would be opposed to allowing asphalt driveways.

Ms. Salay commented that the asphalt driveway issue came up several times, and the Commission did not approve it. This was an important item to the Commission. This condition was included by the Commission from the outset of review of this development plan.

Mr. Peterson stated that the memo references Council's concern about tree preservation related to Lots 41 and 42 as well as architectural standards. Has anything changed in terms of architectural standards since the last hearing?
Ms. Husak stated that the applicant can speak to this, but only two significant changes were made regarding the architectural standards: the increase of the width of the walkways to the houses to four feet; and asphalt material for driveways was included in the text submitted by the applicant. She acknowledged that the Commission was opposed to asphalt being included. There were no other changes made.
Mr. Peterson asked about the tree preservation issue raised at the last hearing. How many trees are still preserved and how many are not with the new lot configuration? The memo indicates the new configuration more effectively preserves the significant trees.
Ms. Husak responded there were one or two trees of significant size that were preserved as part of the relocation of those lots.
Mayor Keenan noted that he recalls that involved Lot 41.
Ms. Salay added that there were three trees on that lot in total, and one was extremely large. All three are now to be preserved with the new configuration.

Ms. Salay asked Ms. Readler about the open space maintenance, in follow-up to the Public Services Committee meeting about City-owned and City-maintained open space versus City-owned but HOA-maintained open space. What scenario would result if -- in keeping

with the theme of public maintenance for public open space – the open space to be maintained by the HOA were owned by the HOA and not the City.
Ms. Readler responded that the text would simply be changed in the rezoning. It would be conveyed through the deed restrictions.
Ms. Salay clarified that there are open spaces that will be owned by the City, yet privately maintained. Rather than the City owning those spaces, the developer would convey those to the HOA that would own and maintain them. This would result in the City maintenance of the City-owned land, and the HOA maintaining the land they own.

Mayor Keenan asked if this would result in tax liability issues for the HOA.
Ms. Readler responded affirmatively, as the City is exempt from taxation for the land it owns.
Mayor Keenan stated this acreage is large and could result in significant property tax liability.
Ms. Husak noted the portion under discussion is 25 acres.

Mr. Lecklider asked if a decision on this portion could be deferred until Council ultimately decides the issue under review by the Public Services Committee.
Ms. Salay stated that her reason for raising this issue is for tonight's purposes, if the rezoning is to be approved.
Ms. Readler clarified that the current text divides the open space ownership between the City and the HOA. It is possible to include a condition, if the developer agrees to it, that the City is reviewing this policy and if there is a change to it, the text will accommodate that revision. She is not certain if the developer is amenable to a condition that would maintain that flexibility on the open space ownership.

Ms. Chinnici-Zuercher noted that staff had indicated that the per household cost would be $325 for the maintenance. Is that a cost estimated for buildout? If so, until buildout, the HOA would have a much higher obligation per household.
Ms. Husak responded that at a certain percentage of buildout, the HOA would be responsible for the maintenance. It is generally at the 75-80 percent of buildout when that turnover takes place.

Ms. Salay asked how that is governed – is it a developer decision or City regulation?
Ms. Readler responded that the conveyance would be a deed restriction and controlled by the developer. The City does have approval rights of the declarations and reviews them before filed.
Ms. Salay asked how this has typically occurred in other neighborhoods.
Mr. Ruma responded that the developer pays all expenses for maintaining the site on a pro rata basis. If there are 185 lots and 10 are sold, the developer pays the maintenance for 175 lots and the other homeowners pay for only 10. The developer pays the costs until all of the houses are sold. The declaration and bylaws of the HOA generally provide that when 75 percent of the lots have been transferred, those homeowners then govern the Association. Up until that time, the developer does that.

Ms. Chinnici-Zuercher followed up regarding Ms. Salay's question about the open space being owned by the homeowners. She would also have concern about the Association deciding to change the use of that open space – would they have to pursue a rezoning?
Ms. Readler responded that for this open space, it is specifically delineated in the text in terms of permitted uses in each reserve. They would not be able to develop the land for houses without pursuing a rezoning.

Mayor Keenan commented in regard to the tax liability for an Association owning the open space. His estimate is that at $100,000 per acre, the costs would be $106 per household per year for taxes.

Mr. Reiner questions the computation for $325/year HOA dues. He reviewed the Tartan West association dues and they are similar to those for the Muirfield Association at $850 annually for 376 homes for a total of $319,600. Muirfield Association dues are $861 per

household. The utility costs for operating pumps for this development is not accurate, based on his experience. Their total support for open space maintenance is $240,500 in the cost estimates provided.
Ms. Husak stated that one assumption was there would be no stormwater functioning ponds within any of the HOA-maintained open spaces. There is one pond in a reserve along the northern boundary, but is a natural occurring water feature and would not need aerators to maintain it. Staff's assumption was the HOA would handle the mowing and turf maintenance for the open space, as well as the entry feature along Avery Road. The cost for this is estimated at $60,000.
Mr. Reiner responded that he views this as infrastructure costs that the taxpayers may be liable for in terms of maintaining the other ponds.

Mr. Peterson stated there has been a distinction between neighborhood parks and community parks. Is there anything that will indicate to the citizens that these reserves are community parks or neighborhood parks? It seems that if the City is owning and maintaining much of this, it should be treated more as a community park.
Ms. Husak responded that in the assumptions of what is to be maintained by the City, that definitely is taken into account.
Mr. Hahn noted that when a differentiation is made between a neighborhood and a community park, it relates to how the parkland is programmed or not programmed. For example, in classifying open space as a neighborhood park, there are no reservations and no rentals; the community parks are the opposite, with shelter houses that can be reserved. Another difference is that within the neighborhood setting, active tennis or basketball courts are not lighted. However, in a designated community park, these courts are lighted. Within the Riviera subdivision, whether labeled a neighborhood park, a community park, or simply open space, the general public is welcome. The key differences are in how the land mass is treated and programmed. With a park such as Amberleigh and its access to the river and a pavilion to house larger social events, it is clearly a community park.

Mayor Keenan invited public testimony.

Michael Mess, 8823 Vineyard Haven Drive, Dublin stated that he lives adjacent to the north side of the proposed Riviera development. He is speaking on behalf of the coalition of nine homeowner associations, representing more than 3,800 households in Dublin. The purpose of their presentation tonight is to reiterate and summarize their position.

1. Their goal is that Riviera golf course remains as greenspace. They believe the use of Riviera for parkland or a nature preserve is the highest and best use of the land for the community.
2. They urge Council to give serious consideration to the options outlined in the last presentation before Council in order to keep Riviera green.
3. However, if Council does decide to accept development of Riviera, Council should require that it is undertaken in a manner to make it the "crowning jewel" of high quality housing and development in Dublin. Allowing Riviera to be developed as another regular, single-family housing development does not adequately compensate for the loss of the last greenspace in northwest Dublin. The highest standards possible must be imposed and the use of conservation design should be maximized to retain greenspace and lower the density of the development.
4. The proposed development plan presented on June 8 has come a long way from the initial proposal by the developer. However, it still falls short of ensuring that the Riviera development is the showcase of the Dublin community.
5. There are three significant shortfalls in the proposed development:
    a. Keeping lots 41 and 42 in the development plan, which has been partially addressed in the revision;
    b. Not encumbering the developer to fund the Hyland-Croy connector that will be needed in the future;
    c. Not putting in place a process that will ensure the trees and other natural features of the property are preserved and not destroyed in the development process.

He noted that at the last discussion, another concern was raised – the need for quality standards for this development. Specifically, this relates to the cost of maintaining greenspace. The City is being asked to take responsibility for two-thirds of the cost of this maintenance. The coalition believes the cost estimate for this maintenance will be in the $250-300,000 per year range for the City and homeowners, with the City picking up most of that cost. If the City is willing to incur the significant maintenance costs for the benefit of the developer and the future property owners, the coalition then believes that high development standards should be required. Without holding Riviera development to the highest standard, what will preclude other developments that already exist from making the same request for a subsidy from the City?
In closing, as Council considers the proposed development plan for Riviera, the coalition again asks if the proposed development plan is really the highest and best use of such land.

1. If Council wants to approve the Riviera development plan, including authorizing significant City expenses for maintaining the greenspace, the coalition urges that the architectural details as presented initially not be downgraded. For example, the design standards as modified to allow blacktop drives should be excluded and concrete drives should be maintained. The coalition believes that 183 lots are sufficient on this land – not 185 as proposed.
2. The developer should be encumbered in some manner to require funding of the cost of the Hyland-Croy connector.
3. The City should require use of an outside arborist to ensure compliance with the conservation design plan.

They appreciate the opportunity to provide their input.

Mayor Keenan invited the applicant's representative to comment.

Jeffrey Brown, Partner, Smith and Hale noted that:

1. It is important to remember where this plan began – a golf facility in substantial financial distress. The property is already zoned for residential development of large lots. The developer has worked with staff and the neighborhoods; the development incorporates a new land planning tool for Dublin of conservation design; the result is a development plan with fewer units and more open space. He is surprised that having more open space would become a topic of concern.
2. There were crowds at the Planning and Zoning Commission meetings at the outset of this process. Through the various meetings held and working with staff and the neighborhoods in the process, they are now at a place where staff has recommended approval; the Commission has recommended approval; and there are no longer crowds of citizens in attendance at meetings.
3. In terms of whether the process worked for the City, the neighborhood and the developer, he believes it has worked. The plan at this point is a better one than they began with – a much better layout, more usable open space, and open space that contributes to this community being created as well as connects the various communities around Riviera.
4. The density as proposed is below all developments surrounding it. This subdivision has unique design standards, with 15 pages of the text devoted to them.
5. Their location is unique because a student who lives in this development will be able to walk to the elementary, middle and high schools.
6. In regard to the blacktop issue, they are requesting the same material allowed in all other City neighborhoods except one. They simply want this option for future homeowners.
7. Regarding the Hyland-Croy connector, Mr. Ruma has indicated that the development does not need this connection. However, staff views this from an engineering and transportation standpoint and believes this connection is important for the overall community – not just the subdivision. They have agreed to provide the right-of-way need for the connection, including right-of-way on the land that is not part of this rezoning. They have also agreed to build a stub street so that in the future, if the connection is made, property owners will be aware of this potential in advance.

8. Moreover, in a way, the development is paying for this connection with the tax increment financing incentive that will be funded by the value of the homes built. Therefore, they will be paying for that road connection via the TIF, if and when the City wants to make the connection.

They believe this is a good development for the City, for the neighborhood and for the property owner. The current golf course economics in Central Ohio are challenging, and this is a win/win for all who have participated in the process.
Mr. Ruma and land planner/architect Greg Chillog are present to respond to any questions.

Charles Ruma, Davidson Phillips, applicant commented:

1. Regarding asphalt driveways, every community around this proposed development has asphalt driveways. In Belvedere and Shannon Glen, 68 percent of the homes have asphalt driveways; 38 percent have concrete. In New Albany, concrete is banned as a driveway material within their standards. If Council requires concrete and does not want the citizens to have the option of asphalt, he will accept that. However, most people who are given the option of a concrete driveway or an upgraded appliance would not select the concrete drive.
2. In terms of the homeowner association, when a homeowner moves in, there is a $500 fee paid upfront. The homeowner association dues are approximately $200/quarter. This is similar to what exists in surrounding neighborhoods. This will be necessary to maintain the HOA-maintained open spaces, including the entryway. The large mass of open space of 30 acres will be owned and maintained by the City. The closest example of a similar size of open space that he is aware of is Goodale Park in Columbus, which is a little over 30 acres. This is a sizable piece of land.
3. He is not certain of the meaning of "showcase" or "crown jewel" – this is a piece of land among existing housing, an infill piece. It has been owned by the same owner for the past 50 years. As such, they should be treated fairly and treated the same as the property owners all around them in terms of development of their property. He does not understand why higher standards must be imposed on this property owner. The landowners have planted over 900 trees on the property over the past 50 years and should not be penalized. The developer will produce a high quality product, consistent with the design of homes adjacent to it. Their land plan is the best plan he has assembled, and he acknowledged staff's support in developing this conservation design plan.
4. He is hoping this appearance is his "swan song" and that he does not have to return again! He urged Council to approve this rezoning.

Mr. Reiner asked Mr. Ruma if he will develop the property himself, or will he sell the lots to others to develop, if this rezoning is approved tonight.
Mr. Ruma responded that the land will be developed by him and M.I. Homes. His son, Charles, will likely build a significant portion of the 100-foot lots. He believes the 2017 Parade of Homes will take place on a good portion of those lots.

Mr. Peterson commented that he agrees the project has come a long way and everyone is pleased with the process, which resulted in a much better project – at least in terms of what the neighborhood looks like. His issue relates to the infrastructure agreement. His questions are:

1. The memo indicates that for the homeowners association to maintain its portion of the open space it would cost approximately $60,000/year or $325 per household. However, Mr. Ruma indicated the HOA dues would be $200/quarter, which translates to $800/year. He asked for clarification.

Mr. Ruma responded that what generally occurs is the HOA begins to add plantings, holiday decorations, more landscaping, park benches, etc., and there is not a source of funds for these additional items. He pointed out that the Wedgewood development entrances are all well maintained with beautiful plantings. There is more involved for the association than simply cutting grass. The estimate provided is for basic maintenance/mowing – not for the other items.

Mr. Peterson stated that Mr. Ruma therefore expects the HOA fees to be more along the lines of Muirfield at $825/annually.
Mr. Ruma responded affirmatively.

Mr. Peterson continued:

2. His other issue is with the connector street. There is a chart in the infrastructure agreement that shows the percentage increase of traffic on other projects that the Riviera development would bring. The developer contribution is equitably adjusted to reflect what impact the development has.

(Mr. Ruma responded that the formula is based on the traffic impact study.)

Mr. Peterson asked why that same logic is not applied to the connector street. The overwhelming majority of users of this connector will be people coming from this development. Why would the exact same philosophy not be used to allocate the expense of the road as is being used for the impact on other projects?

Mr. Ruma responded that the connector road is not necessary for this community. The traffic study indicates that the peak evening hour would add 27 more cars to the Firenza Drive location. That is the only major increase. It is hard to justify building 2,000 feet of pavement for 27 cars in the peak hour. Further, the City Engineer desires to have an additional cross traffic route east to west to filter traffic out of Muirfield and places to the east to access the freeway. It makes common sense to build the road for other reasons, but not to serve the subdivision. The road will be paid for by a TIF, and the values are created by the houses built on this property. In essence, the subdivision pays for the connector in any case.

Mayor Keenan asked Mr. McDaniel to comment on the need for this connector.
Mr. McDaniel stated that the City looked at this as an opportunity to make the connection from Hyland-Croy east to west. Regarding the issue of who should fund the connector and why, he clarified that suggesting a TIF for this development is not an incentive for houses. If the connector road is built to distribute traffic east to west, and to improve public safety with better access for Police and Fire, then the question becomes how to fund it. There are two options: from income tax as part of the capital budget or by leveraging this development with a TIF, in essence allowing the new homes to fund this connector. He and the Finance Director reviewed this option and believe it is a good option to pay for the connector. This TIF would not impact the Schools; it would be a 25 percent TIF. The TIF would have some impact on the Township Fire Department initially, but at full buildout, the TIF would yield $492,000. Under the assumption that it costs $410 per capita to provide fire and EMS service, at buildout, that cost would be approximately $303,000. There is a net "profit" to the township; the development will be built out over time and will not require service increases in the short term. That was the rationale in proposing a TIF, if Council believes a road connector is appropriate in this location. Another option would be not to build the connector, or build it at a later date. However, once residents move into their homes, it may be more difficult to then install a roadway. Staff does not recommend this option.

Mr. Lecklider stated that his recollection is that in the Community Plan update, early iterations for the Riviera property showed a connector road to Hyland-Croy and the land use of the property as future residential. That was conceptual, but his recollection is that the Riviera Golf Club leadership did not like this concept and lobbied City Council to amend that conceptual view. He raises this because both staff and some, if not all Council members recognized the potential value in a future connector road to Hyland-Croy. As Mr. McDaniel has indicated, this concept of a connector road is not being proposed to incentivize housing. The proposal is actually for the housing to fund this connector road that staff and Council to some degree recognized 10 years ago as something needed in the future. It seems a reasonable proposal under the circumstances, that if this rezoning is approved, why not place that financial burden on this development and have the value created by these homes pay for this connector.
He added that he believes a proposal of this style of housing was a good one ten years ago. He is confident that Mr. Ruma intends to build a good product in this development. However, his concern is that Dublin does not need more of this style of housing in the

community; there is an adequate supply, it is not sustainable long term, and this style of housing is available outside of the community. He recognizes that Mr. Ruma has the option, under the existing zoning to build the same number of homes on this land. Therefore, it is 185 homes in this design or 185 homes in an unimaginative design that does not provide this large amount of open space. For him, the proposed development plan is the better option of the two.

Mayor Keenan noted he agrees with all of Mr. Lecklider's comments. The project has come a long way, and kudos to the Commission and staff for their efforts.

Ms. Chinnici-Zuercher noted she has follow-up questions to the comments made by Mr. Mess. Her understanding is that tree preservation is required with this development, and that staff would ensure trees are not removed or impacted by installing protective fencing.
Ms. Husak responded that is correct. At the final development plan stage, a detailed tree preservation plan is required and must be approved by the Commission. That translates into construction plans approved by Planning and Engineering staff, with detailed locations for fencing. In this development, there are also requirements for having inspections done prior to those construction permits being issued for fence locations. Staff will be inspecting fences to ensure they are in the locations as approved by the Commission, and that they are the heavy duty fences required in certain areas.
Ms. Chinnici-Zuercher stated that the concern expressed by some is that trees identified as to be preserved were instead removed at the Wellington Reserve development off of Brand Road. Is that correct?
Ms. Husak noted there was one specific tree intended for preservation that was not saved at the Wellington Reserve development.
Mr. Ruma explained there was one tree they had hoped to save, but was intended to be removed at the outset. A subcontractor installing the storm sewer had to remove the tree, and an adjacent homeowner and the contractor had a dispute. That was later resolved. The issues at Wellington Reserve have been resolved, and an abundance of trees have been planted. With time, the appearance will be much better than when the project began. Many of the trees on the site were dead or diseased. He added that he did not develop this subdivision; it was developed by his son.

Ms. Chinnici-Zuercher commented regarding the development standards issue raised by the coalition. The other neighborhoods believe this will not be of the same quality as their homes. At what point in the process are the development standards provided for review, and won't staff require at a minimum that the standards be consistent with the neighborhoods around them, if not better?
Ms. Husak responded that the requirements provide for high quality residential development. For this development, an architect on staff is checking building permitting against all of the standards required. In addition, the developer has committed to having an architectural review committee.

Ms. Salay stated she concurs with Mr. Lecklider's comments. She has a question about the downstream sewer construction. There has been discussion of construction of a parallel sewer close to the OCLC campus near I-270. Will that construction take place during the project to improve the 270/33 interchange? She would not want to have the same area torn up again for sewer construction.
Mr. Hammersmith responded that the sewer will be programmed in the CIP, and it will not be accessed off 270, so will not be disruptive.
Mayor Keenan asked for an estimate timeframe for this sewer project to begin.
Mr. Hammersmith estimated 3-5 years out, as it is not needed initially.

Mr. Reiner thanked Mr. Ruma, the Commission, staff and the community groups for working on the improvement of this project. He noted that this is one of Mr. Ruma's better projects in terms of the land use portion. He acknowledged that the quality of the houses in Wedgewood are exceptional. However, he is weighing what benefit the Riviera project brings to the City of Dublin. If Council's role is to protect the health, safety and welfare of

the community, he believes Council would be negligent in approving this project for the following reasons:

1. There is a school overcrowding issue and the City cannot control the zoning of areas outside its boundaries but in the School District such as Jerome Village. The traffic from Jerome Village will impact traffic and the school system.
2. This project is situated on a rural road, and there are no plans and no interest in expanding this road into the future. There is no funding in the five-year CIP for improving this road to accommodate this type of development. He is concerned with additional traffic for residents on this two-lane country road.
3. There was a change made in the Community Plan a few years ago and some Council members serving now were serving at that time. This parcel has been designated as parkland and open space. He respects Mr. Ruma's right to develop this property under the current R-1 zoning. However, given all of the community input, it is important to maintain the integrity of the Community Plan. Many successful people are drawn to Dublin due to the ratio of greenspace to resident. While Dublin does not have a downtown or urban center, there is excellent planning. There is a sense of the quality of life in Dublin, a subliminal thing that has drawn people and businesses to Dublin. It is very important to defend that.
4. The infrastructure expenses to the taxpayer are of concern. The Hyland-Croy connector, the sewer service, maintenance costs of the open space, etc. -- all are needed to subsidize a residential community. He does not recall in his history of service to the City a case where residential development was subsidized to this extent. Typically, the applicant pays for most of the needed improvements.
5. He is concerned about the lack of quality control. The development standards do not have the foundation needed to assure a quality project. Not establishing quality standards is a disservice to the adjacent neighborhoods. He is pleased that the sidewalks will be widened to a typical width. However, there is no real control over issues such as porches. Muirfield Association has an architectural review committee and it is difficult to maintain the quality standards desired. The developer is proposing an architectural review committee, but it is controlled by the developer.
6. Four-sided architecture is very important in the City. He measured the level of improvements on the houses in the last subdivision built, and found them lacking quality.
7. There was no mention of garages, how many are three-car; no mention of brick or masonry or what exactly would occur.
8. Another concern is that developers will build a house with a wooden stair to the backyard versus a patio or deck. There are no standards in the text to regulate these items.
9. Will the electric boxes be screened? Is there a commitment by the developer to take care of this?

He concluded by stating that he cannot envision there is any positive benefit to the citizens from this development – financially or otherwise. He sees the developer as the primary beneficiary of this effort as well as the owner of the property. He would prefer this be developed as an R-1 zoning. If there were issues with the open space maintenance, perhaps the land could have been given to Metro Parks to maintain. He is not likely to support this project.

Mayor Keenan invited the applicant's representative to speak.

Mr. Brown noted that the applicant requests that Council consider the infrastructure agreement prior to the rezoning ordinance. It is important for them to understand the "blueprint" to this project before the rezoning is voted upon.

Mr. Lecklider asked Ms. Husak to respond to Mr. Reiner's comments about architectural standards. He is aware that the developer proposed a three-person review committee and Mr. Reiner has questioned the composition of this.
Ms. Husak responded this is a typical arrangement for all subdivisions. Tartan Ridge may be slightly different, but Ballantrae is set up similarly as are Wellington Reserve, Oak Park

and Celtic Crossing. It is not unusual to have this makeup of an architectural review committee.
Mr. Lecklider asked her to speak to the larger issues raised about architecture – four sided, what controls exist, how the City will ensure the project is of high quality.
Ms. Husak responded that the controls that exist are the ones that are within the development text, as well as the Zoning Code and the Appearance Code standards. The screening of utilities, for example, is a Code requirement. Regarding the outdoor amenity areas, the City does not currently have such requirements in the Code.

Mayor Keenan asked for the value range of these houses.
Mr. Ruma responded that subarea A will be in the vicinity of $750,000 to $1 million.
Mayor Keenan noted that anyone building a home of that price range will have a deck or screened porch and not steps down to the yard from the back of the house.

Mr. Ruma stated that in terms of the composition of the architectural review committee, it will include a registered architect, a registered landscaper and a representative of the developer. This group will not work for the developer; they will be paid for their work by charging the builder $200 per home for architectural review. It is the same system used in Wedgewood. They committed at the Planning Commission that not every house will be all siding; that a certain percentage of the house will be brick or stone. They have addressed a great number of the items brought up. At the outset, there was a similar list of standards to that of the surrounding neighborhoods, but by the end of the process, there are 15 pages of architectural elements, etc.

Mayor Keenan asked Ms. Readler about the order of the items to be voted upon.
Ms. Readler confirmed that the applicant has requested that Council consider Ord. 36-15, followed by the rezoning, Ord. 35-15. After consideration of these two ordinances, the preliminary plat should be considered.
There was no objection from Council to voting on Ordinance 36-15 prior to Ordinance 35-15.

Vote on Ordinance 36-15: Mayor Keenan, yes; Mr. Peterson, no; Ms. Chinnici-Zuercher, yes; Ms. Salay, yes; Mr. Reiner, no; Mr. Lecklider, yes.

Mr. Lecklider asked for clarification regarding the conditions included with Ordinance 35-15, and if the condition that prohibits asphalt is included.
Ms. Husak responded that the 13 conditions recommended by the Commission include one that prohibits asphalt as a driveway material. The ordinance with the 13 conditions recommended by the Commission is what Council is voted upon tonight. The applicant had submitted text for tonight's meeting that included asphalt as a driveway material. But if Council approves the zoning with the 13 conditions of the Commission, the text will need to be revised.

Vote on Ordinance 35-15 (including the 13 P&Z conditions): Mr. Reiner, no; Ms. Salay, yes; Mr. Peterson, yes; Mr. Lecklider, yes; Mayor Keenan, yes; Ms. Chinnici-Zuercher, yes.

Ms. Chinnici-Zuercher moved approval of the preliminary plat.
Mr. Lecklider seconded the motion.
Vote on the motion: Mr. Reiner, no; Mr. Lecklider, yes; Mayor Keenan, yes; Ms. Chinnici-Zuercher, yes; Mr. Peterson, yes; Ms. Salay, yes.

(At this point, Vice Mayor Gerber returned to Council Chambers.)

Ordinance 37-15
Adopting the Proposed Tax Budget for Fiscal Year 2016.
Ms. Mumma stated that staff is requesting approval of the tax budget for 2016. The details are outlined in the staff memo. The City is required to file this budget by July 15 each year with both Delaware and Franklin counties in order to receive Local Government funds. At this time, the income tax projections have not been revised. A one

Vote on the Ordinance: Ms. Chinnici-Zuercher, yes; Mr. Reiner, yes; Mr. Lecklider, yes; Mr. Peterson, yes; Vice Mayor Gerber, yes; Ms. Salay, yes; Mayor Keenan, yes.

Mayor Keenan noted that the staff reports will address Ordinances 35-15 and 36-15 together, as they are related.

INTRODUCTION/FIRST READING – ORDINANCES

Ordinance 35-15

Rezoning Approximately 152.2 Acres from R, Rural District and R-1, Restricted Suburban Residential District to PUD, Planned Unit Development District for the Potential Development of the Site with up to 185 Single-Family Lots and Approximately 76 Acres of Open Space on the West Side of Avery Road, North of the Intersection with Belvedere Green Boulevard. (Riviera) (Case #14-068Z/PDP/PP)

Ordinance 36-15

Authorizing the City Manager to Enter into an Infrastructure Agreement with Davidson Phillips for the Riviera Development.

Ms. Salay introduced the Ordinances.

Vice Mayor Gerber recused himself from participation and vote on Ordinances 35-15 and 36-15 due to a conflict of interest. He has had colleagues who have worked with the American-Italian Golf Association.

Ms. Husak noted she will provide information on Ordinance 35-15, the rezoning of Riviera, and Ordinance 36-15, and the accompanying infrastructure agreement.
Ms. Wawszkiewicz and Mr. Hammersmith will also address Ordinance 36-15.

Site Plan

The request is for the rezoning of a 152-acre site on the west side of Avery Road. Adjacent to the site is the Dublin Jerome High School, Grizzell Middle School and Deer Run Elementary. To the northwest is the Tartan West development and to the south is Belvedere and Shannon Glen. To the east, across Avery Road, is the Muirfield Village subdivision. The site has 2,000 feet of frontage on Avery Road. It has been developed and used as a golf course since the 1970s. There are two access points off Avery Road, which serve the clubhouse and banquet facility. There are two tributary streams to the North Fork of the Indian Run, which converge at the center of the site flowing south into Shannon Glen Park. The western fork of the stream has significant floodway and a Stream Corridor Protection Zone (SCPZ) that borders the stream. There are heavy tree stands existing on the site, along the stream and the southern site boundary. There are also many that were planted over time with the development of the golf course.
The existing zoning on the site is split east-west – the rural district to the west in Union County, and the R-1 Restricted Suburban Residential District on the eastern side, which is in Franklin County, as well as a small sliver at the top of the site in Delaware County. Both districts permit single-family development with lot sizes of 40,000 square feet, which is slightly under one unit/per acre. Required lot widths on the site are 150 feet. The site could potentially be developed with 165 single-family lots. Also permitted, especially in the rural district, is agriculture use as well as parks and public schools.

In the Community Plan, the site is shown as "parks and open space," which is a category that was retained for the development of the golf course during the update in 2007. There were some discussions at that time about reflecting the site with the potential of residential development. The adjacent development that occurred during that time included street stubs and street connections that could potentially serve the site – two in Belvedere and one in Tartan West. At the time, the golf course management requested that City Council continue showing the site as park and open space, so that designation was retained. The Community Plan does not really address a future land use. For evaluation of development proposals where the Community Plan does not really address future land use, staff typically provides an analysis of the surrounding densities for Planning Commission review. Staff has done that for this application by counting rooftops,

checking the sizes of neighborhoods and coming up with a range of medium density – one to two units/acres. Tartan West is closer to the two units per acre; Belvedere and Shannon are in the 1.5 – 1.7 range. Muirfield Village has a lot of private open space and has a low density of 1.27 units/acre. The applicant's analysis indicates it as 1.4 units/acre. The Planning Commission then considers development within that range or lower.
A concept plan for the site was done in 2014 and a Preliminary Development Plan in November 2014. The Planning Commission's concern, as well as that of the adjacent residents, was that the site needs to adhere to the conservation design development pattern. Many changes were made in what was originally proposed to the Commission, resulting in the plan before Council tonight. The applicant has identified the primary conservation areas, which are the stream tributaries, as they are the natural features on the site – a significant view infilled with the large trees that are primarily along the streams on the site. They have also identified the areas that are available for development, and based this proposal on that analysis. This proposal meets the following conservation design principles:

- Strive for 50% open space – meets that goal
- Provision of 75% lots adjacent to the open space – provides 90% adjacent lots
- Street patterns/views into the site – achieves those goals, as well

This is a request for a rezoning of 152.2 acres to a Planned Unit Development (PUD) to include 185 lots - 1.22 units/acre; three subareas; and 11 public streets. Subarea A in the southeast portion of the site is the subarea with the largest lots. Subarea C is empty nester homes on lots with a smaller width but a higher lot coverage, allowing for less lot maintenance. Subdivision regulations would require 13 acres open space dedication with maintenance responsibility divided between the City and the HOA.

Ms. Salay inquired if the areas shaded in green would be owned and maintained by the City.
Ms. Husak responded that all of the dedicated open space would be City-owned -- the larger, more community wide areas. The HOA would maintain the entry feature areas or areas in the rear of lots, except for the one with the stormwater management pond that would be maintained by the HOA.
Ms. Chinnici-Zuercher stated that the HOA would therefore be responsible for about 20 acres.
Ms. Husak indicated that is correct.
Mr. Lecklider inquired if the report indicated what costs would be expended on an annual basis to maintain some part of this reserve.
Ms. Husak responded that information is not in her report, but Mr. Hammersmith will cover that with his presentation regarding the infrastructure agreement.

Ms. Husak stated that there will be sidewalks on all the public streets; no private streets are in this proposal. There are a large number of cart paths on the site, which will be maintained or rebuilt as multiuse paths. The applicant has included architectural character graphics depicting the type of housing that will be permitted within the development, and also provided a description of the materials, architectural diversity, side-loaded garages, driveway locations, and requirements for an architectural review committee to review/approve each lot. Included are five styles and age-targeted types of housing. The latter will likely be a themed community.

Traffic
Ms. Wawszkiewicz stated that a traffic impact study is always done for a proposed rezoning to evaluate the impact of the land use and to establish the responsibilities of the developer to mitigate that impact. The 185 proposed units would generate approximately 10 trips per day, or 1,800 trips total per day for this site. Distribution of those trips will be very beneficial. It is important to provide an additional connection for this site directly to Hyland-Croy Road; it will also benefit the adjacent neighborhoods and surrounding streets. The street will be provided through a public infrastructure agreement. The connection would be programmed before the street connects to Tartan West. The Avery-Brand Road intersection improvement is scheduled in the CIP. Currently, 10,000 vehicles per day move through that intersection; in ten years, the volume is projected to double. Adding

the trips generated from this site would increase the traffic at this intersection by three percent. That will be addressed in the infrastructure agreement with a contribution from the developer.

Ms. Salay asked if a roundabout is proposed for that intersection.
Ms. Wawszkiewicz responded that the project is in the preliminary engineering phase. It is not programmed for final design and construction in the current CIP.
Ms. Salay asked if the traffic volume at that intersection is indeed expected to double.
Ms. Wawszkiewicz responded that with background traffic volumes, developments to north and west, significant growth is anticipated in this corridor.
Ms. Salay inquired if the improvement the City is considering is one that will handle that volume.
Ms. Wawszkiewicz responded affirmatively. The typical CIP horizon is 20 years versus the typical development horizon of ten years. To enhance pedestrian connectivity and safety, they are also proposing that the developer install a crosswalk at the established intersection of Memorial Drive, which is south of the proposed entrance. They anticipate a heightened awareness system to be included there, as well, similar to the flashing warning signal that exists in downtown Dublin. The infrastructure improvement agreement would also include a few of the other offsite intersections.

Mr. Hammersmith stated that as a recommended condition of the rezoning approval, the applicant will be required to enter into an infrastructure agreement with the City to mitigate impacts of the development. To this end, Ordinance 36-15 is before Council for consideration. This agreement relates to the construction of certain transportation improvements to the surrounding roadway network to mitigate the impact of the additional traffic generated and certain sanitary improvements to the downstream sanitary sewer trunk to mitigate the impact of the additional sewage flow generated by this development and address some of the existing deficiencies.

Roadway Improvements
A traffic impact study was done as part of this rezoning. A few of the associated improvements are the Avery Road improvements. Left turn lanes on Avery Road would be required as part of the first phase of the development at the sole expense of the applicant. Also proposed is an Avery Road pedestrian crossing. For that improvement, the applicant would be responsible to install necessary sidewalks, curb ramps, crosswalk markings and pole foundations. The City would be responsible for installing the pedestrian crossing warning system, similar to others that exist throughout the City. For the Hyland-Croy roadway connection, the applicant will dedicate the necessary right-of-way on property they control in order to construct the roadway. The City will be responsible for the remaining right-of-way costs associated with the roadway connection off site of this particular development. These improvements will be programmed prior to the Final Plat being approved for the phase of Riviera that would connect to Firenza Place to the north, an existing street within the Tartan West subdivision. There are other offsite improvements related to several different intersections:

- Avery-Brand roundabout – proposed for programming in the upcoming CIP. Final design and land acquisition next year and construction in 2017. That will be included in staff's proposal for the CIP, which will be reviewed in August.

Mayor Keenan inquired if that project is being accelerated. It appears on the beyond five-year horizon, but is not included in the current CIP.
Mr. Hammersmith responded that is correct. Additional offsite improvements are:

- Hyland-Croy/Post Road intersection
- McKitrick Road intersections with Jerome Road and Hyland-Croy
- Hyland-Croy/Brand Road roundabout expansion

The total contribution of this particular development toward those improvements will be $125,000. That contribution would be made with the approval of the Final Plat for the first phase of development or December 31, 2015, whichever occurs first.

Sanitary Sewer
A detailed sanitary sewer capacity analysis of the North Fork Indian Run subtrunk was also performed, which modeled 3,740 acres within this tributary area. It indicated that there

were system deficiencies, specifically pipe segments to the south of I-270 near the Cardinal Health property and adjacent to OCLC. These deficiencies existed even without the proposed Riviera development – the analysis was performed with and without the proposed development. The study provided four different alternatives with cost estimates. The preferred solution is Alternative #3, which would be an augmentation sewer parallel, a relief sewer to the existing sewer. The City will fund this improvement in the preliminary costs estimated at $420,000.

Open Space
There will be nine ponds within the development. The anticipated installation costs will be approximately $73,000. The estimated annual operating costs are $27,000/year. In regard to turf maintenance, there are approximately 56 acres of open space that the City will be responsible to maintain. The estimated costs to mow and apply fertilizer along with maintaining the naturalize prairie areas is $188,000/year.

Riviera Incentive District
In order to provide a revenue stream to finance the City's portion of the public infrastructure improvements in the Riviera traffic impact study and to mitigate the sanitary sewer capacity issue, all of which are currently estimated at $2.0 to $2.5 million, staff recommends establishing the Riviera Incentive District encompassing the proposed Riviera development. The City is able to create an incentive district for a period not to exceed ten years. The City anticipates receiving approximately $2.7 million in the aggregate over the ten-year period, depending on the buildout schedule.

Mr. Hammersmith stated that staff recommends approval of Ordinance 35-15 and Ordinance 36-15 at the second reading/public hearing on June 8.

Council Questions:

Mr. Lecklider stated the costs appear to be in the range of $210,000/year for the maintenance of the 56 acres of open space, which would naturally increase annually. His assumption is that the agreement is primarily designed to fund the infrastructure, not turf maintenance.
Ms. Mumma responded that is correct. Whenever the City establishes a tax increment financing area, the revenues generated are used only for capital improvements. Any operational costs would be funded within the Operating Budget and in this case, the General Fund.

Mr. Reiner inquired if the City has ever established a TIF in a residential development.
Ms. Mumma responded that the City has an existing TIF in place for Tartan West.

Mr. Lecklider asked if there is a comparison anywhere else in the community with regard to the annual maintenance costs.
Mr. Hahn responded that comparing a residential subdivision of the gross acreage of Riviera to anything else within the City is not possible. With conservation design, approximately 50% of the gross acreage is dedicated to the City as public parkland.
Mr. Lecklider asked if it is possible to do a proportionate comparison.
Mr. Reiner inquired how many acres comprise Kaltenbach Park.
Mr. Hahn responded that Kaltenbach is 10-11 acres. Tartan West in total may have some of the same amount of open space. However, most of that area is maintained by their HOA.
Mr. McDaniel stated that because of the conservation design, there will be more greenspace in this development, but much of it will remain natural. Would reviewing only the areas that the City would maintain or mow change the ratio?
Mr. Hahn responded that it would not, because the City is already basing this on a measurable amount of naturalized area within the development. About 50% of the stream corridor would be naturalized. However, there is a maintenance cost for those areas, as well, but it is less than the typical turf area.
Mr. Lecklider inquired if there is any location within the City where the City is maintaining 20 acres at a defined cost.

Mr. Hahn responded that Scioto Park with 12 acres is a relatively expensive park to maintain, because it is very active, has a significant mowed area, shelters and electricity. A simple math comparison of Scioto Park to Riviera could be done, but the City does have a database to support comparisons of existing parks. Staff will identify one of like character; though half this size, the costs can be projected on this basis.
Mr. Lecklider stated that the cost projection was based upon actual contractual amounts, with addition of utility costs, such as electric for pond aerators.
Mr. Lecklider stated that there are several parks that primarily benefit the adjacent neighborhoods, such as Amberleigh or Red Trabue. He will get information about their annual maintenance costs in perpetuity, primarily for the benefit of this subdivision and those adjacent subdivisions.
Mr. McDaniel stated that there are a couple parks where there is significant open space, such as Red Trabue and Wyndham. With the latter, the City had to assume some of the maintenance along Brand Road due to the proportion of homes to the acreage. Staff will provide some comparisons before Council's next meeting.

Mr. Reiner requested clarification of the following numbers in the report:

- $425,000

Mr. Hammersmith stated that is the cost of the relief sanitary sewer that is necessary in the North Fork Indian Run.
Mr. Reiner inquired if the City would assume that cost for the development.
Mr. Hammersmith responded that it is not simply for the development; there is an existing deficiency that will be addressed as well.

- $73,000

Mr. Hammersmith clarified that was an initial installation cost related to the open space.
Mr. Reiner inquired what is being installed.
Mr. Hammersmith responded that is for aerators for the ponds that do not presently have them.
Mr. Reiner inquired if the City would maintain the ponds in perpetuity.
Mr. Hammersmith responded affirmatively.

- $27,000

Mr. Hammersmith responded that this amount was for the annual maintenance costs for the pond.

- $188,000 – mowing bill

Mr. Reiner noted that this cost is due to the fact that this area was a golf course, and very little of it is forested; it will have to be mowed indefinitely.

Ms. Salay inquired about the 20 acres that the HOA will be required to maintain. How will it be maintained and what will the space ultimately look like? If the City would maintain 56 acres for $108,000, what will be the maintenance cost for the HOA of the other 20 acres? She inquired why the City would contract for the maintenance. She has always observed City employees maintaining the neighborhood park in her subdivision, never a contractor.
Mr. Hahn responded that the City is making a conscious effort not to expand staffing levels. This type of development would either increase staff costs or require contractual services. The rezoning text will identify the "permitted uses" within the reserve area. Most of the City-owned/maintained areas are passive areas and staff does not expect that contractors would be used to maintain areas around playgrounds. Much of the land within Riviera is conducive to contracting because of the lack of formalized activities within the park, so it is a combination of that factor and the City's conscious effort not to handle park expansions with more staffing.

Mr. Peterson referred to the chart that provides the offsite improvement table. Were all these improvements contemplated by the City separate and apart from this development, but are being moved up on the CIP schedule because of this development?
Mr. Hammersmith responded that some were included in the five-year CIP, but some were not. These are improvements to the intersections themselves, which would be necessary to mitigate the impacts of development. The proportionate share is based upon the traffic volume generated by the development.

Mr. Peterson asked if these projects would not be done but for this development?
Mr. Hammersmith responded that several of them would be done in any case.
Mr. Peterson responded that the numbers indicate a cost of $6.5 million for the improvements, but the percentage of site contribution is 1.92%. What exactly is that percentage, and how can it be a "but for" situation if there is only a 1.92% impact from the new development?
Ms. Wawszkiewicz responded that the indication is that the City would have had to do these improvements at most of these locations regardless of the site development. The percentage is predicting 10 years out the number of anticipated trips related to the Riviera subdivision. For instance, the intersection at Avery and Brand will need to be improved within the next 10 years, with or without the development of this site. The Hyland-Croy/McKitrick intersection improvement is also scheduled in the CIP. The City only has one of the legs of the Hyland-Croy/Post intersection within its jurisdiction, but staff is aware that an improvement will be needed at that intersection.
Mr. Peterson inquired if the Hyland-Croy connection is completely different and would not be constructed but for this development.
Ms. Wawszkiewicz responded that is correct.
Mr. Peterson stated that the staff report indicates that the City would be responsible for acquiring the right-of-way that will not be provided by the developer, but it does not indicate who would be paying for that. The agreement itself states that the City will assume all costs to acquire additional necessary right-of-way, and the City will coordinate and fund the construction of the road. Therefore, the City will pay for that road that would not be necessary but for this development.
Mr. McDaniel responded that staff believes that the connector will serve a greater good than just this particular development. If this development did not occur, the City probably would not construct the connector as the City would need to exercise eminent domain, condemn the golf course, etc. When this development was proposed, there was the opportunity to install the connector, which according to Engineering will serve the greater good than just the proposed development. If that were the case, it would justify the City providing some or all of the cost of that. Staff has asked the developer to donate certain right-of-way across the 15 acres they own to the west, and the City would provide the balance of the necessary right-of-way and construct the road. Therefore, the proposed TIF is different from the typical City TIF. While it is referred to as an incentive, staff did not treat it as an incentive but as an opportunity to capture the incremental value of the new homes and allow that increment to fund this.
Mr. Peterson inquired the expected cost of that road connector.
Mr. McDaniel responded that it is approximately $2.25 million. There is some land acquisition needed to the west and a turn lane that will need to be added at Hyland-Croy.
Mr. Hammersmith stated that the connector itself will cost approximately $800,000; but that is only the construction cost.
Mr. McDaniel clarified that is the construction cost without the engineering and the acquisition costs.

Mayor Keenan inquired if the connector could also benefit the schools.
Mr. McDaniel responded that is possible, but he does not know whether that 15 acres would become a school site. There has been no indication from the schools that they would act on that.

Ms. Chinnici-Zuercher noted that it would provide a connection for emergency vehicles.
Mr. McDaniel responded that they have discussed this with Washington Township. It is viewed as an opportunity to improve public safety, and the Township Fire Department concurs.

Mr. Peterson stated that staff's memo indicates that the improvements needed in the sewer trunk are not necessarily a direct result of the development; however, the legislation states, "...certain sanitary sewer improvements to the downstream trunk sewer to mitigate the impact of the additional sewer flow generated by the development."

Mr. Hammersmith responded that the language should be clarified, because the improvement is also to address an existing system deficiency, which will be aggravated by this development.

Mr. McDaniel stated that the sewer study was scheduled in the CIP for two or three years out.
Mr. Hammersmith responded that it had been scheduled, and then removed. It was initially looked at with the Tartan West development, and then with the Tartan Ridge development several years ago.
Mr. Peterson noted that the legislation language is not consistent with staff's report.
Ms. Chinnici-Zuercher stated that language should be corrected for the second reading and vote.

Ms. Chinnici-Zuercher asked when the connection to Hyland-Croy will be completed.
Mr. Hammersmith responded that it is not desirable for the connection to Firenza to occur without the connection to Hyland-Croy, so it would have to be done as part of or before Section 3.2.
Ms. Chinnici-Zuercher inquired how they would come online.
Mr. Hammersmith responded that the expectation is that they would be achieved in the order in which they are numbered.

Mayor Keenan inquired if that connection would be included in the CIP program.
Mr. Hammersmith responded that it would be incorporated into the capital programming.

Ms. Chinnici-Zuercher stated that there were several landmark trees on this site. Two or three trees were of particular significance, which the neighbors had expressed concern about.
Ms. Husak responded that there were many trees that the Commission highlighted on the plans. There was discussion at that time about the trees that had been on the site prior to development of the golf course. The applicant identified the two largest trees on the site, and they will be incorporated into open spaces. Additionally, staff had requested that the applicant open up the view from a Hyland-Croy connecting street. To do so, three lots were moved to another area, one of which has maple trees of significant size. Some of the neighbors addressed that issue with the Commissioners at the last meeting. The trees would not survive development on that lot.
Ms. Chinnici-Zuercher inquired if that issue was satisfactorily addressed.
Ms. Husak responded that there was much discussion regarding whether that was the best location for relocation of those lots. The applicant also had some ideas at that time as to where those lots could be moved. However, it would either impact other trees or traffic safety due to visibility. In the end, it was believed that the better option was to place the lots in the location as shown.
Ms. Chinnici-Zuercher inquired if the number of lots could have been reduced, taking out those lots out completely.
Ms. Husak responded that possibility was discussed.
Ms. Salay stated the staff report had requested that some lots be removed, but the Planning Commission ultimately did not agree. Which lots were requested for removal?
Ms. Husak showed the current plan and the previous plan. The changes are subtle. Lots 135, 136 and 185 are the lots that were moved.
Ms. Salay stated that she called that staff recommended removal of some lots, but the Commission left them in.
Ms. Husak responded that staff's recommended condition to the Commission was eliminated – that is correct. At the March meeting, staff did request their removal. The applicant requested that the Commission look at alternate locations for them. They moved the lots, and staff did not address them again in the ultimate recommendation to the Planning Commission.
Mr. Reiner inquired where the lots were moved.
Ms. Salay stated that Lots 39 and 40 were moved to the east, which impacts those trees.
Mr. Reiner inquired if lots 40 and 41 are the lots where the extraordinarily large trees are located.

Ms. Husak responded that it is on one of them, the one to the south.
Mr. Reiner noted that the HOA would have significant amounts of land to maintain, and the City has been faced with issues over the past 10 years about requests for the City to assume maintenance responsibility from HOAs. What is the estimated cost per home to maintain the property the HOA is responsible for maintaining?
Ms. Husak responded that Engineering and Parks have been working to determine the appropriate areas for City maintenance versus HOA maintenance, and the appropriate programming for all of the open spaces. With the Final Development plan, they will have a better idea of what landscaping would actually be in those places. That level of detail is not required for the Preliminary Development plan. She is not sure that the applicant has done any studies regarding anticipated HOA costs. The development text does require establishment of a forced and funded HOA.
Mayor Keenan inquired if the HOA is formed before actual lot sales occur. In conjunction with the sale of the lot, does the developer/builder have to identify what the HOA fee will be?
Ms. Readler responded that the deed instructions are the mechanism by which the HOA is created.
Mayor Keenan inquired when that fee assessment occurs.
Ms. Readler responded that it occurs after the HOA is created, although the developer will have a sense of the anticipated cost.

Ms. Chinnici-Zuercher stated that this is City-owned property, in most cases, but the City has had the homeowners take responsibility for maintaining it. In some cases, it has become extremely expensive. Most housing developments do not have the number of homes that Muirfield has. The formula for the fee is not the same due to the smaller number of homes in all other developments.
Mr. Reiner stated that is exactly his concern, i.e. how can a certain number of property owners pay for maintaining a large amount of land. Will this revert to the City along with the $188,000 for the City to mow the rest of it?
Ms. Chinnici-Zuercher stated that the developer has presented the plan with the traditional formula. But the City is aware that the maintenance costs are becoming exorbitant for the citizens. That is a separate issue from the plan that is presented tonight.
Mr. McDaniel stated that staff will provide an estimated cost in advance of the next meeting.
Mr. Lecklider stated that there is an assumption being made that the cost will be shared by 185 homeowners, but that number will not exist until several years out.
Ms. Salay noted that number may not exist at all. That situation has occurred, where a neighborhood was anticipated to have a certain number of the homes, but a small fraction of those have actually been built.

Mr. Lecklider asked -- assuming that this development will be entirely built out -- who bears the burden in the first five years when only 25% of it is built, if that.
Mr. Reiner stated that his concern is how that will affect the sale of these lots when people discover the HOA fee is some astronomical number.
Ms. Salay stated that the issue is a buyer does not know what the HOA fee is until after they purchase and move into their home – at that point in time when the developer turns over the maintenance responsibilities to the HOA.

Mayor Keenan stated that it seems that the costs need to be identified, because every subdivision seems to have the same issue; this isn't new.
Ms. Salay stated that there are two issues involved. Philosophically, the City needs to come to terms with the fact that it is a community with tremendous amounts of open space. The Planning Commission strongly encouraged the developer to adopt the conservation design principles, which eliminated many lots and increased the open space. Some might say that this plan is much better than the original, and many in the community would agree. However, with this revised plan the City will acquire a large amount of parkland that is not necessarily accessible to the community at large. There is a tremendous amount of open space in the community, and who should bear the cost of that maintenance.

Mayor Keenan stated that conversely, one of the early discussion points was that the City could purchase the entire 150 acres, but what would the cost of maintaining that have been? With this proposal, there are 76 acres of open space in a conservation design development that the developer is giving to the City. There will be maintenance costs, but with that land comes costs.

Ms. Chinnici-Zuercher stated that she would prefer what the developer has done with 50% of the land as open space. We are used to this being all open space as a golf course; at least there will still be a lot of open space in the area, which was the concern of the neighbors.
Mayor Keenan stated that he believes it would be worthwhile to request information on the HOA funding and maintenance costs for the second reading of this ordinance.

Ms. Chinnici-Zuercher stated that, in regard to TIFs, this type of development will generate students for the school district. She heard that the School District would receive only 75% of their property taxes with this TIF.
Ms. Mumma responded that the School District would be made whole in this arrangement.
Ms. Chinnici-Zuercher stated that, potentially, the development will also generate service needs from the Fire Department. What is their level of reimbursement?
Ms. Mumma responded that the proposed TIF would be a 25% level. The City would capture the increased valuation on 25% of the development, and the remainder of the 75% would go to the normal taxing jurisdictions. This would be in place for up to ten years. At full buildout, using the assumptions on the values of the homes, it will still have a value of approximately $290,000 at full buildout to the Township versus about $390,000 if there were no TIF in place.

Ms. Salay inquired if there is a per household calculation available from the Township -- what they typically assume an average, single-family home over ten years would require in service needs. Is there a formula that they use?
Mr. McDaniel responded that he discussed that with Washington Township administrator Ms. Ott this afternoon. The number needs to be refined, but generally speaking, about $410/resident is the cost on a per capita basis, assuming an average of four persons per household. The estimated cost is $400,000 per year at complete buildout. Under the TIF scenario, they would receive $292,000 during the TIF at full build-out, but when the TIF expired, they would receive $392,000.

Mayor Keenan stated that in Georgia, these services are not funded through property taxes. The Fire Department charges a property owner and the property owner pays the department directly. The Fire Department fee for his house in Savannah is approximately $400/year.
Ms. Salay noted that is in line with the information provided.

Ms. Salay noted that Timble Falls Drive is a long drive that comes in from the eastern entrance, which is primarily unloaded. In the March plan, there is curvature because of the attempt to preserve a few trees.
Ms. Husak stated that staff asked that the applicant straighten that road. The realignment is now straight, but there is some remaining work to be done before the Final Development Plan to satisfy Engineering.
Ms. Salay stated that the Commission liked that curvature because it might serve to slow traffic somewhat. Her concern with Timble Falls Drive, as well as that of current neighbors and likely future neighbors, is that the traffic will matriculate through there, particularly high school students attempting to find a way to Jerome High School. Because much of that roadway is unloaded, there will be a tendency for traffic to move faster. There is a need for that stretch of roadway to incorporate traffic calming. She believes the curvature would not only slow traffic, but it would also make the street more attractive and save trees. She recalls that the Commission had asked that it remain, but it may not have made it into the final conditions. She wanted to bring those two aspects of Timble Falls to Council's attention – the change that was made, and her view that some type of traffic

calming will be needed -- whether it is in the form of a roundabout, traffic-calming circles, or something else.

Ms. Chinnici-Zuercher stated that they would have to be an improvement over what has been installed on Tara Hill. Further, no one wants measures similar to those used on Martin Road or Waterford Village. She hopes there are new traffic calming methods available that are less offensive.
Ms. Salay agreed. She would not suggest speed humps, but calming circles work well to slow traffic and would reduce cut-through traffic.

Ms. Husak stated that staff recommends approval of Ordinance 35-15, the accompanying preliminary plat, and Ordinance 36-15 at the June 8 Council meeting.

Mayor Keenan invited public testimony:

Mike Mess, 8823 Vineyard Haven Drive, Tartan West, stated that he lives in the Savona Condominiums, which are just north of the Riviera development, and is the current president of their HOA. He is speaking on behalf of a coalition of nine HOAs, representing more than 3,800 households in Dublin. The coalition has been working together for about two years, beginning when the initial announcement of the sale of Riviera was made. The coalition represents a wide diversity of the community. With respect to Riviera, the goal of the coalition from the beginning has been to keep Riviera green. Riviera has long been designated as a greenspace in the Dublin Community Plan. The coalition believes that the best use of Riviera is as parkland and a nature reserve. However, they recognize to achieve such goals, they needed the support of both the City of Dublin and the Dublin Schools because their land surrounds Riviera. The Dublin community is not unique in facing the loss of greenspace through the demise of a golf course. Many communities throughout the U.S. are facing this issue. Dwindling popularity of golf has left many golf courses with a need to find new ways to raise revenue, because their most valuable asset is their property. The key is how the community reacts to the situation and how it works to find a solution to benefit the entire community. In Castleberry, Florida, the City Commissioners used the opportunity of a closing golf course to turn it into a park with nature trails. That same opportunity exists for Riviera. The coalition believes that transforming the Riviera property into a passive naturalized park ("passive" is important because that covers costs) has several benefits to the community:

- creates a major park in Ward 3, where no major park currently exists;
- offers the opportunity to connect into the major Metro Park along Hyland-Croy;
- creates an opportunity for a learning lab in conjunction with the Dublin Schools, an example of which exists in New Albany;
- preserves the delicate water ecosystem on the western portion of the property.

However, a nature preserve is not the only option. In an area east of Columbus, a conservation easement was approved for the Granville Golf Course to keep it as an open space and preserve the golf course itself. The coalition presents these alternate solutions. Council supported the greenspace in 2007 and kept it in the Plan. There has been good support for that concept, but does that greenspace concept still resonate with City Council today? We think Council should keep Riviera green.
After trying early on to generate interest with both the City and the Schools, the coalition recognized that neither the City nor the Schools shared that same belief. Being realistic, the coalition decided to change its focus but not its goals. The focus became how to ensure that a housing development at Riviera, if approved, is undertaken in a matter fitting for the last greenspace in northwest Dublin. To that end, over the last 18 months, the coalition has consistently articulated that any Riviera housing development must be undertaken with the highest quality standards possible and must maximize the use of conservation design planning to retain greenspace and lower the density of the development. This focus has driven the coalition to participate actively in the development process, hopefully, to impact the development of Riviera to benefit the entire community. Since the beginning of the process, the Coalition has expressed several concerns:

- deviation from the Plan;
- economic costs to the Schools;
- impact in traffic congestion;

- costs to the City for infrastructure building.

They ask Council to consider those concerns in making their decision. They still prefer that Riviera remain green, but realism dictated that they actively participate. They recognize that there have been significant improvement and modifications made in the plan by the developer since the beginning, and they commend them for that. The development plan before City Council incorporates significant conservation design plans; produces significant greenspace for the community; reduces the density of the community by 99 homes; and adopts plan specifications that will enhance the quality of the homes. While these modifications are meaningful, they stop short of what should be done. They believe there are three significant shortfalls:

- The two landmark trees that exist on Lot 41. Lot 40 is the symmetrical addition to that lot, and there would be a wonderful point of entry into the community. The trees are being sacrificed just to keep two more lots.
- There is no Hyland-Croy connector primarily because the developer does not own the property needed to make the connector.
- There is no process in place to ensure the trees and other natural features of the property are preserved and not destroyed in the development process.

Lots 40 and 41 were added at the last minute to preserve two lots. They could be eliminated and not negatively impact the overall development. In regard to the Hyland-Croy connector, 15 acres are not part of this development. The stub and the connector is there so there could be access. The developer should help pay the cost of that connector, because they will benefit from this development. It does represent a benefit to the development, not just the whole community. The development plan does preserve a lot of trees, but hopefully, two more – the landmark trees. However, in executing a development plan, mistakes can happen, such as occurred at Wellington Reserve. Nothing in the development plan provides a process to protect the conservation plan, especially when nearly 50% of the land is to be preserved. They suggest that an onsite arborist be involved in the process.

In conclusion, they ask if City Council believes approval of a housing development plan is the best and highest use of this property. If they do, they ask that the plan be enhanced by the three modifications they are suggesting:

- Eliminate Lots 40 and 41 to preserve the two landmark trees;
- Encumber the developer to help fund the Hyland-Croy connector;
- Put a process in place to ensure the conservation plan is executed as presented.

Jeff Brown, Smith & Hale, representing Mr. Ruma, stated that the plan being reviewed tonight is not where they started. They lost over 99 lots through the process. Their original proposal had many more houses and less greenspace. When they heard from staff that conservation design was desired, they asked their architect planner to re-design the plan applying the principles of conservation design, resulting in the plan approved by PZC and recommended for Council approval. However, there is a cost associated for the trade-off of homes for more open space. The same is true with the now straight roadway; it was originally designed as a curved roadway to accommodate the trees on both sides, but Engineering staff requested that it be straight. It is also true that it opens up the three different lots to achieve the views staff wanted. The new lots have much smaller trees than those on the original lots of #40 and #41. They would be willing to put those lots back in and save those two landmark trees. However, it is a balancing act. If they are asked to change something, it will have an impact somewhere else. What they have proposed is a much better plan than they began with; they have staff and PZC approval and request Council's approval. If the City is not going to buy the property, then this is a great alternative for the City and the neighbors, because it is less dense, has fewer houses with more open spaces. The open space Code dictates what the City will own and maintain. They complied with Code in terms of how that space was divided.

Charlie Ruma, real estate developer, stated that he has been developing land in the Dublin area for 45 years, beginning when Joe Dixon was Mayor and Sherm Sheldon was Village Manager. They rezoned what is now Metro Center as the North by Northwest Business Park. Regarding this rezoning proposal, in the tree survey, 968 trees were identified on this site. They will need to replace 322 of them. That means that 643 trees are either

saved or dead or in poor condition. They have tried to ensure that the best, most spectacular trees on the site are saved. He showed a slide from ODOT of what the site looked like in 1959. The only trees existed along the stream and one magnificent chestnut oak tree at the end of the site. The next slide from 1970, when the golf course was opened, show a few new trees planted. Every year over the next decade, more trees were planted to the point that today, there are trees planted by the owner that have been in place for 40 years. This owner did a magnificent job of creating a green space for the golf course, planting trees along fairways where no trees had existed. This is a tribute to the American Italian Golf Association for being good stewards of the land. There were originally no natural ponds on the site; all the ponds that now exist are man-made. When looking for a site for conservation development, what is needed is either heavy woodlands, ravines, or natural ponds. This site did not have that; it is a golf course, and typically, golf courses aren't good for conservation design. They were asked to revise the plans under the conservation design model. The site design that resulted is wonderful; it is a great site. This plan combines open space, connectivity between communities, and most importantly, every child that lives in this community can walk to school from pre-K to grade 12. They can either walk or ride their bike to school – Grizzell, Deer Run or Jerome High School. The cart paths will go to each of those schools and provide connectivity from Belvedere in the south to Tartan West in the north and west. Council may be concerned about the cost to maintain a homeowners association, but he has not had that problem at any of the communities he has built, including Wedgewood, which is comprised of 600-700 homes. At the outset, when a buyer purchases their lot, they put $500 in the HOA "bank." The HOA fee is $100/month. So far, those communities have thrived on maintenance that is exceptional and have done a good job operating their budgets. The $100/month, which in ten years may be $120/month, is sufficient to care for the sites they have developed, primarily the open space and entrances. They ensure that the design they put in place is as maintenance free as possible, without high costs. This site is different. There will be 25 acres of open space in addition to the 55 acres of open space that the City will be maintaining, so it will be a challenge, but well worth it. In terms of the tree lots, he agreed with the request to move those lots, because it creates an open space – 55 acres almost all together, running from the main North Fork Indian Run. That is where most of the large trees are located. Moving Lot #185 saved some trees. Of the three trees in question, one will be lost because it is near a utility line and the street. The other lot has two trees on it, which will remain until someone builds a house on the lot. They may build around them, or take them down. This is a development, and unfortunately, when streets, sewers and grade changes are constructed, trees are lost. He believes they have done the best job possible in saving trees.

In terms of the Hyland-Croy connection, he is not in favor of that. As he mentioned at the Commission meeting, he does not want Timber Falls to be a highway for teens to the high schools, coming from the north and northeast and from the south and southeast, accumulating on the connector. However, that is not his decision; it is staff's. He believes they made a good decision for the community because there needs to be an east-west connector. Unfortunately, a good portion of that east-west connector exists with Timber Falls. When one considers whether they need that road, it is not needed. The traffic study indicates that ten years from now, 17 cars will be added to the AM peak hour traffic; in the PM peak hour, 27 cars will be added. That is not a heavy burden and does not justify building a connector. However, it will serve other purposes and provide the City as a whole with an east-west connector. He will agree to that, but he was not in support of it. Another item he agreed to at the PZC meeting was the installation of concrete drives, not asphalt. Since that time, he has had several indicate they do not want concrete drives. It is a burden and unpleasant to deal with. Concrete drives will crack, settle, flake and stain. [photos shown of concrete drives in Muirfield, Belvedere and Wellington] In the winter, road salt is tracked onto driveways, and salt deteriorates concrete.

Ms. Chinnici-Zuercher inquired why the Commission wanted concrete drives.
Mr. Ruma responded that he believes the Commission thought it would produce a higher quality standard for housing. It does cost about $2,000 more per house for a concrete drive, but the cost isn't a concern. What they are concerned about is the fact that people

do not want them. When they looked at Belvedere, 37% of the homes have concrete drives; one or two have paver drives, but the remainder are asphalt. He believes it best to let the market determine what should happen. He would recommend that amendment, but nothing else. He respects the hard work that PZC and the staff have dedicated to this site; it has been a long, arduous process. The owner, the American-Italian Golf Association has been patient and given him the opportunity to work this out.

Council questions:

Ms. Chinnici-Zuercher stated that she appreciates his working with the neighborhoods, and changing his orginal plan significantly. She would, however, like him to consider removing those two additional lots.
Mr. Ruma responded that they are "at the end" and "there is no more room to give." With their last revision, there was a 50-lot reduction. It was a good decision, but the numbers are now too tight.

Mayor Keenan requested that at the next meeting, a definition and photographs be provided of a landmark tree. He also would like staff to provide information about concrete driveways. Some subdivisions do have multiple choices of driveways.
Staff indicated the information would be provided.

Ms. Salay stated that:
(1) the Commission discussed at length the preservation of trees in this development with the assurance that the contractors would not inadvertently impact the trees. There are ways to achieve that, such as putting wells around the trees. One of the neighbors suggesting having an arborist on site; there are qualified people on staff, but this would require additional work outside their normal busy schedule. She wants to ensure that there is a plan to ensure the preservation of the trees. She wants to make sure that each tree is preserved by ensuring that a contractor building a home does not have the ability to damage a tree.
(2) She is seeking staff input on Timber Falls traffic calming. It would be preferable to build the calming into the site. Mr. Ruma alluded to this issue, and experience indicates that speed on that road will become a problem.
(3) She would prefer to eliminate Lots #40-#41. This may add more cost onto the remaining lots. It isn't significant to an individual homeowner and the developer, but it is significant to the community to preserve those trees.
(4) In regard to the associated economics, the City is taking on a tremendous amount of infrastructure as a result of this development. Typically, the developer pays a significant amount of that, but this development is slightly different in terms of the financial responsibility the City is assuming. She would like to have more narrative about how that was negotiated so that Council, the residents and future developers understand how this came about. It seems atypical, but it has been a long time since a development was proposed that required this amount of infrastructure.

Mr. Reiner stated that in regard to the development standards, are they pre-packaged development standards? He does not believe they are Dublin's. When he reviewed them, he found them very lacking. He pointed out the issues:
(1) Private sidewalks are 3 feet wide. For two people to walk abreast, the minimum should be 4 – 4.5 feet.
(2) Homeowners association's capacity to maintain this project.
(3) Developer has promised an architectural review committee. There is a significant difference between an architectural review committee tied to a development and an autonomous body. If a truly critical look of each house being constructed is the intent, they should not be associated in any way with the developer. Good decisions are not made by a committee funded by the developer. It will lack clear and constructive decision-making.
(4) Architectural style section – the pictures were nice, but when visiting the last two projects in Dublin by this developer – Corazon and Wellington -- he did not any of the depicted pilasters.

(5) Configuration of materials – The text states that four-sided architecture shall be required. At the two projects he viewed, he measured the decorative waterwall and found that it was a 22-inch band of masonry wrapping around the house. Although it is possible to use that, it isn't consistent with a high quality project. Passing some other developments, he noticed that some other developers had six to eight feet of masonry on their structures. How many of these houses will be all brick, all stone or what percentage? Will there be two-thirds masonry? Nothing was stated in this specification for housing quality.
(6) Garages – What percentage of the homes will have side-loaded garages? If they are side loaded, will they be screened, as required in New Albany?
(7) Front porches – (Item K) "when utilized, shall be covered and open. Glass and screen enclosures shall be prohibited." Unfortunately, throughout Dublin and Muirfield, he has seen porches that are two or three feet wide – totally unusable. There is no specification relating to the quality of the construction of these porches or structures.
(8) There is no elevation description of these houses. Normally, on a higher-end product, exterior doors are required to be recessed. There is no rain protection for guests at the front door.
(9) Utility boxes – No mention of screening.
(10) Landscaping – Covered the front of the houses, but no other information about where applied.
(11) Land and trees – A certain percentage of these trees will be northern grown and hardy. Certain trees are difficult to acquire and are brought in from Tennessee. Trees not grown in Dublin's hardiness zone, but five zones below us, sometimes do not have a long survival rate. This happened in the Avery-Muirfield landscaping. It took a number of years to die out, but the trees did not grow. As a taxpayer, he does not want the City to have to come back and replace these elements as they die out. Again, there is no description of the product purchased, whether it is quality driven.
(12) Schools. We need a school to TIF and cover the school expenses.
(13) Increased traffic, infrastructure costs and greenspace issues are areas of concern. "The Devil is in in the details," and he believes "Quality is the hallmark of greatness."

In summary, this project is rather worrisome to him.

Mr. Lecklider stated that in some earlier iterations, he recalls hearing that the developer was donating the school site. What is the current plan?
Mr. Ruma responded that at that time, the plan showed 430 lots and 167 acres. The 15-acre site, which is no longer part of the zoning, was originally to be designated for a school site. The Planning Commission indicated that they would not accept the school site as part of the public spaces, and the density would have been calculated on 152 acres, rather than 167 acres. That site was eliminated due to a density issue; they also reduced the number of lots from 240 to 185. It was a matter of economics.

Mr. Lecklider inquired if that was Ms. Salay's recollection of the discussion, as well.
Ms. Salay responded that it was, somewhat. Her question is what happens to that land. It now exists without a plan. The Planning Commission did not want that site to sit as open space. It would not be open space, but comprised of a school, so why would it be calculated? She believes the developer made a business decision.

Mayor Keenan inquired if that was prior to the conservation design plan.
Ms. Salay responded affirmatively.
Mayor Keenan inquired if that was when the change occurred for the school site.
Ms. Salay responded that the developer came back with a conservation design plan, which no longer included a school site.

Mr. Reiner stated subdivisions are often unattractive because homeowners have back egress points to their houses with sliding glass doors. Further, many houses have temporary wooden stairs down to the back yard which remain in place for years.
In reviewing the design standards, he finds that they don't cover anything important.

Mr. Ruma responded that he appreciates his concern. But if he views the work they have done over the years, he will find exactly the opposite --a wide variety of design standards, depending on area and builders. This is an infill site, not a conservation site. There are built developments to the south. There is a decided market value in place that they have to compete with. There is a subdivision Dublin approved last year called Celtic Estates, which is directly opposite Jerome High School on Hyland-Croy Road. Those standards are considerably less than anything in this proposal, and that is also what they have to compete with, as well as existing homes in Muirfield and Tartan West. He realizes that a great quality subdivision is desired. This is not a subdivision, but a community. It has 50% open space, with 90% of the houses backing up to the open space. There is connectivity with paths, great trees that are being preserved. Some of the parks are there because of the trees that were preserved. That is to the credit of the Planning Commission, as they insisted that the developer take a hard look at what trees could be saved and how. That resulted in a much better plan. In regard to the architecture review committee – they hire outside architects. In fact, Bob Apel, a key person in his architectural design, reviewed every house in Wedgewood.

Mayor Keenan stated that at this price point, homes will likely have wonderful screened porches, decks and patios.
Mr. Ruma responded that in Section 2, there will be all 100+-ft. lots; those will all be custom homes in the $750,000 to $1 million price range. They will have back patios; they will have improvements both back and front. They will be developing all of the homes in Section 1 and 2 at the outset. Entering off Avery Road, from the road to the first lot is a space of 500 feet – almost two football fields that are open space on both sides and in front.

Mr. Lecklider stated that he appreciates the preservation of open space; it is a great feature. He appreciates the citizen interest and input. This Council and past Councils have always valued that, which typically results in a better outcome. He believes that some, in this conservation design effort, have missed the mark. Respectfully, his opinion is that the City does not need more of this type of product. In fact, the City has had experts tell us that we have more than enough of it, presently. As everyone knows, this product is being constructed in abundance in Jerome Village, which is also in Dublin City School district. If the alternative of preserving this entirely open space is not a viable one and it is going to be developed in some fashion, what is the answer? His answer would be that the City develop this in an empty nester model. It would address the concerns regarding the impact on the schools and potential traffic trips. He would consider allowing a greater density here, based on achieving a different impact, theoretically, a lesser impact on schools and traffic. He is unsure how much of a neighborhood this development will be. There will be no interaction on the front of the homes; everything is oriented to the rear of the homes. Hopefully, there will be some interaction across the back yards between neighbors. He would prefer front porches and orientation to the street and sidewalks, which would provide interaction between neighbors. He would like to see Council pivot to something different, not only here, but elsewhere within the community. He does not begrudge a developer aiming high, but this City Council was never going to approve the density at 280+ lots, and he appreciates Mr. Ruma's efforts over the months to reduce the density. With respect to the landmark trees, he would like to see those two lots traded for two lots elsewhere in the development, not to reduce the density, but to preserve the trees.

There will be a second reading/public hearing on Ordinances 35-15 and 36-15 at the June 8 Council meeting.

OTHER

- Items of Interest – Community Services Advisory Commission

Ms. Crandall stated that each year, the Community Services Advisory Commission (CSAC) forwards to Council their recommendations for projects they would like to work on for the remainder of the year. Before Council tonight are three pending assignments and two new proposed projects for CSAC. The three pending assignments are:

City of Dublin
Land Use and Long Range Planning
5800 Shier Rings Road
Dublin, Ohio 43016-1236
phone 614.410.4600
fax 614.410.4747
www.dublinohiousa.gov

PLANNING AND ZONING COMMISSION

RECORD OF ACTION

APRIL 9, 2015

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

1. Riviera
14-068Z/PDP/PP

8025 Avery Road
Rezoning/Preliminary Development Plan
Preliminary Plat

Proposal:	A rezoning of approximately 152 acres from R, Rural District and R-1, Restricted Suburban Residential District to PUD, Planned Unit Development District for the potential development of the site with up to 185 single-family lots and approximately 76 acres of open space. The site is on the west side of Avery Road, north of the intersection with Memorial Drive.
Request:	Review and recommendation of approval to City Council of a Rezoning/Preliminary Development Plan application for a Planned Unit Development District under the provisions of Zoning Code Section 153.050. This is also a request for review and recommendation of approval to City Council for a Preliminary Plat under the provisions of the Subdivision Regulations.
Applicant:	Charles J. Ruma, Davidson Phillips, Inc.
Planning Contact:	Claudia D. Husak, AICP, Planner II.
Contact Information:	(614) 410-4675, chusak@dublin.oh.us

MOTION #1: Ms. Newell moved, Ms. Mitchell seconded, to recommend approval to City Council for a Rezoning/Preliminary Development Plan with 13 conditions:

1) That the applicant enter into an infrastructure agreement with the City, prior to submitting the first Final Development Plan, for development thresholds and public project contributions including the necessary sanitary sewer system improvements;
2) That the applicant work with the City to program a direct site connection to Hyland-Croy Road to the satisfaction of the City Engineer prior to the approval of a final plat that includes the Firenza Place connection to Tartan West;
3) That the developer update the traffic impact study to the satisfaction of the City Engineer prior to the City Council hearing of the rezoning; and
4) That as part of the development of Section 1, the applicant provide a northbound left-turn lane on Avery Road into the site and a pedestrian crossing system for Avery Road, to the satisfaction of the City Engineer.
5) That the development text be revised to eliminate vinyl as a permitted window option and allow the applicant to request approval of specific vinyl window products at the Final Development Plan stage if so desired;
6) That the development text be revised to eliminate vinyl as a shutter material;
7) That the development text be updated to eliminate asphalt as a permitted driveway material;
8) That the development text be updated to address the language on page AS-1 in accordance with the Commission comments;

(Continued on Next Page)

9) That the development text be updated to limit all siding as the building material to 25% of the total homes within Subareas A and B;
10) That the development text be updated to limit stucco to no more than 50% of the primary façade of a home;
11) That the development text regarding the review authority of the Architectural Review Committee be updated to revise page AS-1, Section II. B. 1. to add architectural character and level of detail of architectural elements to the review authority of the ARC;
12) That the stormwater management areas be maintained by the City of Dublin and the development text and plans be updated accordingly; and
13) That consistent mailboxes be submitted for review and approval at the final development stage.

*Mr. Ruma agreed to the above conditions.

VOTE: 7 – 0.

RESULT: The Rezoning/Preliminary Development Plan was recommended for approval with 13 conditions.

RECORDED VOTES:

Victoria Newell	Yes
Amy Salay	Yes
Chris Brown	Yes
Cathy De Rosa	Yes
Robert Miller	Yes
Deborah Mitchell	Yes
Stephen Stidhem	Yes

MOTION #2: Ms. Newell moved, Mr. Brown seconded, to recommend approval to City Council for a Preliminary Plat with the following condition:

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

*Mr. Ruma agreed to the condition.

VOTE: 7 – 0.

RESULT: The Preliminary Plat was recommended for approval.

RECORDED VOTES:

Victoria Newell	Yes
Amy Salay	Yes
Chris Brown	Yes
Cathy De Rosa	Yes
Robert Miller	Yes
Deborah Mitchell	Yes
Stephen Stidhem	Yes

STAFF CERTIFICATION

Claudia D. Husak

Claudia D. Husak, AICP, Planner II

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PLANNING AND ZONING COMMISSION

MEETING MINUTES

APRIL 9, 2015

AGENDA

1. Riviera **8025 Avery Road**
14-068Z/PDP/PP **Rezoning/Preliminary Development Plan (Approved 7 – 0)**
Preliminary Plat (Approved 7 – 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: City Council Representative Amy Salay, Christopher Brown, Robert Miller, Deborah Mitchell, Cathy De Rosa, and Stephen Stidhem. City representatives present were: Jennifer Readler, Philip Hartmann, Steve Langworthy, Alan Perkins, Gary Gunderman, Claudia Husak, Tina Wawszkiewicz, Aaron Stanford, Marie Downie, Sue Burness, and Laurie Wright.

Administrative Business

Motion and Vote

Ms. Newell moved, Mr. Brown seconded, to accept the documents into the record. The vote was as follows: Ms. Salay, yes; Ms. De Rosa, yes; Mr. Miller, yes; Ms. Mitchell, yes; Mr. Stidhem, yes; Chris Brown, yes; and Ms. Newell, yes. (Approved 7 - 0)

The Chair said there were no consent cases on the evening's agenda. She said two cases were postponed, prior to the meeting; they are expected to be heard on May 7, 2015.

Previously Tabled

1. Riviera **8025 Avery Road**
14-068Z/PDP/PP **Rezoning/Preliminary Development Plan**
Preliminary Plat

The Chair, Ms. Newell, said the following application is a request for a rezoning of approximately 152 acres from R, Rural District and R-1, Restricted Suburban Residential District to PUD, Planned Unit Development District for the potential development of the site with up to 185 single-family lots and approximately 76 acres of open space. She said the site is on the west side of Avery Road, north of the intersection with Memorial Drive. She said this is a request for review and recommendation to City Council for a Rezoning with a Preliminary Development Plan and also a request for review and recommendation to City Council for a Preliminary Plat under the provisions of the Subdivision Regulations. As City Council is the final authority on these requests, she said applicants do not have to be sworn in.

Claudia Husak said there are quite a few steps for the applicant in the approval process after tonight's meeting. She explained this is step 2 of the Planned Unit Development process, which is the Rezoning with the Preliminary Development Plan as well as a Preliminary Plat. She presented a process overview and said two actions were being requested this evening:

1) Recommendation to City Council on the Rezoning with the Preliminary Development Plan

2) Recommendation to City Council for the Preliminary Plat

Ms. Husak presented the site and pointed out the three Dublin schools adjacent to the site: Deer Run Elementary, Grizzell Middle School, and Dublin Jerome High School. She said the major residential developments surrounding the site are: Tartan West, Muirfield Village, Shannon Glen, and Belvedere.

Ms. Husak presented the plan as it was reviewed by the Commission on March 26, 2015, and ultimately tabled to take care of a lot of the conditions as well as the concerns that were raised by some of the residents and the Commission. At that meeting she said, 15 conditions were proposed for the Preliminary Development Plan that Planning had identified as areas of concern that would need to be taken care of as the application moves forward to City Council. She added there were two conditions proposed by Planning for the Preliminary Plat. She said the major four points that were requested to be changed and the applicant has taken care of as part of this proposal were relocation of Lots 135, 136, and 185, which she indicated on the slide. She said the concerns were mainly about the Hyland-Croy street connection and traffic hitting Lot 185 and opening up some areas just north of that street connection to open vistas. She said the other points commented on were the architectural standards, tree preservation, and the alignment of Timble Falls, which she indicated on the slide. She explained that many of those conditions from the meeting on March 26, 2015, have been eliminated. She said 11 conditions were either taken care of in the revised development plan or the applicant has incorporated the requirements/requests in the development text. She said infrastructure agreement conditions were left because those are a separate action with City Council.

Ms. Husak said Staff had requested the following:

- Realignment of Timble Falls Drive
- Update all the street names and noted correctly in all of the plans
- Add language in development text to require all the existing cart paths to remain to meet City standards
- Show willingness to work with Dublin City Schools to provide a path to Jerome High School
- Include garage limitations for lots that are facing or side-loaded to Avery Road
- Provide membership information for the Architectural Review Committee
- Add language on tree preservation to identify appropriate measures at the Final Development Plan

Ms. Husak said it is a very subtle change in the proposed development plan but the applicant has relocated those three lots area to the north and south of Timble Falls Drive, west of the Avery Road entrance. She said the applicant has removed one of the access points between the lots to the interior open space in Reserve X, which allows for more open space and tree preservation.

Ms. Husak highlighted the architectural character. She said the applicant has taken cues from the Tartan Ridge development text. She stated they have listed and shown examples of: Midwestern Vernacular, Colonial Revival, Classical, European Country, American Period Revival, and Age Targeted styles of architecture. She said there are a lot of additional requirements and illustrations within the development text that the applicant has provided to show the kind of style and architecture they are proposing within this development.

Jeff Brown, attorney with Smith and Hale, representing the applicant, expressed his thanks to Staff and the neighborhood partners. He said we have a much better project to present to the Commission than what they started with. He said when they left the meeting last month there were two major concerns expressed by the Commission: 1) where the three lots would be relocated to; and 2) architecture better described in the development text with language and illustrations. He said the documents that have been submitted to the Commission and reviewed by Staff addressed those points and a lot of the other

conditions that Staff had identified with the previous report to the point of elimination of those conditions.

Greg Chillog, Edge Group, 350 W. Bridge Street, Columbus, Ohio, showed where three lots had been relocated to at the front of the development in Sections 1 & 2. He explained that Lot 69 will require reshaping of the pond and Lots 40 and 41 were flip-flopped. He covered the elements that were added or deleted from the text relative to the architecture. He said vinyl has been eliminated as a trim material, driveway material text has been added "permitted primary pavement materials include: asphalt, concrete, brick, concrete pavers, color imprinted concrete, prohibits the use of gravel, and permits secondary materials as accents: brick or stone", added text language relative to Avery Road pedestrian crossing, and added images. He said a picture is worth a thousand words but it is also worth a thousand interpretations. He said they clarified the text to state the images are included as supportive information to express the design intent and vision for the architecture but they should not be used to interpret what the limitations of the text represent or even the exceptions. He said they have added material samples, colors, styles, intent of material configurations, four-sided architecture, decorative garage doors, awning style windows, lighting and accessories.

Charles Ruma, Davidson Phillips, said at the March 26 meeting, they looked at Tartan Ridge as a gold standard for architectural standards. He said they now have 13 pages of architectural standards that spelled out their intent and includes diagrams or pictures. He said vinyl windows were discussed at the March 26 meeting and recalled saying he would eliminate vinyl windows but he has talked to a dozen builders in the past two weeks and all of them use vinyl windows. He said there are vinyl windows in Tartan Ridge, Wellington, Wellington Reserve, Tartan West, Belvedere, and Shannon Glen. He said they are permitted in Celtic Crossing, which has been approved, which is the last zoning this Commission approved. He indicated it comes down to the choice of individual homeowners; a lot of customers like vinyl over wood per the maintenance.

Mr. Ruma noted Lot 41 where there is a concern about two trees on that lot, one of them being a 28-inch Red Oak. He said they purposely put these lots up front to get them away from the back of the community and more likely to be using Avery Road rather than Timble Falls or Firenza Drive. As a result, he said they considered those two trees specifically. He said the 28-inch Red Oak is sitting in a triangle between three cart paths that come together at the end of the 18th hole and where it goes down to the 10th hole and across to the 9th hole. He indicated when those cart paths are removed and grade changed, the tree will probably be lost.

Mr. Ruma reiterated that they have 76 acres of open space and the preservation of trees on this site is phenomenal because of the large amount of open space. He restated that 800 plus trees were planted by the owner and the 28-inch Red Oak is one of them. He said there are other places he can relocate a lot if that becomes an issue but he believes the lots are in the right location.

Ms. Husak said the application has been reviewed based on all of the 16 criteria for the Rezoning with a Preliminary Development Plan, which is detailed in the back of the Planning Report. She noted the applicant has incorporated a lot of key requirements that Planning previously identified into the development text. She said approval is recommended with four conditions, as proposed in the Planning Report as well as shown on the slide:

1) That the applicant enter into an infrastructure agreement with the City, prior to submitting the first Final Development Plan, for development thresholds and public project contributions including the necessary sanitary sewer system improvements;

2) That the applicant work with the City to program a direct site connection to Hyland-Croy Road to the satisfaction of the City Engineer prior to the approval of a Final Plat that includes the Firenza Place connection to Tartan West;

3) That the developer update the traffic impact study to the satisfaction of the City Engineer prior to a City Council hearing of the rezoning;

4) That as part of the development of Section 1, the applicant provides a northbound left-turn lane on Avery Road into the site and a pedestrian crossing system for Avery Road, to the satisfaction of the City Engineer;

Ms. Husak said approval is recommended for the Preliminary Plat to be forwarded to City Council with one condition:

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

Ms. Husak said that concluded her presentation.

The Chair invited public comment.

Tim Albright, 8145 Timble Falls Drive, said he is one of five homeowners that live on Timble Falls Drive. He said he had three concerns: 1) safety – because of increased traffic, specifically high school students. He said high school students will find the path of least resistance. He indicated since the Avery/Brand Road intersection is such a mess that could encourage the student coming southbound on Avery Road to cut through Belvedere to cut down on drive time. He indicated the same can be predicted if this plan goes forward. He said all of the all the high school students in the 185 houses, will probably use Timble Falls Drive to go to high school because it is the path of least resistance and there is no stop sign; 2) effect of quality of life – there is a beautiful buffer zone of mature trees that line the border of Belvedere and what used to be Riviera Golf Course. He said he was not certain if it could be determined who owns those trees but some are right in the middle, right on the property line. He asked if Dublin or the developer could guarantee that these trees will be saved; and 3) property value – lot sizes in the proposed plan along Timble Falls Drive are much smaller than the existing lots on that street, approximately by 30%. He said he had hoped if this property was ever to be developed, it would be estate lots and that obviously is not the case. He said it appears there will be smaller lots with smaller houses.

Mike Bickley, 5839 Moray Court, Dublin, said he had three concerns: 1) cost - he feels he has been robbed as a taxpayer. He said Mr. Ruma met with the City Schools and offered to give them 15 acres for free. As a taxpayer, he said he votes for school levies, his kids and grandkids go to school in Dublin, and they all support the schools. He indicated Mr. Ruma offered the schools this land based on the student demand for this development. He said it feels like a card trick. He said Mr. Ruma has taken it off the table and hidden it now. As a citizen he said, Mr. Ruma should stand up to his word and follow through on that commitment. He said the taxpayers are being asked to subsidize this for profit development now; 2) trees - what Mr. Ruma did at Wellington cannot happen again to the trees in the City of Dublin, clear cutting a site like that was criminal. He said in this case, we have even better trees. He said the most impressive and historic trees in the City of Dublin are left today on this site. He said they are beautiful because they were planted and the canopies were left alone to grow, absolute specimens. He said early on, there was a discussion about the City hiring an arborist to supervise the trees and that is important. He said an independent person inspects all these trees and reports back to this Commission or City Council and holds Mr. Ruma accountable for these trees. He recalled Mr. Ruma stating at the March 26 meeting how lovely the trees look in Wellington. He said they look like the trees in the nursery parking

lot, an inch and a half or two inches in diameter. He said his house is Phase 1 of Muirfield, and he finally has shade on his front driveway, 40 years later. He said they are beautiful trees but it took 35 – 40 years to accomplish. He suggested that the Commission somehow address, based on Mr. Ruma's previous experience, to take the tree preservation to a different level. He said Mr. Ruma cannot be trusted on trees; and 3) Hyland-Croy connection – he said everyone but Mr. Ruma agrees there should be a road here. All the residents, he said, reluctantly are accepting this proposal. He indicated they do not like it but it is happening, it has improved drastically, but we have to live with this for a long time. He said there is going to be five to six years of construction traffic. He asked the Commission to consider creating a service entrance. He said there will be dump trucks, gravel trucks, and concrete trucks creating dust, dirt, and noise. He noted the busiest park in Dublin; he said sometimes you can hardly get down Avery Road because of the soccer traffic. He noted the schools, daycares, and churches. He pointed out the failing interchange, which he knows Dublin is looking into something different, problem is, it takes a couple of years to build a roundabout. He said during those years, this will be restricted to trucks so what is the detour. He said at 7 am in the morning, you have gravel trucks racing kids to high school. That is why he said he is recommending a service road be built right away; it can be gravel or a base coat and be finished in a couple of years. He summarized that the residents are reluctantly accepting this and asked that the service road be considered as a solution.

Kevin Walter, 6289 Ross Bend, said he represented a coalition of nine neighborhood groups, homeowners associations, and civic groups from across northwest Dublin. He thanked Mr. Ruma for his willingness to work with his group. After the last meeting, he said it was clear to his group that the Commission is well-informed and is generally in alignment with their thinking. He reported at this late stage in the proceedings, they have decided to change their position from one of advocacy to one of vigilance. Rather than to push for changes and alterations to the plan, he said we chose to act as stewards of the legacy of Riviera Golf Club and stand watchful. He requested that the Commission keep a running tally of all the agreed upon items and conditions to this application. He said he wanted attention paid to 11 items:

1) Asphalt driveways – he said in the last meeting, there was near unanimous support for the elimination of asphalt driveways. He asked that the development text be changed to require concrete or paver driveways only and eliminate asphalt as an acceptable paving material.
2) Welling of trees – where grade changes will impact the tree base, that trees be protected by the use of tree wells rather than simply re-grading.
3) Architectural renderings – the development text now includes pictures that depict the text, but the pictures have no text that link the pictures to the development text. He said the pictures need to be captioned or annotated.
4) Mailboxes and lamp posts – he referred to AS15 in the lighting section of the development text showing three lamp posts; the text does not indicate which posts would be used and at what location in this development. He asked that the lamp posts be consistent within each subarea and that mailboxes be uniform throughout the development. He asked that the lamp posts be gas or photocell that are non-switched to ensure they will always light the way.
5) Side-loaded garages – he asks that the development text appropriately reflects the Commission's desire for side-loaded or carriage garages indicated by subarea or lot number.
6) Vinyl – He asked that vinyl be categorically eliminated as an acceptable material for windows and shutters.
7) Percentage of materials – he asked for further discussion and clarification
8) Open space removal – he said there is this change in the plans that removes the open space that was set between Lots 17 & 18. He said he does not understand Staff's recommendation and asked that it be returned to the plan.
9) Open space hardscaping – he said the developer verbally committed to delineate the open space that exists between the private lots between 17 & 18 so he asked that a condition be added requiring that hardscape.
10) Lots 40, 41, & 69 – he asked that these lots be eliminated and referred to the tree survey. He said by relocating lots 40 & 41 the community will lose not only open space but also three large

trees in good condition. He said trees 26, 27, & 442 will be lost by the relocation. He said tree 442 is a 28-inch Oak Tree. He said as a slow growing specimen, it is special. He said it can grow to reach hundreds of feet tall and would be a wonderful landmark tree for the community. He said the other two trees are smaller at 17 and 22 inches in diameter but they have been there for the life of the course. He said Lot 69 was added across the street and it appears the water basin has been shifted in size and shape in order to accommodate this lot, which would be substantial. Additionally, he said the view shed would be greatly reduced. He indicated the view sheds will be the hallmark of Riviera.

11) Hyland-Croy connector – Mr. Ruma objected to the need for this connector but said if he was forced by the City he would build it. He asked the Commission to require the applicant to pay 50% of the cost into an infrastructure fund to support the development of that connector as recommended by Staff.

Mr. Walter thanked his planning group, City Staff, the Commission, and Mr. Ruma for bringing forward what they hope to be a development worthy of the legacy of Riviera.

Mike Bickley said windows influence how a building looks and there is a long list of windows in the development text. He said he went to the WDMA website (Window and Door Manufacturing Association) where they listed the same so Mr. Ruma listed every single window available in North American today as a suitable window for his site. He said a real standard would be like an "Anderson 400-series Low-E4 glass, clad or equivalent"; something that really tells us a quality product. He said this is not a list of standards; this is a list of available building materials.

Lisa Judson, 8018 Summerhouse Drive West, said her home is at the T-intersection with Abbey Glen, and when construction is started for a roundabout at Avery/Brand, she asked how construction vehicles will get up to where they are needed and how much of it is going to go through Belvedere, specifically in front of her home. She asked about refurbishing Brand Road. She asked if big trucks would travel up through Hyland-Croy from Post Road, the road there on the right side traveling north is giving way and crumbling already. She asked how soon any of this, like a four-lane highway would be taking place to support all of this.

Clifford Ursich, Flexible Pavements of Ohio, 6205 Emerald Parkway in the Camden Professional Center, said he is with a trade association, the asphalt paving industry. He said they have been in Dublin since 2008. He said he wanted to address the issue of the driveways. He said he is the President and Executive Director. He said he is a civil engineer by education, a registered professional engineer, and practiced in transportation engineering field for 32 years. He indicated he has had the opportunity to work with Dublin's engineering staff and ensure the performance of Dublin's roadway network, which is composed entirely of asphalt from the top of the pavement to the base.

Mr. Ursich said he wanted to address the elimination of asphalt in the Riviera development. He said Dublin has fared well with its performance of its roadway system while Columbus and other communities are struggling to keep their roads in good shape. He reported Dublin serves as a model for a cost-effective and efficient roadway system. He indicated he understands the issue is driveways, not roadways. He said it is a fact that asphalt pavement can provide long-term durability and owner satisfaction. He said concrete or other driveways are not a panacea. He said with concrete, there is a scaling and flaking of the surface from road salt deposit from automobiles; pop out of stone and driveway surface; rust stains from aggregate; broken and tilted slabs; and reflectivity. He said fixes for these problems are substantial in cost and commotion. He noted sustainability is to reduce, reuse, and recycle. He said most recyclable material in the US is asphalt pavement, more than paper, aluminum, and steel. He noted each asphalt driveway paved in Dublin, Ohio contributes to the City's efforts to being a sustainable community. He juxtaposed that every broken slab of failed concrete driveway ends up in either a construction demolition debris landfill or a bone pile such as the one at interstates I-70 and I-270 on Columbus' west side, all to be repurposed as a non-specification aggregate or slope protection.

Mr. Ursich said there appears to be no legitimate justification for eliminating asphalt and requiring concrete or other such material. He said property values are not impacted based on driveway pavement types; the auditor does not give consideration of this in property valuation. He indicated Dublin would suffer no economic hardship using asphalt driveways; however, concrete pavement requirement would increase homeowner costs. He noted communities of the caliper of Dublin regularly use asphalt driveways; communities that have residences that exceed a million dollars in valuations. He said as a Dublin local business, choice made regarding this matter does have a direct monetary impact on his association and business, Flexible Pavements of Ohio. He indicated restricting the use of asphalt pavement for driveways on Riviera development will affect their revenue since their association income is based on the number of tons of asphalt produced. He indicated as an association, they have provided pro-bono service to the City of Dublin, by assisting on issues pertaining to the specifying and construction of the City's asphalt roadway system.

The Chair invited other public commit. [Hearing none.] She closed off the public comment portion of the meeting.

Steve Stidhem indicated this is his first time being a part of this and inquired about the area to the west of Section 4.

Ms. Husak said that area is currently owned by the Riviera Golf Club and not included in this proposal tonight. She said the western portion of Riviera is zoned R, Rural, which permits single-family homes on 40,000-square-foot lots and various agricultural uses. As part of this proposal moving forward, she said this would be a 15-acre lot that would be created by this area being zoned, which could be used for a variety of uses as permitted by the Zoning Code.

Chris Brown said we all know the applicant's history of Wellington Reserve; he is sure it is regrettable now and does not want to see the applicant repeat that. He said there are trees that join the associated neighborhoods that are designated as being preserved and the applicant has obligated himself to the City to come up with the proper means to do so. He said he counted at least 32 major trees on specific lots and emphasized the preservation is a condition that will go through the Final Development Plan. He restated the applicant has a reputation; he has done well in the past but not the last time out.

Mr. Ruma said there were 120 trees saved in Wellington. He explained they needed to get engineering approvals and it took him nearly six months to get engineering plans approved in the City of Dublin, which included grading plans that dictated where streets went and what the grades were. He explained that site fell severely from west to east, so much so, that every time it rained, the backyards of those lots that abutted the property in Wellington pooled up to the amount of two to three feet. He said that grading caused the destruction of those trees. He said he fulfilled his obligations of replacing those trees required under the law. He indicated he knows a 30-year old tree does not grow back in two years. He said Wedgewood was an entirely different situation because grades were different.

Mr. Brown said if you go back to when Wellington Reserve was being reviewed, if the Commission at the time knew that was going to happen, they probably would have said no to the plans. He said what the Commission is trying to ascertain here is whether that is going to repeat itself or whether we can go through specific measures to make sure that does not happen.

Ms. Husak explained Wellington Reserve was an 18-acre site that was wooded throughout and there were more trees preserved than were shown on the plans to be preserved. She reported there was one tree in question that truly was not supposed to be removed and it was, now whether it was the contractor or the builder, it was not supposed to be removed. She said the site had to be graded out throughout based on the shape of the site, utility requirements, and whether a road was going to go on that site. She said the trees in the center of Wellington Reserve were always shown to be removed. She

said the view of that site, as an adjacent resident, as someone driving through it, is a shock she said but the tree removal was part of the development.

Mr. Brown said he understands tree removal in the center of the site but his understanding was there was supposed to be a tree buffer up against the adjacent neighborhood.

Ms. Husak said there is. She explained that once there is scrub cleaned out, and clean up taken care of, that will have a very different look to it. She added Wellington Place had drainage issues way beyond what any neighborhood should experience in the City today. She said a lot of stormwater management pipes were put into the rear of the lots. She reported the applicant has worked with each and every resident to put in the buffer that was approved by Planning and Zoning Commission to the point of staking areas and determining exactly where trees should be planted. She said there is a lot of information out there in the community that as a Staff, we have worked hands-on with a lot of those residents and any time we have received a complaint they have taken care of those concerns. She said that development is still under construction and does not look very pretty with all the runoff into both of those stormwater management areas. She said after four days of rain while something is under construction, it is not something you want to put on a postcard; but it is going to get better.

Mr. Ruma said they did install two storm sewers on properties that were adjacent to Wellington Reserve, not on our property and fairly extensive to end their stormwater problems. He said he submitted the Final Plat that the Commission approved and the tree removal plan was part of it.

Mr. Brown said there have been trees there for 45 years that were planted; those are important to him; not just the ones that were originally there. He believes they are important to everybody in this room including the golf club. He said through the Final Development Plan, he wants to preserve as many of those as possible and will be addressing all of them.

Victoria Newell indicated as an architectural professional, when looking to develop this land, she would prefer it stay as a golf course. She said she feels for the residents that expected and anticipated this to be a golf course for the future but un-built-on land does not always remain the way you envision it; just like living next to a cornfield. She restated this site is zoned for residential so even if our applicant is not here to develop this property, and we do not change this to a PUD, it does not mean it will not develop.

Ms. Newell said the applicant made a concerted effort to preserve trees. She said she has saved each of the applications and has reviewed the tree preservation aspects of each. She said every large tree cannot be preserved while developing this site. She said for Staff's comments to realign the drive, it curved before because the applicant was preserving trees that are now going to be lost by straightening out that "wiggle". She said she has to consider Staff's recommendation to straighten the drive for safety; that is more important than salvaging those trees. She said from an aesthetic standpoint, she would have preferred the drive exactly as it was presented by the applicant. She said the other trees now getting affected are the ones that are up at the front of the site, specifically where Lot 41 was relocated. She said there was due diligence on the applicant's part to preserve trees. As an architect, she said when she sees a tree on a site where a house is to be built, she does not anticipate that tree is going to get salvaged. She said the reality is the applicant has to be able to grade that site to provide a proper drainage way for the residents. She said trees that are right next to the property line, she would expect those trees to remain; those would all be salvageable.

Mr. Ruma pointed out the various tree stands on the perimeters, and assured the Commission they are absolutely going to be safe. He also noted a cart path along the 8th hole that will also be preserved as that grade is not changing. He said the most significant trees are along the creeks.

Mr. Brown said he did not mean to infer that the applicant had not done a good job of laying out the lots. He said his reference to some trees are in fact on the edge of those building lots so depending on

grading, some of those trees most likely can be preserved. He said his point/intent is that when the applicant is doing that, if they could be preserved and welled, then leave it to the eventual owner whether that stays or goes.

Mr. Ruma said that is why we have an Architectural Review Committee (ARC) and why the developer is part of it, but at the same time, we need to make sure when we engineer the site, that engineering requirements do not step on a zone.

Amy Salay said she did not know what happened with Wellington, but knows what can happen here. She said what the Commission is called to do because of these trees on this site is not a wood lot where you cannot see individual trees; this site is all about the individual trees. She said where we are committed to saving a tree, we as City and Staff, need to figure out a way to ensure the trees are fenced and preserved when the contractor is doing the work. She said a developer cannot control what a contractor does on site as the developer is not there 24/7. She said between now and the final, she would like Staff to come up with a very detailed plan. She said it would be a shame to develop Lot 41.

Ms. Salay said she was at the Council Retreat on March 26 and when she left the Council Retreat she went home and immediately got on her computer to watch the live-stream so she caught the last hour or hour and a half of the meeting. She said she heard the discussion about moving the lots. She said there are three trees on Lot 41, which should be saved in her view. She suggested a lot be added to the applicant's senior/empty-nester product or maybe get rid of the lot altogether. She said she is not sure about the re-grading of the pond with Lot 69 but if trees are being impacted, she is not in favor of developing that lot.

Ms. Newell indicated if Lot 41 was eliminated, aesthetically, you would want to look at Lot 40 to preserve that line; it would look out of place to leave Lot 40 sitting by itself. She said she does not think Lot 69 impacts any trees.

Mr. Brown said his impression of it is where the clubhouse sits and the way they would have to probably grade that, it is going to be a struggle. He said he hates losing any tree that size, obviously, but does not mind the lot relocation.

Ms. Salay said the Commission can ask that the tree be welled when they do the re-grading.

Mr. Ruma asked to address these comments and the Chair invited the applicant to speak.

Mr. Ruma said they have alternate positions to put two lots. He said they can move Lot 41 across the street and if they desired to move both, could replace Lot 41 behind Lot 165 at the entrance of the court, and in both cases, trees would not be affected at all.

Ms. Salay said view sheds are affected and that is the whole point for the space between Lots 145, 144, 164, and 165.

Mr. Ruma said in his last proposal, they had lots all along there.

Ms. Salay said that plan was not accepted, the applicant tabled the application, went to rework the plan, and she asked that we talk about this plan.

Mr. Chillog said with regard to view sheds, 90 feet will be lost on either side but also gaining back on the other sides. He said they are not taking it away, it is being moved around. He said you get more open space in the front at the cost of less open space here and the applicant maintains the lot count.

Ms. Salay suggested two lots could be lost or there is space in the empty-nester section because more single-family homes in Dublin are not needed so much as empty-nester products. She said the Commission looks at the impact on the schools, traffic, and view sheds, which are absolutely crucial. She said the one thing that stands out while driving through Belvedere today are the beautiful view sheds of the park land. She recalled that was a very long process the Commission went through to get Belvedere approved.

Mr. Ruma said it is give and take. He stated he cannot lose three lots. He said they are at 1.22 units per acre; there is no such thing as this density anywhere in the City, except for River Forest that is 80 years old. He restated he cannot lose three lots.

Cathy De Rosa asked if there was potential around Lot 64 or 55.

Mr. Ruma said there are big trees there.

Deborah Mitchell said she agrees with the need for empty-nester housing. She said from an economic standpoint, that preserves the applicant's number of lots.

Ms. Husak said in the senior housing area the pinch point there is the stream and Stream Corridor Protection Zone. She said there may be an area for one lot if all the other lots were reduced in size; it is tight in terms of open spaces.

Ms. Salay agreed. She asked how wide the lots are on the top of that curve. Mr. Ruma answered they were 60-foot lots.

Ms. Husak said it appears for least impact would be to remove the one lot with the trees and relocate it. She recommended keeping the other one in place.

Mr. Brown said he believes it is the 'lesser of all evils'.

Ms. Newell agreed. She said there is one really significant tree, the 28-inch Red Oak. She said taking away the views at the other areas to relocate those two lots, that is worse than losing the one Red Oak, as beautiful as that tree may be.

Mr. Walter noted the point-by-point debate. He said the Commission is not obligated to make this financially work for the applicant but are obligated to make this work for the residents and the City. He said if the applicant loses three lots, you can make that up through a lot premium of $5,400 spread across other lots. He indicated we will be here for days and they have not addressed asphalt, vinyl, or anything. He said he would like to hear how the balance of the Commission feels, make conditions, and let the applicant accept or reject them.

Ms. Newell said she appreciated his input and was happy to move onto architectural issues. She said her biggest heartburn is leaving vinyl in the text. She said the Commission has asked a lot of applicants who have come forward recently to eliminate vinyl. She said her concern with vinyl windows is the text does not address quality. She said when you leave vinyl, in particular, while she would admit, professionally there are good quality vinyl windows, it is also one of the most affordable windows you can put in residential or commercial because there are so many lower-end windows available.

Ms. Salay asked Ms. Newell as an architect, if she has a specification for vinyl windows. Ms. Salay recalled discussing vinyl siding being a certain thickness as a quality material. She said she is open to vinyl windows; they are in the finest homes. She suggested the Commission could specify a type or certain quality.

Ms. Newell said requiring a thickness to how that window is constructed is not a good way to delineate that. She the problem is you are identifying them more for manufacturer and then there is the risk that the same manufacturer makes a very low end product and high end at the same time.

Mr. Miller asked Ms. Newell if she set a basis for design for a project that includes a window schedule that you line out for a commercial project that sets a standard for equal type products for that design project.

Ms. Newell said she would but generally you are picking out specific manufacturers. She said you can look at any window manufacturer and they will run a gamut of quality of products they offer.

Mr. Miller asked if a basis could be set for a design minimum that would allow the Commission to be comfortable. He stated he thought vinyl windows were fine; they are found in $800,000 to $1 million homes. He suggested the low-end vinyl windows could be eliminated by setting a basis for design.

Ms. Salay asked if some windows could be specified during the Final Development Plan.

Ms. Husak explained that typically for a single-family development, the architectural details for each lot are not provided at the Final Development Plan. She said in certain areas of the City, there have been allowances for alternative materials or alternative types being permitted with demonstration of high quality at the Final Development Plan stage. She said that is something the Commission could entertain. She said it is then going to have to be applicable to however many lots are included within that Final Development Plan. She said if the applicant is amenable to that we could do that; allow everything that is proposed except for the vinyl windows and then have some language added that with the proof of high quality provision, that could be approved at the Final Development Plan.

Mr. Miller said there are a lot of different ways to specify a window and one thing we never touch on, but certainly accentuates a house are the muntins. He said it is a very difficult to specify at this level; hopefully the rest of the architectural standards are high enough that the better home builders are attracted that provide a better standard anyway. He said drawing the line on this is difficult to put into text.

Ms. Newell said that is why she has always sided on just eliminating vinyl and Staff has to enforce what is written into this text. She said the fair and reasonable thing to do would be to eliminate that product.

Ms. Husak said if vinyl windows were eliminated at this stage, that would not mean the applicant could not come at the Final Development Plan with an acceptable specification where the Commission could then do a text modification to allow that specific type of vinyl window.

Ms. Newell confirmed Ms. Husak was suggesting eliminating it now but allowing it to be brought back.

Mr. Brown said he would support eliminating the complete vinyl window but not opposed to a vinyl clad. He said he is opposed to a vinyl shutter. He asked if a condition could be written in those terms he would be supportive.

Ms. Newell said it sounds like the Commission needs to eliminate vinyl altogether.

Mr. Ruma said vinyl shutters should not be in the text; it was an oversight on their part.

Mr. Ruma restated that every major builder in the City of Dublin uses vinyl windows and listed them. He said they use windows by well-known manufacturers. He said the Commission is dictating a buyer's choice. He said we are in zoning, not building a house. He said this is still America you know, with certain

freedoms and one of them ought to be at least to choose windows that are good high quality and are being used throughout any other single-family communities this Commission has approved.

Ms. Newell said she did not agree. She said the Commission has this same issue with vinyl siding that they constantly eliminate from text for the same reason; there are inherent problems with vinyl; it does not hold up tremendously well in the long-term.

Mr. Ruma emphasized that vinyl windows are better in terms of maintenance, they are long lasting, and better materials in terms of longevity and energy efficiency. He said wood is great but vinyl windows are equally as good. He told the Commission not to diminish the product without getting a real sense of it.

Mr. Brown reported he was an architectural building product representative for 15 years, which included representing 12 different lines of windows. He said he knows a thing or two about windows.

Mike Hanson said Silver Line Windows is a division of Anderson Windows. He said he appreciated the gentlemen's endorsement of our 400-series, which is a great product but vinyl is also something very acceptable. He said the Commission speaks of thickness and things like that of your concern and words cannot define a vinyl window unless it includes certain things. He said there is a better quality of product depending on the manufacturer themselves. He said through attrition of years of some of the brands you heard here today, whether it is Silver Line, Simonton, or Jen-Weld, they all have good brand identification as a result of performance. He said there is never painting and it does last a long time.

Ms. Newell restated her concern with regards to a vinyl window is that she cannot control the quality in the text.

Mr. Brown said he is not entirely opposed to vinyl windows but he would take Ms. Husak's recommendation and maybe help Mr. Ruma write a Final Development text that defines a quality standard that the Commission can find acceptable.

The Commission as a whole agreed.

Ms. Newell said eliminating asphalt was discussed at the March 26th meeting.

Mr. Miller said he thought there was a 100% agreement on eliminating asphalt as a permitted pavement material for driveways.

Ms. Newell said asphalt still appears in the applicant's text.

Ms. Salay recommended that asphalt be removed from the text as a permitted driveway material.

Ms. Newell said she appreciated that the applicant added the elevations of the buildings but asked that they expand on their text in regards to how those should be interpreted. She said in architectural standards, AS-1, it says "images have been included as supportive information to the written text to express the design intent and architectural vision for the development. Limitations shall be expressed in written text. The included imagery shall not be used to interpret limitations or exceptions of any standards." She said she would like to entertain revising that text as a condition so that it read "the included imagery shall not be used to interpret limitations or exceptions of any standards but are intended to exhibit the minimal level of detail of architectural features and embellishments and provide pictorial examples of architectural reference styles." She said she thought that made the standard more complete where it was lacking description in regards to images and still related to the text.

Ms. Salay said she appreciated that language and would like to add a "certain percentage of masonry on the fronts of the houses". She referred to the European Country Homes, the two on the right where there

is way too much stucco and the windows are really small. She said she did not want an all stucco home with just a stone water table. She said one scattered throughout, or 10 or 20 in the development is okay.

Ms. Newell asked if the text stated there had to be two materials.

Ms. Salay said there is not a percentage for building materials. She said if you have a stone water table, the rest of the house can be siding. She said a number of neighborhoods are popping up like that; she appreciates the classical farmhouse if it is not every house. She said people that may desire the most inexpensive way to build a house use siding and so you end up with a neighborhood of mostly siding. She said high quality neighborhoods around Dublin and most of the homes in Tartan Ridge have mixed materials, for the most part. She said she would like to call out a percentage of masonry, on the front, of 75% of the homes or something like that so we get that mixture and level of quality that she is after.

Ms. Newell reminded everyone that there is going to be an Architectural Review Committee (ARC). She said she does not object to an all-siding home.

Ms. Salay said she did not either, just did not want the neighborhood to build out like that. She asked if there was a standard that could be added like “no more than 20% of the homes will be all siding.”

Ms. Husak said from a staff approval perspective, percentage per home is extremely difficult to administer. She said Ms. Newell kind of hinted to that; there is the architectural diversity matrix required, which will eliminate that style repetitiveness.

Ms. Salay questioned whether the matrix requirement would give her the result she is asking for. She restated she wanted more stone and masonry on the front of homes. She said she does not see a problem with requiring this in the text.

Ms. Husak said maybe it is one of those things where the styles have to be evenly distributed. She said if you had enough of one style and not another you would get there also.

Ms. Mitchell said she wondered if the houses can be categorized by type rather than the literal interpretation in the matrix.

Ms. De Rosa asked if the goal of the Architectural Review Committee is to manage this particular issue. She said personally, she likes all the farmhouses with all siding. She said if that is the goal of ARC then they can do an effective job of fixing that.

Ms. Salay said it is but language has to be added to the text so that mix happens, otherwise things left to the market and if the market wants all siding, then that is what we will end up with.

Ms. De Rosa asked how this can be accomplished with sufficient latitude to the committee.

Ms. Mitchell asked if it is possible to define types by the percentage of the degree of which there is siding versus something else. She said then it is type not as much by style as it is by the composition of the materials and have a design matrix based on the composition of the materials.

Mr. Ruma said the words in his text are exactly the same as what is written in Tartan Ridge.

Ms. Salay said you can always do better. She said Tartan Ridge has a lot of other features.

Mr. Ruma said he did not know how to give the Commission the criteria to define they are not going to have all siding houses on every street. He said what he says is subject to what the ARC is going to be doing, looking at each and every plan. He said there will be all custom houses in Section 1, expecting

those houses to start at $750,000 using a myriad of materials. He said the age-targeted housing area is expected to be a themed community.

Ms. Salay said they just approved a theme community of empty-nester style housing and they required a percentage of stone; it was a European Country style on the façade but she did not remember what that percentage number was. She reported they had said there is too much stucco on this house just like we would have said there is too much siding.

Mr. Ruma said he could do that with a themed community because they will be proposed as a specific style.

Ms. Salay said she has spent a lot of time in Jerome Village. She recalled a section where the homes start at $750,000, had a very small water table of stone, and then the rest of it is siding, and that is the community. She said there was a home in there that sold for upper $900,000s. She indicated they are very high-end homes but there is too much siding, which is not attractive, not Dublin, and not what she is hoping for, for this site. She indicated this is a gem. She said the applicant is creating one of the finest neighborhoods in our community ever. She said she wants to make sure the architectural standards are there. She said she appreciates that the applicant is going to have an Architectural Review Committee but she does not want a street where the houses have all siding. She said the homeowners will spend their money maxing out the inside. She wants this to be the absolute best quality she can get.

Mr. Ruma suggested “no more than 25% of the houses that are outside of the age-targeted group can be all siding.”

Ms. Salay said that was fine with her.

Ms. Newell asked if that would be enforced then by the ARC and not going back to the Staff.

Ms. Husak said she would be satisfied with that arrangement.

Mr. Ruma said if there is any change to that, they will have to come back before the Commission to gain approval of a variance.

Ms. Newell questioned the Architectural Review Committee section. She started to read in the middle of the paragraph “…The ARC shall undertake a review of these elevations and plans for compliance with the commitments made in the development text such as built not limited to setbacks, building heights, diversity, types of materials, and color.” She said right in between the words materials and colors she said the following should be inserted “architectural character, level of detail of architectural elements”. She said this will relate it back to the styles to make it a little more concrete when you are the ARC looking at what is in this text and how it is going to be enforced.

Ms. Newell showed Ms. Husak what she had written and said for clarity.

Ms. Salay asked to discuss Mr. Walter’s point to the lights and eliminate the yard light posts that are wood, vinyl, or whatever.

Mr. Brown said the light posts do not bother him, but the mailboxes having consistent form does. He indicated if he had a Colonial Revival home, he would want a Colonial Revival lamp post and not a community standard.

Ms. Newell agreed the lamp posts should match the individual character of the homes.

Ms. De Rosa inquired about the strength of the language in AS-11. She said side-loaded garages had been discussed and not front-facing garages on Avery Road. She said the wording is "are encouraged and that did not feel strong enough for her as that is a requirement.

Mr. Chillog said the next line, G3, specifically addressed Avery Road garages.

Ms. De Rosa confirmed side-loaded garages are prohibited.

Mr. Chillog explained front-facing garages are eliminated unless they are court-loaded configuration and if there was a side-load, it would face west. He said the some could have north or south facing sides.

Ms. Salay confirmed front-loaded garages are not permitted on Avery Road.

Mr. Stidhem inquired about the mounds on the south side of the site, asking how much of that will be maintained. He said it would create a natural buffer between neighborhoods.

Mr. Ruma said most of those mounds are going to be in the building pad of those lots.

Mr. Stidhem referred to Lots 170 and 171. He said it is hard to see the existing trees there again, between the neighborhoods and is assuming nothing will be removed there.

Mr. Stidhem inquired about the location of the Avery Road pedestrian crossing and how it would be affected by the hill.

Mr. Ruma said it is taken directly across from where the Memorial Drive intersection is. He said it has to be moved north of that intersection by about 15 to 20 feet. He explained that the grade change between the existing cart path and Avery Road is about two feet. He said he anticipates a 25 – 30% grade going back out to the road. He said on the other side it is basically level, falling down just a little, but it has to go around because there is a storm sewer, light, and landscaping and connects to a private path. He said public people are being put onto a private path that is restricted to Muirfield residents. He emphasized he is against this.

Ms. Wawszkiewicz said the access drive is farther north on Memorial Drive and the Muirfield path on the east side of Avery Road is significantly east of the road; it does not come up along the edge of the road. She said Engineering thought this would work out a little easier as far as connections and existing facilities. She said it does have existing paths on both sides.

Mr. Stidhem inquired about the land uses noted in the development text in section DO-4. He said it states proposed uses of the residential open space/community gardens. He asked if that would be similar in the maintained by the homeowner's association.

Ms. Husak explained Planning has been working with the Parks and Open Space staff on all of the language for the potential future development of the open spaces. She indicated that if there was a community garden permitted, it would be the homeowner's association responsibility.

Mr. Stidhem indicated he was a big fan of community gardens and assumed the ponds would be maintained by the City.

Ms. Salay stated she would like to put that in as a condition. She indicated there are some neighborhoods where the homeowner's association is required to maintain the pond and it is problematic; there are questions of how it is maintained and it is technically part of the City's stormwater system and that is a burden to put on homeowners.

Mr. Stidhem inquired specifically about the one in the northeast corner, near Lots 69 and 70. He said it was laid out in the plans that it would be maintained by the homeowner's association. According to the plan, he said the rest would be maintained by the City.

Ms. Salay said all ponds that are part of our stormwater system should be maintained by the City. She said at the end of construction, we could ask that someone dive in and retrieve all the construction debris recalling an issue in Ballantrae where a pond was clogged with construction debris and did not function correctly.

Mr. Stidhem asked about the timing of the programming referred to on BS-8. He said there are a lot of possibilities in the open space and depending on the type of neighborhood, especially if you look at 123 – 109 area. He said some interesting things can be done to create community for that target market.

Ms. Husak said at this point there is not really a timeframe established but it would be the Parks staff identifying when programming would occur and she is not sure when the threshold is to engage the community.

Mr. Stidhem said he is sure great things will happen and the community will be involved. He referred to the very top of that same page where it states "generally wire or two-rail fencing shall be used to protect special landmark trees." He asked if that was a temporary condition.

Ms. Husak confirmed it would be temporary fencing. She said in normal circumstances, orange silt fence is used for tree protection, which is not very sturdy; wind, rain, or a backhoe could knock it down. She said that fence is a sturdier, more permanent fence to protect trees on any temporary condition during construction.

Ms. Husak explained it is being done now at the Stansbury at Muirfield Village site where inspectors are working with the developer to identify areas for the more heavy-duty fence to protect the existing trees.

Mr. Miller said he is good with the application and believes the developer is really close. He stated he is not opposed to vinyl windows. He indicated he has had wood windows and would not again but giving the homeowner the opportunity to choose is okay. He said he really appreciates the four-sided architecture but there was a letter submitted by a resident, which included a picture of a home in the Virginia Homes section of Tartan West, and said this is not four-sided architecture. He said he does not interpret the text as defining this as four-sided architecture and not what the residents are looking for.

Mr. Ruma said he had nothing to do with the approval of Tartan West. He said all he did was buy those lots and sold them to his son. He said the house Mr. Miller is referring to is the house they built for 'Home for Hope' for The James Cancer hospital and he said he did not know if they had four-sided architecture requirements in Tartan West or not but the plans submitted were approved.

Mr. Miller said he wanted to bring this up because the residents took the time to write a letter to the Commission and there were multiple purposes for his letter but one of the areas is the lack of aesthetics. He said he believes the all masonry fireplaces, the masonry material on the fireplaces itself is going to help carry the four-sided architecture around the home is going to help. He said he does not have a problem with it; he just wanted to say there is a resident out there that does not believe this is four-sided architecture. He said he did not think that is what Mr. Ruma's text is inferring; he just wanted to go on record with that information.

Mr. Miller asked about a flood plain study that was coming or would come after because some of these homes are currently in the flood plain. He asked if a new study would be presented to Council.

Ms. Husak said the requirement is that there will be a Letter of Map Amendment (LOMA) for changes to that flood plain boundary submitted to us and subsequently to the Commission at the Final Development Plan stage when the applicant had a chance to finalize the grading for those lots and get in touch with FEMA to get that taken care of.

Ms. Newell said with regards to four-sided architecture, if the text is silent in regard to something, it refers back to the provisions that are in our own Zoning Code.

Ms. De Rosa asked about the Hyland-Croy Road connection. She read the condition "to work with the City to program a direct site connection". She asked if that meant "it will be done" or it will be "prepped to be done".

Ms. Husak said it means it will be done; it just depends on by whom and exactly where.

Ms. Wawszkiewicz added "programmed" is a very specific term that engineering uses with City Council for projects that are included in the Capital Improvement Plan in a five-year window.

Ms. De Rosa asked about "to accelerate" or "make sure" whatever possible that the improvement at Brand and Avery Roads get into the plan because that has been stated over and over again. She noted the safety concerns that were brought up and she shares that concern.

Ms. Husak said Staff had a meeting this morning with residents in Belvedere where that was one of the discussion topics that we honed in on because the avoidance of that intersection causes a lot of the internal traffic within Belvedere so she said she hoped that Council was aware of that need and to move it up in the CIP.

Ms. Salay said that was definitely on Council's radar and believes Engineering is working on a design and as soon as they are ready with a design, Council would support construction.

Mr. Miller said one of the residents brought up using that anticipated road as a construction entry and he thought that was very logical. He asked if that is something that can be included here.

Ms. Husak said the tough thing about it is that the first phase of development is intended to be this southeastern section so having 1,500 feet of drive just to get to the site plus another 1,500 feet to get to the construction area, might be a tad difficult. She said the construction staging area/entrances will be something that Engineering takes a look at as part of their acceptance of the construction drawings. She said they will get it out of the main roads of travel but will traffic have to take Avery Road to get there, most likely that is going to be the route.

Mr. Brown addressed the Hyland-Croy connector. He said part of the land that Mr. Ruma does own, if working with the City to connect that, how is that particular property that needs to become a road, deeded, accessed, or granted permission by the City to fully utilize and take over for road construction.

Mr. Ruma said he thought it would all be part of the infrastructure agreement.

Mr. Ruma addressed something mentioned earlier when he said he had no problems specifying mailboxes and lamp posts. He said they have done that in the past and generally includes it in the deed restrictions to ensure homeowners comply. He said they generally specify a brand and a picture and state this is what the homeowner is to put in front of their house. He said it was fine with him to add it to the text, if that was requested.

Ms. Newell asked if there were further questions or concerns. [There were none.]

Ms. Husak said there were originally four conditions proposed that are included in the Planning recommendation shown on the screen, and conditions 5 through 13 have been added. She read the conditions:

Ms. Husak said approval is recommended for the Rezoning/Preliminary Development Plan with 13 conditions:

1) That the applicant enter into an infrastructure agreement with the City, prior to submitting the first Final Development Plan, for development thresholds and public project contributions including the necessary sanitary sewer system improvements;
2) That the applicant work with the City to program a direct site connection to Hyland-Croy Road to the satisfaction of the City Engineer prior to the approval of a Final Plat that includes the Firenza Place connection to Tartan West;
3) That the developer update the traffic impact study to the satisfaction of the City Engineer prior a City Council hearing of the rezoning;
4) That as part of the development of Section 1, the applicant provide a northbound left-turn lane on Avery Road into the site and a pedestrian crossing system for Avery Road, to the satisfaction of the City Engineer;
5) That the development text be revised to eliminate vinyl as a permitted window option and allow the applicant to request approval of specific vinyl window products at the Final Development Plan stage if so desired;
6) That the development text be revised to eliminate vinyl as a shutter material;
7) That the development text be updated to eliminate asphalt as a permitted driveway material;
8) That the development text be updated to address the language on page AS-1 in accordance with the Commission comments;
9) That the development text be updated to limit all siding as the building material to 25% of the total homes within Subareas A and B;
10) That the development text be updated to limit stucco to no more than 50% of the primary façade of a home;
11) That the development text regarding the review authority of the Architectural Review Committee be updated to revise page AS-1, Section II. B. 1. to add architectural character and level of detail of architectural elements to the review authority of the ARC;
12) That the stormwater management areas be maintained by the City of Dublin and the development text and plans be updated accordingly; and
13) That consistent mailboxes be submitted for review and approval at the final development stage.

Ms. Newell referred to the second paragraph that she suggested editing was under the ARC paragraph B-1. She asked Ms. Salay to confirm what her issues were.

Ms. Salay said siding and percentage of stucco were her issues.

Ms. Newell said right now, what that applies to is siding.

Ms. Salay said she was interested in masonry on the front of the house.

Ms. Husak suggested “and that homes using the European Country style use high level of masonry on the façade”.

Ms. Salay suggested “75%”.

Ms. Husak said she did not think it was feasible to calculate percentage of materials during permit review.

Mr. Brown asked if it would be easier to designate that "any particular elevation not be completely stucco".

Ms. Salay said the problem is the whole elevation. She asked Ms. Husak to recall what was stipulated on the recent Deer Run application.

Mr. Ruma said we can eliminate all stucco houses. He suggested "on 75% of the houses there will be masonry features on the front."

Ms. Salay asked if masonry was the primary material.

Mr. Ruma said not as primary; it may be stone and siding on the side.

Ms. Salay said that is what she wanted to get away from; she does not want too much siding. She clarified she wanted most of the homes in this neighborhood to have masonry fronts the primary material; you might have siding or stucco accents but when the house is viewed, it will be a brick or stone house.

Mr. Ruma suggested "75% of the houses will have facades with at least 50% stone or brick".

Ms. Salay said we are tied into the percentage of materials calculations.

Mr. Ruma said he is not trying to create all stucco or all siding houses but there will be some houses that will be mostly siding.

Ms. Salay said what we are after is a very high quality built environment that you see the stone and the brick and do not see the stucco. She noted some examples in the applicant's development standards that do not work for her because there is too much stucco. She said the text needs to be modified.

Mr. Ruma indicated we are on dangerous ground. He said the best thing is to leave it up to the Architectural Review Committee.

Ms. Mitchell said a moment ago, someone said at least half must be masonry or stone and siding or stucco could be accents. She asked if that was a solution.

Ms. Husak said Staff would be comfortable having a requirement for having masonry for certain styles. She said all European Country homes have to have that, which is fairly easy to administer. She said what is difficult is when it gets to 75% of the homes have to have that because for 185 homes minus the empty-nester homes, we have to have a matrix in the office that says this home in this area affects this home over here, and this over there, etc. She said if you have to take into account the 50 homes that have already been approved that dictate what the 51st home has to have, it gets difficult.

Mr. Brown said of all the pictures of homes that are represented, the only one he has an issue with is the middle one on AS-3, European Country.

Ms. Husak said for Tartan Ridge there was some language in there for the prominent facades because that is the piece that sticks out the most out of that entire elevation.

Ms. Salay noted "the prominent façade has to be stone or brick".

Ms. Newell said she reviewed the architectural diversity standards and understands Ms. Salay's goal that a whole bunch of stucco or siding homes is not what she wants to be left with but it is ok to have a home that was predominantly siding. She suggested "The architectural character of the community must

provide diversity of styles and use of materials so that for the overall development, does not create a predominant use of a single material".

Ms. Husak said it has to be except for the siding because on the Colonial elevation, it is appropriate.

Ms. Newell said she meant throughout the whole development. She said her intent was if there are four homes in a row, there would not be four homes that were all going to be siding so viewing the development as a whole, stucco was not repeated throughout the development. She said in the architectural character, they would have to make that assumption. She explained as the building gets out, and there is a resident that wants to come in and there is a lot of siding homes, someone on that ARC has to say that the home needs to be a different material because of a predominance of a single material.

Ms. Newell invited public comment.

Robert Fathman, 5805 Tarton Circle North, said on this most recent discussion, he heard the applicant say he is okay with 50%. He noted Ms. Husak said she has some difficulty working with it but personally he said he liked what Ms. Salay said about 75%. He said somewhere between 50% – 75% is okay and most of the Commission seems to want that. He suggested picking a percentage and go with it since Mr. Ruma agreed to work with it and let us be done with that issue.

Mr. Fathman said he did not see on Ms. Husak's list here a point #13, which is Lots 40 and 41. He said there has been a great amount of discussion and then we moved off that and he would like to see those lots eliminated. He said our group of these nine homeowner associations wanted to eliminate six lots and Staff wanted to eliminate three lots. He said he would like to see at least those two eliminated.

Ms. Salay suggested "75% is stone or brick on the front façade."

Mr. Brown said he did not want to eliminate the Colonial Revival style.

Ms. Newell said she did not have an objection to a home being all siding.

Ms. Salay said she did not mind either but in Jerome Village there is very high-end homes and it is a fine look and she does not have an objection; it is just when you get too much of it.

Ms. Husak said the problem we will run into is if a certain style of home or architectural character is required then nobody builds that particular home. She said we had that happen at the Conine property there off Summit View where the text required if there was masonry used on the front; it had to be on all sides. She said it ended up being that nobody used masonry on any of the homes.

Ms. Salay restated her primary concern is with front facades. She said we have the four-sided architecture and the pictures of sides and rears; she does not want too much stucco on a façade of a house.

Mr. Brown suggested "no primary façade should contain more than 50% stucco."

Ms. Newell reminded everyone that we do have an ARC that will be making judgements. She said it is hard to regulate architecture that is why we are all struggling to come up with the proper text language.

Mr. Brown agreed.

Ms. Newell said it is equally hard for Staff to enforce that because there will be a quantitative and a subjective decision needed to be made in regards to what those provisions are, which is equally the task

of the ARC. She said if the goal is not to end up with a predominant material throughout the development that we simply just add that to the text.

Ms. Salay said we covered the siding.

Ms. Newell said that would apply to whether it was siding or stucco, equally would apply then if there was masonry. She said that would not limit the materials but it would limit every single house in the development from being masonry.

Ms. Salay said if every single house in this neighborhood is either the 25% siding farmhouse style and every other home was brick or stone, it would not be a bad thing.

Ms. Husak said she tried to incorporate what Mr. Brown was suggesting in condition #10. "That the development text be revised to limit stucco to no more than 50% of the primary façade of a home." She said what this does not get at, to some extent, is if people then chose not to build any of the European Country styles because they would have to add more masonry to it. She said there is the diversity requirement that similar facades cannot be across from each other, next to each other, and so forth that would potentially get us more of the styles that do not use stucco primarily as a building material whether that is the more Craftsman style home or the Colonial Revival home. She said that would be the only issue she would foresee with that language as such that this could potentially eliminate the European Country style from the neighborhood or diminish it. She said people may build less of it.

Ms. Newell said she would agree with that comment.

Mr. Ruma said he is getting to the point where we are taking away the architect's ability to create. He said if somebody wants to build a farmhouse with different sections of architecture showing some stone, some siding, vertical siding, or some copper roofs, we are trying to diminish the ability of the architect to be creative. He suggested simplifying things by stating "no all stucco homes and we will have no more than 25% of all siding houses" and leave the rest alone and leave it up to the ARC. We need it simple for our Staff and those builders and architects that come along to build here.

Ms. Newell agreed she did not want to limit any architect's creativity. She said if the applicant is comfortable with the 25% and no home will be completely stucco.

Ms. Mitchell asked if "no homes will be primarily stucco" could be written in the text instead of "all stucco".

Ms. Salay suggested "no primary façade is more than 50% stucco."

Ms. Mitchell said and then "no more than 75% of the homes in the development will be all siding."

Everyone on the Commission and the applicant agreed to that language.

Mr. Ruma noted the problem in condition #9 is primary. He interprets that as the whole house.

Ms. Husak said we are basically saying that the true Colonial Revival style of all siding with a stone water table can only be 25% of the homes within the entire development of Subareas A and B.

Mr. Ruma said his concern by stating primary material as it infers there is another material or secondary material. He said it should say "25% of the total homes". The Commissioners agreed.

Ms. Newell asked the Commission if they wanted to tackle Lots 40 and 41 that came up previously in discussion.

Ms. Salay made a motion to eliminate Lots 40 and 41 from the plan and restore that to open space to preserve trees.

Ms. Newell said she is ok with leaving Lots 40 and 41 and the reason is because it would only preserve one tree and considering the overall development, we have asked the applicant to substantially limit the amount of lot coverage on this site and they have brought it down to 1.22 units per acre. She said the review criteria standards do not provide a reason to tell the applicant to eliminate those two lots. She said the applicant has met everything we have asked of them.

Ms. Salay said she made a motion and we can just take a vote and she would be fine either way.

Ms. Newell said she was looking in terms of people felt strongly enough than it can be added as a condition.

Jennifer Readler said if this is to be addressed it should be in the conditions so we could get a consensus.

Ms. Newell said that is what she is trying to ask if there is a consensus of whether it should be included in the conditions or not. She confirmed there are three trees and one is of significant size.

Mr. Brown said he did not think it was necessary to eliminate those two lots.

The last five members agreed the lots did not need to be eliminated.

The Chair asked if the applicant was in agreement of the conditions.

Mr. Ruma said he did not want to eliminate asphalt. He noted currently in Belvedere, two-thirds of the homes driveways are paved with asphalt. He said all of the houses in Tartan West that are adjacent to this site and the Verona condominiums are all asphalt. He said the driveways in Tartan Ridge are probably 50/50. He emphasized some people do not want concrete and that was the only condition he had an issue with.

Mr. Brown said he did not have a problem with asphalt.

Mr. Stidhem asked what the issue is with asphalt.

Ms. Salay said durability, longevity, and appearance.

Ms. De Rosa said she recalled this was agreeable by everyone at the meeting on March 26th.

Mr. Ruma said he did not agree with concrete. He said that was the one thing he held fast on. He said he made a mistake when he said vinyl windows but he definitely opposed concrete driveways because he does not like the material as a driveway. He said he has had a concrete driveway, it stained, it settled, and then it flaked. He explained that after it settled, it then cracked with the weight of a car. He said the only way to fix it is to remove and replace it. He said that was expensive and replaced it with asphalt and he was happy, but that was his personal opinion. He said he has seen good concrete driveways that have lasted a long time because they are on proper bases and sealed consistently. He said it is a matter of preference. He asked what if someone did not want a concrete driveway in this neighborhood. He said neighborhoods consisting of all concrete driveways are somewhat ugly. He said it is like all stucco houses.

Ms. Newell said she did not think the condition was “concrete was the only option” because brick and pavers are in the text already.

Ms. Salay said she has had a concrete driveway for 23 years and it is in perfect condition. She said she has neighbors with asphalt driveways and they have to do something with it every year to keep it looking good. She agreed it was a personal preference but she wanted to see asphalt eliminated as concrete is a higher quality material. She referred to the person that spoke about asphalt; we appreciate the business in Dublin and will continue to make all of our roadways asphalt.

Ms. Mitchell recalled a discussion about the mix of paving materials. She said if there is asphalt, concrete, and pavers all in the same area it is not good aesthetically.

Ms. Newell said they did but she walked Lewellyn Farms South earlier this week because it is a really nice development and thought for sure all of the driveways were mix of pavers and concrete and she was wrong. She said they are predominantly pavers and concrete but there are three asphalt driveways in that development so it makes her want to fall on this one a little bit.

Mr. Brown said concrete can sometimes be a little glaring or jarring almost like the big façade of stucco; it depends on the style of the house and what blends in appropriately. He said people throw salt on concrete driveways and then they pit and flake. He agreed it is a personal preference and he is not opposed either way.

Ms. Newell pointed out that what is consistent is all of the curb cuts and all of the aprons are all concrete, which is a standard in all of Dublin.

The Chair asked legal counsel what is done when the applicant does not agree with one condition.

Philip Hartmann said you cannot force an applicant to agree to a condition or put a condition on the property that is not agreed to.

The Chair asked to see what condition number that was.

Mr. Brown asked if there needed to be a separate motion.

Mr. Hartmann said he did not want to do anything separate in voting but it would be good to get a consensus where everybody stands whether you want to keep it up there or not.

The Chair asked Mr. Hartmann if he recommended a formal vote.

Mr. Hartmann said no, just get an idea where the Commission would stand if you want to leave that condition in but if there is 4 or 5 of you that want to take it out, then it is probably advisable to take it out and vote on it.

Ms. Salay said she would keep asphalt out as a permitted driveway material.

Mr. Miller agreed.

Ms. De Rosa said she is not an asphalt fan and would keep it out.

Mr. Brown said he did not care either way; asphalt is fine.

Ms. Newell said she is with the asphalt.

Ms. Mitchell said she would keep it out.

Mr. Stidhem said he would keep it out.

The Chair said the consensus on the Commission was that asphalt should remain out. She asked the applicant again, in regards to those conditions, if he can accept all of the 13 conditions.

Mr. Ruma said he can have vinyl windows but would have to come back with a specific window and quality of those windows that will be ok.

The Chair said we do not know 100% that they would be okay. She said vinyl windows could be asked for in the Final Development Plan, which would allow an opportunity to make a better presentation on the product intending to use or level of quality.

Mr. Ruma said he would give up on concrete driveways if he could get vinyl windows. He asked if they could say Anderson windows of a certain specification and Jen-Weld of a certain specification or similar.

Mr. Brown said not to speak on the behalf of the Commission but he spoke earlier that right now vinyl windows are eliminated but if you come back with specific language that allows a certain quality level of vinyl windows in the Final Development Plan phase, most people are agreeable to that.

Ms. Salay said she feels the applicant is going to get the quality. She asked the anticipated price point of these homes.

Mr. Ruma said it depends on what section. He said in Section 1, where there are 40 large lots, probably be $750,000 - $1 million.

Ms. Salay said someone is not going to spend that kind of money on a home that have low-quality vinyl windows.

Mr. Ruma agreed. He said Virginia Homes sold a home at $920,000 in Wellington Reserve and it has vinyl windows.

Mr. Brown said they are probably well-specified detailed vinyl windows to which Mr. Ruma agreed.

Ms. Mitchell said she thought the concern tonight was the word vinyl with nothing around it, making people nervous.

Ms. Newell said that was her concern.

Mr. Brown said so we are saying that we perceive that the applicant will get that in the Final Development Plan if returning with a good qualification on what determines a good quality vinyl window.

Mr. Ruma said he agreed to the conditions to get this done.

Ms. Husak confirmed the 13 conditions apply to the Rezoning with the Preliminary Development Plan.

Motion and Vote

Ms. Newell made a motion of approval for Rezoning with a Preliminary Development Plan with 13 stated conditions, Ms. Mitchell seconded. The vote was as follows: Mr. Stidhem, yes; Mr. Miller, yes; Ms. De Rosa, yes; Mr. Brown, yes; Ms. Salay, yes; Ms. Mitchell, yes; and Ms. Newell, yes. (Approved 7 – 0)

The Chair requested the conditions for the Preliminary Plat be shown on the screen. She asked the applicant if he was in agreement with the condition.

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

Mr. Ruma agreed.

Motion and Vote
Ms. Newell made a motion for approval of the Preliminary Plat with one condition, Mr. Brown seconded. The vote was as follows: Ms. Salay, yes; Ms. De Rosa, yes; Mr. Miller, yes; Ms. Mitchell, yes; Mr. Stidhem, yes; Mr. Brown, yes; and Ms. Newell, yes. (Approved 7 – 0)

The Commission thanked everyone and Mr. Ruma thanked the Commission for their time and effort and reaching a compromise on the situation.

The Chair adjourned the meeting for a three minute break.

The Chair reconvened the meeting.

Communications
Ms. Husak said a sheet was being routed through the Commission to add their names and phone numbers if they so choose for the contact list for Seattle, WA. She pointed out the travel folders that contain money that has been allocated for the meals per diem at the APA Conference. She noted there has been an APA folder created in Dropbox that will contain the contact list as well as a sample schedule of sessions that might be interesting to the Commission such as parking, downtown redevelopment, and form-based codes, etc. She said Staff noted speakers that they know are engaging. She explained there are two staff members that are presenting, herself and Devayani Puranik who has collaborated with Justin Goodwin who used to be on staff with the City of Dublin.

In May, Ms. Husak said Planning was hoping to have another training session for the Commission and was considering an informal setting the week of May 11th. She entertained the idea of meeting at 5800 Shier Rings Road for dinner prior to the session and discussing APA. She said MORPC might also provide a presentation about the housing trends.

Ms. De Rosa said she would be out of the country that week.

Ms. Salay suggested the last week of April.

Ms. Husak said April 30th at 6 pm had been agreed upon by the Commission members but she would check the City Calendar for any conflicts.

Ms. Husak noted a fairly large neighborhood meeting to occur on April 23rd. She said there is going to be a Parks and input meeting as part of that for Riverside Park.

The Chair adjourned the meeting at 9:45 p.m.

As approved by the Planning and Zoning Commission on May 7, 2015.

City of Dublin
Land Use and Long Range Planning
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PLANNING AND ZONING COMMISSION

RECORD OF ACTION

MARCH 26, 2015

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

4. Riviera **8025 Avery Road**
14-068Z/PDP/PP **Rezoning/Preliminary Development Plan**
Preliminary Plat

Proposal:	A rezoning of approximately 152.34 acres from R, Rural District and R-1, Restricted Suburban Residential District to PUD, Planned Unit Development District for the potential development of the site with up to 185 single-family lots and approximately 76 acres of open space. The site is on the west side of Avery Road, north of the intersection with Memorial Drive.
Request:	Review and recommendation of approval to City Council of a Rezoning/Preliminary Development Plan application for a Planned Unit Development District under the provisions of Zoning Code Section 153.050. This is also a request for review and recommendation of approval to City Council for a Preliminary Plat under the provisions of the Subdivision Regulations.
Applicant:	Charles J. Ruma, Davidson Phillips, Inc.
Planning Contact:	Claudia D. Husak, AICP, Planner II.
Contact Information:	(614) 410-4675, chusak@dublin.oh.us

MOTION: Ms. Newell moved, Mr. Zimmerman seconded, to **Table** this application.

VOTE: 6 – 0.

RESULT: The application was **Tabled**.

RECORDED VOTES:

Victoria Newell	Yes
Amy Salay	Absent
Chris Brown	Yes
Cathy De Rosa	Yes
Bob Miller	Yes
Deborah Mitchell	Yes
Todd Zimmerman	Yes

STAFF CERTIFICATION

Claudia D. Husak, AICP, Planner II

Claudia Husak presented the first motion, which she said was similar to the Elli Nail Spa case a few weeks ago where text is being modified to allow the conditional uses in the SO District for the beauty and barber shops that are not listed currently in the development text.

Todd Zimmerman asked Paul Ghidotti to address the Commission. He asked him about the west end of that building where a Starbuck's was originally proposed for that space and at that time, a restaurant was proposed for that west side. He asked if Hand and Stone was going to occupy the whole 3,000 square feet of space.

Mr. Ghidotti confirmed Hand and Stone would occupy 3,500 square feet on the west end.

Mr. Zimmerman asked if the restaurant idea then is no longer a consideration.

Mr. Ghidotti explained that originally, the developer planned to have restaurants on each end with patios. He said Dewey's Pizza asked to be in the center without a patio. He said they now do not have the square footage allowable to have a restaurant.

Bob Miller asked Staff why conditional use was not part of the original text.

Ms. Husak stated it was an oversight on the kind of uses that were considered.

The Chair invited public comment. [Hearing none.]

Motion and Vote
Ms. Newell moved, Ms. Mitchell seconded, to approve the following Minor Text Modification:

> To allow beauty and barber shops as personal services as a conditional use within the Riverside North Planned Commerce District, Subarea A3.

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

Motion and Vote
Ms. Newell moved, Ms. De Rosa seconded, to approve the Amended Final Development Plan. The vote was as follows: Mr. Miller, yes; Ms. Mitchell, yes; Mr. Zimmerman, yes; Mr. Brown, yes; Ms. De Rosa, yes; and Ms. Newell, yes. (Approved 6 – 0)

Motion and Vote
Ms. Newell moved, Ms. Mitchell seconded, to approve the conditional use. The vote was as follows: Mr. Brown, yes; Ms. De Rosa, yes; Mr. Miller, yes; Mr. Zimmerman, yes; Ms. Mitchell, yes; and Ms. Newell, yes. (Approved 6 – 0)

4. Riviera **8025 Avery Road**
14-068Z/PDP/PP **Rezoning/Preliminary Development Plan**
Preliminary Plat

The Chair, Ms. Newell, said the following application is a request for a rezoning of approximately 152 acres from R, Rural District and R-1, Restricted Suburban Residential District to PUD, Planned Unit Development District for the potential development of the site with up to 185 single-family lots and approximately 76 acres of open space. She said the site is on the west side of Avery Road, north of the intersection with Memorial Drive. She said this is a request for review and recommendation to City Council for a Rezoning with a Preliminary Development Plan and also a request for review and

recommendation to City Council for a Preliminary Plat under the provisions of the Subdivision Regulations. As City Council is the final authority on these requests, she said applicants do not have to be sworn in.

Claudia Husak said Tina Wawszkiewicz, Traffic Engineer and Aaron Stanford, Civil Engineer, will also be presenting for this case. Ms. Husak provided a presentation outline. She said even though there have been a lot of people in the room that have attended the meetings on this case throughout the process, she would provide a lot of detail for the benefit of the new Commission members.

Ms. Husak explained the formal steps involved in the PUD process. She said the PZC reviewed the Concept Plan in March 2014. She said the rezoning step is being presented this evening and the Preliminary Development Plan and Preliminary Plat are also included in this step. She said this step was completed in November 2014 but it was tabled by the Commission. She explained the PUD requires a development text be part of the zoning so that is the booklet the applicant provided to the Commission.

Ms. Husak said the applicant is requesting two actions from the Commission: 1) recommendation to City Council for the Rezoning with the Preliminary Development Plan that Planning is recommending approval with 15 conditions; and 2) recommendation to City Council for the Preliminary Plat that Planning is recommending approval with two conditions.

Ms. Husak presented the site, which has decreased in size slightly from what was previously previewed. She said it is 152 acres and on the east side is Avery Road. She reported there are three City of Dublin schools adjacent to the site: Deer Run Elementary, Grizzell Middle School, and Dublin Jerome High School. She said the major residential developments surrounding the site are: Tartan West, Muirfield Village, Shandon Glen, and Belvedere. She described the site as having 2,020 feet of frontage on Avery Road and has been a golf course since the 1970's. She said the applicant has provided the aerial views to address Commission questions from the November meeting about the trees on the site prior to the development of the golf course. She said there are two existing access points off of Avery Road and there are streams that run through the site. She noted the site includes a floodway and a Stream Corridor Protection Zone (SCPZ) over the streams. She said there are many existing mature tree stands and tree rows as part of the golf course development as well as the ones that existed along the creek bed. She explained the existing zoning of the site is split and the site is also split by counties: Union, Franklin, and Delaware. She said the area in Union county is zoned R, Rural District; and Franklin and Delaware are zoned R-1, Restricted Suburban Residential. She said both districts have very similar zoning allowances for land use and the other permitted uses in the district are agriculture, parks, and public schools.

Ms. Husak presented the Future Land Use map from the Community Plan that guides development decisions for the future of the City. She said the site is shown as Parks and Open Space, which stems from a request from the owners in 2007 when there was a major update of the Community Plan. She indicated some consideration was made for future connectivity to future developments.

Ms. Husak said the surrounding developments ranged in density from 1.27 units per acre in Muirfield Village, 1.5 units per acre in Belvedere, and 1.8 units per acre in Tartan West. She said these numbers follow what was written in the Community Plan as 1 – 2 units per acre.

Ms. Husak presented the plans the Commission previously reviewed. She noted the Concept Plan that proposed 284 lots at a density of 1.7 units per acre with 35% open space. She indicated the Preliminary Development Plan that was tabled, which reduced the number of lots to 248 with a density of 1.4 units per acre and 38% open space. She said this plan also included Subarea D to be dedicated for a potential elementary school. She said there have been discussions with the school district regarding the absorption of potential students within this development. She reported that Deer Run Elementary is one of the oldest schools in the City and the Dublin City School District may want to rebuild that school so that is why the applicant was working with the school superintendent to find a potential site within the neighborhood.

Ms. Husak said the applicant has been working with Staff to address many of the comments made by the Commission and the residents when the two previous plans were reviewed. She presented the summarized comments, one of which was the applicability of a Council Resolution passed in 2004 regarding "Conservation Design" that takes into account existing natural features, such as woodlots, steep slopes, and other natural features that might exist on various properties. She reported the applicant has revised the proposal to adhere to the Conservation Design Principles as outlined in the Resolution. Another issue has been density she said. The applicant has reduced the density significantly she reported down to 185 lots so there is now a proposed density of 1.22 units per acre and the open space has increased to 50% for the entire site. She explained the site boundary has decreased by 15 acres that the applicant will retain and not include in the proposed plan. Traffic impacts were another great concern she said with the adjacent neighborhoods and the larger intersections within the area. She said there was a push to have more protection of natural features, specifically tree preservation. Architectural standards were also a concern she said.

Jeffrey L. Brown, attorney with the firm Smith & Hale, representing the applicant, said several consultants are present to respond to any questions. He thanked staff and leadership of the various civic associations that have both given a lot of time and have a lot of interest in terms of this development. He indicated what is being presented this evening is a positive resolution of those issues raised in November 2014. He said one of the key conditions/requests was what happens if the Conservation Design Principle was used. He indicated they started from scratch to address this issue. He explained that this area was originally a farm field including two streams and the trees were primarily along that stream corridor. He presented aerial views of the site over the years. He said the more natural features such as ponds and additional trees were all created as part of the development of the golf course. He pointed out the SCPZ on the property. He said the applicant overlaid the potential development with the trees and found the developable areas. He confirmed this follows the Conservation Principles in terms of how a piece of property is evaluated. He said the applicant then overlaid the proposed lots. He presented a slide that showed how this all worked together. He restated that the density has dropped to 1.22 units per acre, which is below the density of any surrounding neighborhoods. He noted on the slide the trees to be preserved. He summarized the applicant has less units, lower density, and a better protection of natural resources, including the trees. The one other interesting thing about this site he said was young family's children could walk to school as a Kindergartener all the way up through high school since an elementary school, middle school, and high school were all within walking distance of this location.

Charles Ruma, real estate developer and builder, said he has not built many homes in the past five years but is still developing land, which he has been doing in Central Ohio for the past 45 years in the excess of 10,000 lots. He said he was the developer of Wedgewood in Powell, Ohio, and several developments in Dublin, Ohio, including the Metro Center, Waterford Village, Deer Run, Wedgewood Hills, Wedgewood Glen, and most recently, Wellington Reserve.

Mr. Ruma said Riviera started looking for land in the 60s by the American Italian Golf Association that have been in existence for approximately 80 years. He said they pieced together 67.1 acres to develop a golf course, which was originally opened in 1971. He presented a site plan of this piece in 1959 to show there was nothing anywhere but noted a Chestnut Oak tree that is still standing today. He presented a slide of the site from 1979 to show where some of the trees were planted. He reported the American Italian Golf Association has planted over 800 trees on this site over a ten-year period. He presented a slide showing five ponds that were built. He presented a slide showing the development of Deer Run Elementary School and Muirfield Village that were the first developments in the area, surrounded by farm land. Lastly, he presented the current site and the surrounding developments noting Dublin Jerome High School directly adjacent to the golf course, Tartan West, Grizzell Middle School, Belvedere, and Shannon Glen. He said now this is an infill lot of 167 acres completely surrounded by development. He restated that all of the densities around Riviera are higher. He said he has met the objective of being lower in density than every development in the surrounding area. He indicated he had been working on this plan for 28 months, which included two traffic studies, sanitary sewer analysis, soil studies, environmental

studies, ecological studies, tree surveys, stormwater analysis, stream corridor protection analysis, five different separate layouts, and participated in 70 – 80 meetings. He believes they have come a long way.

Mr. Ruma thanked the Planning Commission for their indulgence and the feedback received from the residents. He said this culminated in a Conservation Design that has not been used in any other development since the Resolution in 2007. He indicated he hopes Riviera will be the first one.

Mr. Ruma said this is a dynamite site and does not see any better site for residential living in Dublin or anywhere in Ohio. He said this site has walking and cyclist availability for school age children from Kindergarten to high school graduation. He explained that it is 76 acres of open space that includes a park the size of Goodale Park in Columbus, Ohio. He indicated he has created a community that is just as good as anybody could ever put on paper. He said there is over a mile of multi-purpose paths connecting Riviera with all the schools, local parks, Belvedere, Shannon Glen, and Tartan West. This he said meets the objectives of connectivity.

Mr. Ruma said tree preservation has been a main issue. He reported the plan saves the Chestnut Oak mentioned earlier, a Red Oak that is sitting in the middle of the north side of the site, as well as the trees along the stream corridor.

Mr. Ruma said at the entrance, the first house from Avery Road is 600 feet away, which equates to two football fields. He reported that 900 trees were identified in the survey of which 185 are Ash trees. He said they intend to preserve approximately 50 – 60% of the trees as a result of this design.

Mr. Ruma said architecture was another huge concern. He emphasized his experience. He said he is prepared to go point by point on the specifics of Tartan Ridge Architectural Standards, which he has been told is the guideline for what is expected for this site. He said he compared his text line by line to the architectural text of Tartan Ridge. He said there were 18 specific areas:

1) Dublin Appearance Code – the language was written by the same people, the Edge Group.

2) Architectural Review Committee – exactly the same.

3) Architectural Character – the words are exactly the same as Tartan Ridge but they have two pages of description styles with pictures.

4) Architectural Diversity – exactly the same.

5) Architectural Massing – he said this is not included in his plans and does not desire to include it as it is difficult to build to. He explained if they are to fit into neighborhoods that abut them, they do not believe they should do different looks except they want to make sure the quality is a good as or better.

6) Exterior Materials – exact same language.

7) Configuration of Materials – same except for Tartan's text calls for a transition of materials around a corner up to 8.5 inches, which he does not have. He said the base for Tartan's water table is 22 inches and his is 36 inches by Code.

8) Trim Materials – exact same words and specifications.

9) Shutters – same text except Tartan's text includes pictures.

10) Roofs – materials and pictures are the same.

11) Eaves, Dormers, Gutters, and Downspouts – exactly the same.

12) Exterior Paint – his text states natural colors, Tartan's specify Benjamin Moore or Sherwin Williams paint colors permitted.

13) Front Door Design – different. He said Tartan's four pages are magnificent along with columns and transoms and he does not do that.

14) Chimney Design – exactly the same.

15) Lighting – language the same but he puts lights on garages.

16) Front Porch, Windows, Soffit and Fascia – language is exactly the same.

17) Garages – same except for the setbacks that coincide with Tartan's massing.

18) Gates and Posts –he does not see these as being part of this development.

Mr. Ruma summarized by saying he hoped they have done everything in their power to meet the objections/requirements/suggestions that have been expressed. He said he is prepared to address the earlier questions about traffic and said what was reported is accurate. He added they were prepared to address any flood plain issues or stormwater protection concerns.

Diane Marin, EMH&T, said she wanted to explain what was in the stormwater management memo report provided. She noted Zone A, of the FEMA designated flood plain; she said there was no flood base determined so no FEMA designated flood way was on this property. As a result she said, sometimes areas that are not really in the flood plain are mapped as such. She said as part of their study, a detailed flood plain analysis has been completed and provided but it will be fine-tuned and resubmitted again. She said the report shows the actual flood plain and lays out the Stream Corridor Protection Zones. She indicated there are a few areas where the lots are within the FEMA designated Zone A that actually are not in the flood plain. As a result, she said they will be submitting a LOMA, which is a Letter of Map Amendment to FEMA to get those areas out of a FEMA designated flood plain. She explained they are not really in the flood plain based on the study and this is a common practice when FEMA maps things that are vaguely close. She said prior to the Final Development Plan, they will be working to get those removed from the FEMA designated flood plain.

Todd Zimmerman asked if there would be any lots that would require flood insurance. Ms. Marin said there will be no lots that are within the FEMA designated flood plain. He asked if any lots would be within the 100-year flood plain. Ms. Marin confirmed not as the site is developed.

Chris Brown inquired about detention/retention basins. Ms. Marin said they were retention basins as they are wet.

Bob Miller asked for more information about the answer Mr. Zimmerman received. He asked if any of the lots are currently in FEMA's defined flood plain. Ms. Marin answered affirmatively. He clarified that FEMA will be requested to remove that designation from the property. Ms. Marin confirmed a LOMA will be submitted and it will not be based on fill, it will be based on a map amendment.

Mr. Zimmerman asked if those lots will receive a letter for future use stating they are out of the defined flood plain when they go for resale. Ms. Marin replied there would be something on record with FEMA and she volunteered to provide that information.

Ms. Husak said the applicant is proposing three subareas for the site, which she presented. She noted the lot area sizes and setbacks permitted for each area.

Mr. Zimmerman asked about side-loaded garages. Ms. Husak said for example in Ballantrae, all 100-foot lots are required to have side-loaded garages. She said a courtyard garage, which has been seen recently in development styles could be accommodated on a lot of that site.

Ms. Husak presented the proposed phasing plans, with the first phase being Subarea A on the southeast side, which would include the demolition of the existing clubhouse and left-turn lane off Avery Road at the entrance.

Ms. Husak presented a map of the reserves of open spaces. She said the requirement for this site is 13 acres or 8.5% of the site per the Subdivision Regulations within the City of Dublin. She said the applicant has stated with the Conservation Design approach to this site, they are providing 50% open space and that is 76 acres. She pointed out the areas that are proposed to be maintained by the City of Dublin as well as the areas to be maintained by the homeowners' association. She said all the open spaces and reserves within the development will be owned by the City of Dublin. She explained that as the plats come forward, those areas will be dedicated to the City and the City will have ownership of them.

Ms. Husak said the applicant is being asked to make changes to the Preliminary Plat to ensure the open space maintenance requirements are also included on the Preliminary Plat.

Mr. Brown asked how it is determined that the City maintains a specific open space designated area.

Ms. Husak said the applicant has met with the City's Director of Parks and Open Space prior to coming to the PZC. She explained it is more or less areas that have less maintenance required and the more natural areas/less programmed, which is specifically the case here. She noted an area where there is not a lot of City maintenance envisioned because it is intended to be more natural. She said it is the park staff working with the applicant. She explained that the drawing for the open spaces is also examined. She gave an example where a person would park along the road to use one of the paths connected throughout the community, which makes it appropriate for the City to maintain as opposed to more interior spaces to the neighborhood itself. She said the development text includes potential programming for all of the open space reserves.

Ms. Husak presented the path connection map showing all the sidewalks/bike paths and proposed shared paths or existing shared paths. She said the applicant is willing to work with Engineering specifically to ensure the existing paths, which were built as golf cart paths, not built to Dublin path standards that will be evaluated and rebuilt if necessary.

Tina Wawszkiewicz presented the overview of the intersections that were focused on in the traffic impact studies prepared by the applicant. She explained the purpose of having a traffic impact study during a rezoning process is to understand the impacts of the proposed land use on the roadway infrastructure. She said it is a tool used to determine the developers' responsibility for their site access points and off-site intersections. She presented a snapshot of the proposal with 185 lots and the 24-hour volume on normal weekday is expected to be about 1800 trips and that is from the ITE Generation that matches up well with our City counts around town. She highlighted the am/pm peak hours, which are one hour out of a two-hour count; the pm peak is the higher of the two. She said these counts are significantly different than the last time this application was reviewed as it is 25% less. She presented a table to show the potential impacts to the surrounding neighborhood streets. She noted that Firenza Place is one that stubs to Tartan West the other two are to the south that extend into Belvedere. She said this help illustrate the need for that connection from the site directly out to Hyland-Croy Road. She said projecting volumes on Hyland-Croy Road out 10 years and adding the site without the Hyland-Croy connection shows poor levels of service and emphasized the need for the connection. She said this would also provide benefits

for the Belvedere and Shannon Glen areas. She said this allows students to get to the high school. She noted fewer trips for the Avery Road/Brand area with this connection.

Ms. Wawszkiewicz said the phases are expected to run from Avery Road west and Staff is recommending a condition with the rezoning to have the Hyland-Croy connection programmed prior to the approval of a Plat for section 3.2, most critically, the connection to Tartan West. She said Staff is also suggesting a sign at the end of the stub street to indicate a future extended road.

Mr. Zimmerman asked if the connector would be a cost for the developer.

Ms. Wawszkiewicz said that could be determined with the infrastructure agreement. She said Staff needs to state this connection is needed as it is important from the perspectives of transportation and the roadway network. She said Staff also wants the developer to commit to entering into an infrastructure agreement. She said the details of all those dollar amounts can be worked out at the City Council level.

Ms. Wawszkiewicz noted the alignment of Timble Falls Drive where staff requested a change.

Ms. Newell requested further explanation.

Ms. Wawszkiewicz explained that when small curves that go back and forth are introduced, a driver is going to tend to take the path of least resistance. She said a northbound driver would hug the outside of that curve and vice versa for the southbound driver and this interaction between the vehicles is not desired. She said it also makes the lot layout a little awkward, which could impact the footprint of those homes. She said it generates awkward geometry for the roadways. She said gentler curves are desired to alleviate the back and forth, back and forth action.

Ms. Wawszkiewicz said the Avery Road/Brand intersection have been included in the Capital Improvement Plan regardless of the status of this application. She reported the Avery Road/Brand intersection is currently in the preliminary design phase. She explained it had not been programmed for construction yet but the typical phase is a cost estimate for construction and then Council will decide when to program the construction. She said it appears that a roundabout will be the solution for this intersection. She indicated the current level of service is a grade C, which is acceptable from engineering's perspective, with or without site traffic. She said projecting 10 years out, the intersection fails with or without site traffic.

Ms. Wawszkiewicz summarized that based on the future traffic projection, which are nearly double in ten years, and distribution presented in the traffic impact study, the site is expected to increase traffic at this intersection by about 3%, with the Hyland-Croy connection.

Ms. Wawszkiewicz noted the overview for the infrastructure prompts asking the developer to be responsible for the Avery Road improvements at their site intersection including the turn lane required there, the connection to Hyland-Croy Road, and a pedestrian crossing system across Avery Road that would include some sort of an electronic sign. In addition, she said to Avery Road/Brand intersection, other off-site intersections could be included in the infrastructure agreement. She suggested the recent infrastructure agreement with Avondale is a good example of what kind of agreement could be expected with this application. She noted various other intersections that could be included in the agreement.

Mr. Miller said when he considers the Hyland-Croy/Brand roundabout then he thinks of Tuscany Drive, and this connector coming into Hyland-Croy; there are three events occurring there. He said he anticipates Hyland-Croy to become four lanes in the not-so-distant future. From an engineering perspective, he asked if that would solve the problem right now but create a mess later on. Ms. Wawszkiewicz said Staff analyzed it with respect to the intersection that will be developed with Celtic Crossing. She said there are a series of intersections but Staff feels the spacing would be okay to include

this new access point. She said consolidating private driveways could also help with some of that access management as this area is realigned, not to say it will not change eventually.

Cathy De Rosa said the first phases of this are going to go on/off of Avery Road based on Phase 1 & 2. She said she is trying now to overlap the bike paths and the sidewalks to this. She asked if there will be bike paths and sidewalks up and down Avery Road on both sides.

Ms. Wawszkiewicz said there is an existing bike path on the west side of Avery Road, which will probably have some reconstruction along with the widening of Avery Road when the turn lanes are built. She is assuming those connections north and south of the boulevard to be constructed with the phase they are adjacent to.

Ms. De Rosa said the first couple of phases are going to be the route to get in/out and the movement in/out to the park.

Aaron Stanford said he wanted to provide an overview of the utility system proposed with this development. He confirmed there is an existing FEMA flood plain on the site. He said the one important thing to note about that flood plain is what we would call a Zone A, which is a flood plain that is not as a result of a detailed study; it is a preliminary guess of the 100-year flood plain in that area. As part of this development, he said we have required the applicant to do a detailed study of that area that will become the basis of an analysis of what that flood plain is from a much more detailed study.

Mr. Stanford said the applicant is putting in a series of public storm sewers, catch basins, curb inlets, and stormwater ponds to meet the Code stormwater requirements for quantity and quality control.

Mr. Stanford said this site will gain access to sanitary sewer service by connecting into the North Fork Indian Run trunk sewer and that exists to the south and the west of this development. He indicated with different phases, the developer will construct new sanitary mains and services to each of the individual lots. He reported that much further downstream from this development, in the North Fork Indian Run trunk sewer, we have begun to see a long-term capacity issue with that sewer. As a result, he said the applicant was asked to do a pretty extensive study already on the sanitary sewer system for this entire sewer shed, which is over 2,000 acres of which 426 of those acres are undeveloped. He said Staff has analyzed what would happen to those undeveloped areas as well as this development in terms of impact on the sewer system after a few years. He reported they have a very good idea of what that impact is. He said the City also recommended four separate solutions or mitigation measures to improve the system. He said they intend to look at that improvement, start considering programing, and if there is cost sharing, that could be wrapped in that infrastructure agreement, similar to the transportation improvements.

Mr. Stanford said the applicant will gain access to public water for domestic and fire protection service through connecting to a 16-inch main that exists along the east side of Avery Road and also by connecting to 8-inch mains at each of the three street stubs. He explained that loop system will help maintain water pressure throughout the district and will provide better circulation. He said they have adequate water pressure in these areas and would not experience an adverse effect on the existing system.

Ms. Husak said Staff is outlining all of the conditions tied to the review criteria into the development text. She pointed out that there have been discussions by the Dublin City Schools with regard to the vicinity specifically Jerome High School but also to some extent Grizzell Middle School to this proposed development. She said the schools have informed Staff that Jerome High School is very heavily used throughout all seasons. She said there are camps in the summer, sporting events, band activities, and a lot of activity overall even outside regular school hours. She said Staff has suggested that the applicant include language in the development text that highlights that to which they have agreed. She said that is

not always something that prospective buyers read when they purchase a home but it is definitely something that gives Staff some comfort of being able to point to, to demonstrate this development is near a very active school. She said people should be made aware of the noise levels associated with such activities.

Ms. Husak added Staff is concerned about the location of proposed Lot 185 at the T-intersection there of what will eventually become the Hyland-Croy connector to the development. She said having headlights come into this lot is something Staff is quite concerned with so a condition has been proposed that this lot and the two lots to the north of proposed Cacchio Lane be eliminated from the proposal for this reason. She said it would also open up the view of the open space on the northern piece of Timble Falls Drive.

Ms. Husak said Staff wants to ensure the applicant works with Planning during the Final Development Plan stage to ensure lots that are adjacent to the SCPZ have some demarcation so that people do not start mowing into the zone, which is intended to be undisturbed. She said this has been done with a small sign or marker in a couple of areas of the City where a SCPZ exist.

Ms. Husak said Staff wants to ensure the applicant is willing to work with the schools on a path connection to Jerome High School, should that be desired by the school.

Ms. Husak said Ms. Wawszkiewicz had mentioned many of the other conditions that are related to the traffic impact study and the infrastructure agreement as well as the "wiggle" so those are all outlined in detail in the Staff Report in our recommendation section.

Ms. Husak said there are other amendments or changes requested for the development text expected from the applicant:

- Garage locations for lots adjacent to Avery Road
- Architecture for garages
- Architecture Review Committee member information

Ms. Husak said approval is recommended for the Rezoning/Preliminary Development Plan with 15 conditions:

1) That the development text be updated to include language highlighting that Riviera is proposed near a very active high school with year round activities and that homeowners will likely be affected by the noise and light that typically accompanies such activities;
2) That Lots 135, 136, and 185 in Subarea B be removed to provide larger open space vistas;
3) That the applicant work with Planning to determine a method of either physically delineating the Street Corridor Protection Zone (SCPZ) area, and/or ensure the property owners are aware of the presence of the SCPZ and its restrictions;
4) That the applicant provide a Letter of Map Amendment (LOMA) and a detailed engineering study approved by FEMA with the Final Development Plan that includes lots in FEMA designated 100-year floodplain (Zone A), subject to approval by Engineering;
5) That the applicant enter into an infrastructure agreement with the City, prior to submitting the first Final Development Plan for development thresholds and public project contributions including the necessary sanitary sewer system improvements;
6) That the applicant work with the City to program a direct site connection to Hyland-Croy Road to the satisfaction of the City Engineer prior to the approval of a plat that includes the Firenza Place connection to Tartan West;
7) That the alignment of Timble Falls Drive between Lots 140 and 165 be realigned to eliminate the proposed curvature, subject to the satisfaction of the City Engineer;

8) That the developer revises the traffic impact study to the satisfaction of the City Engineer prior to City Council hearing of the rezoning;
9) That as part of the development of Section 1, the applicant provides a northbound left-turn lane on Avery Road into the site and a pedestrian crossing system for Avery Road, to the satisfaction of the City Engineer;
10) That the plans be updated to accurately name all proposed streets;
11) That the applicant place a sign at the proposed stub for Cacchio Lane indicating future connectivity to Hyland-Croy Road and indicate this on the Final Development Plan;
12) That the applicant evaluates existing cart paths intended to remain on site and upgrade if necessary to ensure compliance with City standards;
13) That the development text be updated to indicate a willingness to provide a path connection to Jerome High School;
14) That the development text be updated to address garage locations for lots adjacent to Avery Road as outlined in the Planning Report; and
15) That the applicant provides membership information for the Architectural Review Committee to the satisfaction of Planning as part of the Final Development Plan.

Ms. Husak said approval is recommended for the Preliminary Plat to be forwarded to City Council with two conditions:

1) That the applicant ensure that any minor technical adjustments to the plat are made prior to Council submittal; and
2) That the Preliminary Plat is updated in terms of open space ownership and maintenance responsibilities prior to Council review.

The Chair invited public comment.

Kevin Walter, 6289 Ross Bend, asked Ms. Readler about the exclusion of the 15 acres, and if that area needed to be subdivided to allow a different zoning on that parcel. Ms. Readler said that would be done as part of the Plat.

Mr. Walter thanked the Commission for allowing the public to participate in this process. He said he represents a coalition of nine neighborhood groups including homeowner associations and civic groups from across northwest Dublin. He said as a voice behind the Friends of Dublin, he is committed to helping to build the best Dublin possible, respecting our history and building our future. He said it was one year ago this month that we met for the first Concept Plan discussion and they have continued discussion ever since. He said originally, the group was overwhelmingly opposed to this development but they are now supportive of most of the elements of the current application. He thanked Charlie Ruma and his team for taking a critical look at the plan, listening to the residents of Dublin, and producing a significantly better plan that will result in the preservation of a heritage and unique beauty that is Riviera.

Mr. Walter requested a few alterations to the application after mentioning the real benefits in both aesthetic and financial terms:

- Elimination of multiple lots in addition to what Staff has proposed
- Remove responsibility from the applicant for the improvements at the Avery/Brand intersection to be placed on the City
- To not connect the stub street of Tantalus Drive and only expand a multi-use path
- Clearly delineate a future connector to Hyland-Croy both in the development text and physically on property
- If an elementary school is built on the designated 15 acres, that the T-intersection at Timble Falls Drive and Cacchio Place be replaced with a neighborhood size roundabout.

- Add hardscape elements to the slivers of open space such as fences, stonework or paver walks to ensure the public understands these are to be used as open space access points and not private property
- Provide a descriptive pattern book for homebuilders that clearly expresses the character of Riviera rather than mirroring the specificity of the Tartan Ridge Architectural Standards

Mr. Walter said they understand the applicant is a developer and not a homebuilder and he will negotiate with multiple homebuilders to build on this site. He said it is critical that the architectural standards section of the development text be strengthened. He said the level of quality needs to be clearly communicated for homes built now and into the future.

Mr. Walter concluded stating they are requesting that the application be tabled this evening to work on the details of the development text.

Lisa Judson, 8018 Summerhouse Drive, West, said the presentation was very exciting and thanked the applicant for going back to the table to create a new design. She indicated she was not originally from Dublin but has been residing in Dublin for the past 8.5 years. She said she is raising six adopted daughters. She said the bottom line has been affected by the development but she believes her family's bottom line will be affected as well. She said she has been told by her realtor that her property will decrease in value by approximately $100,000 from when it was purchased in 2006. She said this is considered a lot of money for someone raising eight children. She said her lot is at a T-intersection at Abbey Glen and Summerhouse Drive. She challenges the traffic numbers as there is a huge traffic problem with students going to the high school, which is also a safety issue for children. She said the high school students do not walk to school, which adds to the traffic numbers. She said it is dangerous crossing Abbey Glen in the walking path. She is requesting speed bumps or flashing signs, etc. She indicated she has a concrete front porch because if a driver misses the stop sign, they could head right into her porch. She has witnessed that most people view the stop sign as a yield sign. She said there have been multiple accidents there, which usually involve the students. She said she has to be on alert all the time.

Robert Fathman, 5805 Tarton Circle North, said he endorsed everything Mr. Walter said. He said when Mr. Ruma and his team were at his home two weeks ago meeting with our nine neighborhood associations, he said Mr. Ruma's son, who builds Virginia Homes will build part of Phase 1 and the rest he plans to sell to M/I Homes. He said they want to ensure there are sufficient detailed architectural standards in the development text that MI Homes would have to follow.

Kristina Ledford, 6328 Cragie Hill Court, said she is new to Dublin and her house is directly across from the proposed development. She said her concern was with impact on the neighboring schools. She stated she understands the benefit of children being able to walk to the schools but does not believe that will necessarily be the case. When she enrolled her children in the system she said, the concern was that Deer Run and Grizzell were already at capacity and was concerned her children would need to be shipped to other schools on the other side of Muirfield Village. She said this is still very dense, appealing to single-family homes. She indicated she appreciates the empty nester portion of this proposal as this is a growing need.

Kip Rosier, 8079 Alimoore Green, said he is the president of Belvedere HOA. He said one of the big concerns their neighbors had was the traffic situation as the traffic is currently horrendous in their neighborhood at 7 am. He asked the Commission to consider a connector to the high school. He asked if the 15 acres that are off the table, if they were going to stay in their current form. He questions what it will look like if left barren that allows weeds to grow and become unsightly.

Mark Mace, 6469 Green Stone Loop, said traffic on Abbey Glen is a problem in the mornings and questioned the traffic impact study stating there would only be an addition of four cars cutting through

that neighborhood from the 185 homes proposed for Riviera. He said even if there is a Hyland-Croy connection, students will figure out it is harder to make a left turn onto Hyland-Croy than it is to make two right turns to get to the high school coming through their development. He stated he is also concerned about the noise levels for empty-nesters. He said he can already hear the broadcasts from the sports activities while sitting at his dining room table. He said he did not understand why his tax dollars should maintain the significant amount of that green space when he pays HOA dues for their green space in their neighborhood.

Roland Kolman, 8622 Davington Drive, Dublin, said he had been neighbors with Charlie Ruma many years ago. He said he is familiar with Tartan West as it is the route he takes for walking. He indicated he has seen it develop over the years. He said he believes this is the same house as what was built at Tartan West, just with a few minor changes. He noted the architecture is very dull. He indicated the small single floor houses are just like Levittown on steroids, which is not interesting. He said when Charlie promotes he did Tartan West, it causes him concern because he wants Riviera to be better.

Brett Bohl, 5735 Whitecraigs Court, thanked everyone, and commented on Mr. Ruma's passion. He emphasized it was not Mr. Ruma's mismanagement of that club that got us to this point in the first place. Adversely, he said, Mr. Ruma came in and saved the day and should be applauded for that. In Dublin he indicated, sports are celebrated, and many of the teams win championships. He said he wanted to go on record to offer an olive branch to Mr. Ruma as there is a consortium with the American Italian Golf Association and he would like to talk.

Jesse Oddi, Jr., 3118 Adena Point Court, stated he is the president of the American Italian Golf Association. He indicated they had no desire to be in the state they are in; this is driven purely by economics. He said over the last 15 years, there have been eight golf courses created within five miles of Riviera and two of them have fallen under hard times. He said the families that started this organization had a dream to just play golf somewhere. He explained the American Italian Golf Association was formed before there ever was a golf course. He said Riviera is their legacy and this is very difficult for them. He indicated there were people in attendance tonight that started this organization. He explained they have to sell or lose everything they have. He said they selected Mr. Ruma from a group of developers that are well respected within the community. He asked the Commission to consider this application so they can move on and move forward. He said his children and grandchildren are proud of who they are and the legacy of the American Italian Golf Association. He said there are first and second generation Italians in the association and they worked hard to be a good neighbor to the City of Dublin. He said Dublin was a Village when they first arrived. He said a lot of the members came to Dublin and still live here. He said the American Italian Golf Association and Riviera brought people to this community. He reported they had the first professional golf tournament, the LPGA. He said this is not a 'get rich quick scheme' for them but an opportunity for them to continue their legacy. He asks that they be treated like everybody else. He said the homeowners are passionate about where they live and we are passionate about what we have. He said it has always been an honor for the American Italian Golf Association to be a part of Dublin.

Mr. Ruma said the 15 Development Plan conditions in the Staff Report had not been addressed:

1) **That the development text be updated to include language highlighting that Riviera is proposed near a very active high school with year round activities and that homeowners will likely be affected by the noise and light that typically accompanies such activities;**

Mr. Ruma said that was in their text already and they will be notifying homeowners of that situation.

2) **That Lots 135, 136, and 185 in Subarea B be removed to provide larger open space vistas;**

Mr. Ruma said he was at the end, had no more to give and he was already underwater on the deal. He indicated he would gladly remove those lots as long as he can replace them in another area in this subdivision. He said there are plenty of places to put these lots if he is asked to move them and they would not deduct anything from the open space.

3) That the applicant work with Planning to determine a method of either physically delineating the Street Corridor Protection Zone (SCPZ) area, and/or ensure the property owners are aware of the presence of the SCPZ and its restrictions;

Mr. Ruma said he agrees and will clearly mark these areas on deeds or plats.

4) That the applicant provide a Letter of Map Amendment (LOMA) and a detailed engineering study approved by FEMA with the Final Development Plan that includes lots in FEMA designated 100-year floodplain (Zone A), subject to approval by Engineering;

Mr. Ruma said he would.

5) That the applicant enter into an infrastructure agreement with the City, prior to submitting the first Final Development Plan for development thresholds and public project contributions including the necessary sanitary sewer system improvements;

Mr. Ruma said he would. He said they have contributed considerably to the sanitary sewer system already, providing a $60,000 study. He said these are problems existing today and not because of any future development. He said this serious problem needs to be solved whether he develops Riviera or not.

6) That the applicant work with the City to program a direct site connection to Hyland-Croy Road to the satisfaction of the City Engineer prior to the approval of a plat that includes the Firenza Place connection to Tartan West;

Mr. Ruma said he is against a Hyland-Croy connection because of what it is going to do to Riviera. He presented a traffic situation that is going to be created by putting a connection through to Hyland-Croy Road. He explained that if there is a direct connection between Avery Road and Hyland-Croy, a thoroughfare that goes through this site. He said in the morning and afternoon, there will be 200 – 300 cars going to/from the high school. He said if there is a football game, this will be the place to go to the football game. He said this is not the thing to do for Conservation Design and the people living in Riviera. He noted the multiple paths of traffic that converges onto the high school that would go through this proposed connection. He said the Brand/Avery Road intersection is the problem and there needs to be a priority on that to get it fixed. He said he has done everything in his power to make this a beautiful living space and now a Hyland-Croy connector is requested to go through here that is going to devastate citizens that live in Riviera. He said we might as well make it Morse Road and add gas stations and fast food establishments. He emphasized it was wrong. But saying all that, he said he would cooperate with the City because he wants to get this application approved but will fight it as much as he can. He said he does not want to be part of it, especially the way it is being designed.

7) That the alignment of Timble Falls Drive between Lots 140 and 165 be realigned to eliminate the proposed curvature, subject to the satisfaction of the City Engineer;

Mr. Ruma said he would straighten out the road.

8) That the developer revises the traffic impact study to the satisfaction of the City Engineer prior to City Council hearing of the rezoning;

Mr. Ruma said he would update the traffic study to the satisfaction of the City.

9) That as part of the development of Section 1, the applicant provide a northbound left-turn lane on Avery Road into the site and a pedestrian crossing system for Avery Road, to the satisfaction of the City Engineer;

Mr. Ruma said he would build a left-turn lane on Avery Road but has a problem with the pedestrian crossing as it goes nowhere. He explained that across the street where he is being asked to put it, there is a storm outlet that is in the way and there are no sidewalks on Memorial Drive so there is no connection to anything other than going to a path that is private, restricted to Muirfield residents. He asked why someone would want to make that crossing. He said if the point is to go north of the school entrance, he recommended a different path. He said if he is forced to do it, he will participate and take care of it in the infrastructure agreement with the City but again, does not believe it is the right thing to do.

10) That the plans be updated to accurately name all proposed streets;

Mr. Ruma said he thought they were correct but if there was anything he needed to do he will.

11) That the applicant place a sign at the proposed stub for Cacchio Lane indicating future connectivity to Hyland-Croy Road and indicate this on the Final Development Plan;

Mr. Ruma said he hopes he does not have to but if he does, he will. He said he does not believe there should be a sign stating there is going to be a future road if there is not going to be a future road. He said he does not know what is going to happen with those 15 acres.

12) That the applicant evaluates existing cart paths intended to remain on site and upgrade if necessary to ensure compliance with City standards;

Mr. Ruma said he would ensure the paths comply and are high quality.

13) That the development text be updated to indicate a willingness to provide a path connection to Jerome High School;

Mr. Ruma said he had already committed to doing that.

14) That the development text be updated to address garage locations for lots adjacent to Avery Road as outlined in the Planning Report; and

Mr. Ruma said he will not have any garages facing Avery Road on the lots that are opposite facing Avery Road. He said there are only 12, 75-foot lots in this area. He said all the other lots are 86 feet or larger and all the lots in Section A are 100 feet or larger. He said homes in Section A will be custom-built homes. He said he was sure his son would be building on those lots but there will be other builders, too. He predicts that will be a very expensive area ($750,000 - $900,000). He said the homes planned for Section B will be $550,000 - $700,000; and the empty-nester homes should probably be in the $600,000 - $700,000 range and maybe higher.

15) That the applicant provides membership information for the Architectural Review Committee to the satisfaction of Planning as part of the Final Development Plan.

Mr. Ruma stated there will be an architect, a developer, and a landscape architect on that committee to determine approval of the plans.

Mr. Ruma said he has 20 reasons why the Commission should approve this site. He emphasized he needs approval to move ahead, out of PZC and get to City Council. He said the American Italian Golf Association needs an answer. He said the association can either buy another golf course or they can get themselves out of debt and plan on their own future. He said the association needs to know what to do with their golf course in this upcoming season. He indicated this is been a real problem and apologized for taking this long to return to the Commission. He said this is a new Planning and Zoning Commission, they are here, and are asking for a decision.

Mr. Ruma said he would work on architectural renderings, provide pictures, and will deal with the neighbors to fix problems. He said if someone would tell him what is wrong, he could fix it. He concluded his comments by asking again for approval.

Todd Zimmerman said he has been to a few APA conferences, has listened to Randall Arendt, and the applicant has made the numbers for Conservation Design. He asked Staff if the design is there that Dublin would expect.

Ms. Husak said she had to refer back to something that Mr. Ruma said earlier in his part of the presentation, that we do not have in the City a single development that has met the Conservation Design resolution principles to the point, each and every one of them that is there, that alone sets this development apart from anything else that we have.

Mr. Zimmerman asked if this was a vision for what Staff would have expected for Conservation Design.

Ms. Husak replied yes. She said there have been a few comments at City Council when we have taken residential products forward in the last couple of years (Links of Ballantrae comes to mind and Avondale Woods specifically where some of the Council members had concerns about lack of open space behind lots or lots backing up to open space). She said in this instance, each and every lot has open space behind it.

Mr. Zimmerman said he brought this up for the other members on this Commission that have not had the experience of APA or heard different talks on Conservation Design. He said he wanted to ensure that Staff was comfortable with this proposal and it was as good as it gets.

Ms. Husak said the site is somewhat unique that the Conservation is really all man-made features except for the streams; there is not a large woodland area in this site. She said there are areas you cannot build on anyways but you have to preserve them.

Mr. Zimmerman said the topography of the site has a lot of grade changes.

Mr. Zimmerman indicated he would like to see a minimum 30-year asphalt shingle added to the roof materials required as part of the architectural standards. He referenced the windows on #2 and asked if an awning style window could be added to the text. He said he would like to see vinyl and PVC shutters removed.

Mr. Ruma said the latest and best material for shutters is PVC as it does not warp or peel and holds its color. He said he would be glad to remove vinyl as a permitted material for shutters.

Mr. Zimmerman indicated that is fine because he has seen vinyl over time lose its color very rapidly.

Mr. Brown stated the PVC shutter does hold up.

Mr. Zimmerman questioned the configuration of materials. He asked if a house had to be clad in two materials or if there could be an all brick or an all stone house.

Ms. Newell said there is similar text and terminology in our Architectural Review Standards. She said an all brick home is considered lovely. She indicated there are incidences where an all siding home can be very attractive. She said she believes that text was added to prevent the repetitiveness of having three homes in a row with siding. She said when you try to put architectural elements in text alone, it is difficult to illustrate the result. She said for eliminating one thing, you are taking away another possibility but there was good reason why that language was added.

Ms. De Rosa said she recognizes this has taken some time and many of us were not here when this was started. She said she has seen the past recordings, as she assumes her fellow new members have, so as a "newbie" on this, it has been incredibly heartwarming to see how well the work has advanced and how hard everybody is working together. She said she believes this was worth the time and effort as we are getting close to having something that seems to work around the ring.

Ms. De Rosa said there have been discussions about ensuring diversity in the architectural design. She said based on your experience, the drawings, the discussion, the requirement to have diversity it sounds to her like that is what the community is stating is the piece that is missing. She said she believes it is more about putting it on paper than disagreeing about what it is. She indicated we are in agreement but maybe we do not see it yet on the paper.

Mr. Ruma said there will be a matrix set up so no two similar houses can be beside each other, or two houses away, or across from each other so there is a guide for builders and the Architectural Review Committee.

Ms. De Rosa asked Staff if a matrix is something the Commission would expect to see at this level.

Ms. Husak said the architectural diversity requirements are currently in the development text and the matrix is due at the Final Development stage.

Mr. Brown inquired about transition on corners; he asked if that was returnable materials off the main façade to an adjacent façade. He asked what that specifically addressed. He inquired about garage setbacks related to massing.

Mr. Ruma said there would be a variety of garage locations. He said some will be behind the front façade, some tied into a porch, and a lot of them will be side-loaded. He said on the 100-foot lots there will be side-loaded with garage doors to the outside, a number of the interior lots/Section B lots will be courtyard where garages would be off a courtyard toward the front door, and some will be front-loaded garages.

Mr. Brown referred to Mr. Walter's comments about the development text where one shows pictures and the other does not. He asked where the main contention is between the two, between Mr. Ruma's text and Mr. Walter's perspective including the whole Dublin Association.

Mr. Ruma said regardless of if they are approved tonight, he plans to sit down with Mr. Walter and figure it out. He said the language is all the same; and the pictures are the difference to describe what they want to see.

Ms. Husak reported in the Tartan Ridge text, each of the styles permitted in the development text has a picture illustrating that style.

Mr. Brown indicated he had seen those in a lot of planned communities.

Mr. Ruma said we have mentioned those styles in the text but have not shown pictures.

Deborah Mitchell said it makes sense to her that the residents would want to see pictures, and she would like to see the quality detail in pictures as well; something along the lines of the Tartan Ridge model. She said that would be an important piece given everyone's comfort level. She indicated that words are powerful but can also be ambiguous. She stated the more pictures the better.

Ms. Mitchell inquired about condition #6 because Mr. Ruma had said the connector would be a real threat to the integrity of Conservation Design.

Ms. Wawszkiewicz said it is important to look at the big picture on this one because the more connections you make, the better you disburse traffic. She said we have been talking about this in the Bridge Street District and it fits this scenario where the more options given to drivers the better the traffic works everywhere. She said the connection to Tartan would suffer if there was not another way to get out to Hyland-Croy. She anticipates the cut through traffic in Belvedere would become worse. She said engineering knows that the Avery/Brand Road intersection is a problem and are addressing it.

Ms. Mitchell asked if Staff sees a trade-off between the integrity of Conservation Design versus the need for traffic management.

Ms. Husak said it is still part of the Community Plan and there are streets stubbing into Riviera for a reason because Planners before us have realized the importance of connections being made throughout the community regardless of the kind of design.

Ms. Mitchell asked for clarity; she said Staff does not believe it is a trade-off.

Ms. Husak said the traffic safety and distribution is a higher priority.

Mr. Ruma said what we are really talking about is neighborhood to neighborhood traffic verses traffic coming from off-site, unconnected, through this site because it goes to the high school; that is the difference. He said we are really saying we are taking traffic from off-site and bringing it through this area to go to the high school rather than directing it to the collector streets where it should be. He reiterated he needed to get this application approved.

Mr. Brown said he is not a traffic engineer but he tries to drive down Coffman Road in the morning and frankly he would rather have high school traffic on the collector roads than driving through the neighborhoods. He said there is some merit to what Mr. Ruma is saying. He said he does not totally disagree with engineering as he always sees the merit in additional connections but knows how the students drive through neighborhoods and again would rather have them on the collector streets.

Mr. Ruma said if the City fixes the Brand/Avery intersection by putting the right kind of traffic control circle there, and traffic moves constantly, there will not be students going through Belvedere.

Ms. Mitchell said the intent of this neighborhood is walkability and family orientation other than the empty nesters of that area. To that point, she said people cutting through would be more of a threat to walkability.

Mr. Ruma agreed with Ms. Mitchell's statement. He said most of the high school students probably walk or ride a bike.

Mr. Brown said they drive.

Ms. Newell said more children probably do drive because many of them go to sports activities immediately after school, and many have jobs after school. She said her two daughters lived within walking distance of the school, needed to be there at the same time but both drove separately because they needed to go separate directions after school for sports activities. She believes that happens a lot in the City of Dublin. She said she has never seen a lot of kids walking in her particular neighborhood.

Ms. Newell said there is public perception that there is a lot of cut-through traffic on Tara Hill, assuming to get from one direction to the other. She said she knows traffic studies were done on that area. She asked if other such studies have been done in other periods.

Ms. Wawszkiewicz said Tara Hill is the most intense. She said through that process, a revised traffic calming program was developed that is in place now and part of that program sets out some limitations and some expectations for cut-through traffic and where there seems to be an acceptable threshold.

Ms. Wawszkiewicz said a connector with three right turns to get from Avery Road to Hyland-Croy is not going to be all that attractive. She said there will be a lot of mutual benefits for neighborhood connectivity. She believes the traffic from Avery Road directly to Hyland-Croy would be low.

Ms. Newell thanked Mr. Ruma for the effort he has made. She noted the substantial changes he had made based on the Commissions comments thus far but she still has some reservations about the architectural details. She compared the text from the November proposal to today's proposal and said the vast majority of the text is the same. She indicated she went through the Architectural Standards noting the vinyl siding, roof slopes, and decorative garages. She said while the words are wonderful, the words do not provide a visual illustration of what is associated with the meaning of those texts. She said we see that so often and there have been some cases recently where it is wonderful to get this far with a development but sometimes developments do not always proceed. She said it was the architectural illustrations that provide the Commissioners with something to refer back to when property had changed hands and being developed by new applicants. She said having those illustrations added something to the property owners so they knew exactly what was expected. She said that was the one thing she had hoped she would see along with this application.

Ms. Newell asked where the pedestrian crossing is supposed to be.

Ms. Wawszkiewicz said the applicant reviewed this proposed pedestrian crossing in their traffic impact study. She said the location is not tremendously obvious because there is not an immediate bike or pedestrian facility right along the eastern edge of Avery Road. She said there is a decent location down at the Memorial Drive intersection where the Muirfield path could be tied in on the east side and the existing Avery Road path on the west side to help integrate these communities.

Ms. Newell asked about that intersection and asked if there were walks on one side.

Ms. Wawszkiewicz said there are not any current curb ramps and that would be part of the applicant's responsibility to actually bring the connection to Avery Road itself.

Mr. Miller asked if there was a sidewalk on Memorial Drive. Ms. Wawszkiewicz answered there was not.

Mr. Miller clarified the pedestrian would cross over to a well. Ms. Wawszkiewicz said there is a path that takes off to the north. She indicated Muirfield in general lacks the roadside pedestrian access.

Mr. Miller asked if going under Avery Road was an option.

Ms. Wawszkiewicz said there is a tunnel at the north end of the schools by Grizzell Middle School.

Mr. Miller asked if the crossing for Avery Road at Memorial Drive is located at the driving range. He said he was envisioning crossing Avery Road at St. Bridget's Church on a Sunday morning. He said he was not sure how to stop people that want to cross Avery Road.

Ms. Newell stated it is really important to have that interconnection between neighborhoods, especially with the amount of conservation land and park land that will be owned by the City, available to all residents.

Mr. Brown agreed there should be a crosswalk there but also the path that connects Albany Circle that juts out towards Avery Road; it would be nice to swing that around to the south. He said engineers always do paths rectilinear. He said people do not walk that way. He said every college campus has learned you put in a building, you let people walk, and then a path is constructed.

Ms. Newell said aluminum, vinyl, and PVC were listed in the development text for allowable trim materials. She said the Commission has asked that vinyl be removed from most of our text recently. She said she has the same concern with PVC; it can be a really good product but there are no qualifications to what the vinyl or PVC material would be. She indicated there can be a lot of very good products of PVC, and admitted it was easier to omit certain materials 20 years ago; it is harder now because there is a lot more variety of better quality materials. She said as a Commissioner making decisions, we cannot discern the quality of one material to another when there are not examples. She said there are issues with PVC being painted.

Ms. Husak confirmed what the text stated.

Ms. Newell asked if the development of the Architectural Standards be brought in at the Final Development Plan stage or if they needed to be considered in the application this evening.

Ms. Husak said she did not know how to defer that.

Jennifer Readler said if the Commission wants illustrations to be part of the text, that is what the Commission is being asked to approve right now. She explained text modifications could be made at the Final Development Plan but typically they are minor in nature. She said it was possible to make the illustrations a condition and bring in samples at City Council.

Ms. Newell said if the Commission did that, they would be asking Council to make decisions on architectural elements and design, which are really the Commission's task and responsibility. She said she would be more comfortable to see those illustrations and examples now.

Mr. Ruma said he recently remodeled his house on Cape Cod facing the northeast, subject to heavy winds, rain, snow, and salt water. He explained they had oak corner boards and but had to constantly replace them until they installed PVC. He said PVC boards are straight, strong, hold color, and are of extraordinarily good quality.

Ms. Newell admitted she replaced the wood boards on her house a lot. She restated her concern with architectural text not specifying materials and also not having those illustrations of what is intended by the text to be judged against. She said text alone only leaves it more open-ended. She said she looked at what they are giving up when not passing the zoning this evening and compared the proposal with what would be allowed under current zoning.

Mr. Ruma said it is not fair to do that.

Ms. Newell said it is fair in terms of what the criteria/standards are that the Commission is being asked to judge this project against. She said she was stating that because one of the criteria is that you are meeting or exceeding the standards for which the Commission would accept that development. She stated the only thing missing for her and her fellow Commissioners is the final development of those architectural details.

Mr. Ruma said when he reviewed the architectural standards for Belvedere, there was practically nothing; the architectural standards for Tartan West contain just a half a page and most of it was architectural diversity; the standards for Celtic Crossing, which was approved last year; and the standards of Tartan Ridge. He said when he reviews what the Commission has approved in the past, he assumed he would be in line if he did the same kind of thing. He said we did that in November and then expanded it for this meeting. He indicated he has gone well beyond what is really necessary here. He said he can understand the Commission's desire to feel comfortable. He said he is committed to adding pictures/illustrations but they would not change the words.

Ms. Newell said his commitment for the illustrations makes a difference. She said they illustrate to the Commissioners and the developers what that exact intent is, and sometimes that intent in the text is not always communicated clearly. She stated she would like to see pictures/illustrations before she cast her final vote, otherwise she is very supportive of the project. She emphasized she wanted that complete package.

Mr. Ruma asked the Commission if they were in support of him replacing the lots rather than removing them.

Ms. Newell said if she knew where they were going to go, that would potentially make a difference. She said she does not see where he is going to put them at the moment.

Mr. Ruma said there are several locations. He said he wanted to study the tree survey before he places them. He said he is certain he has more than enough space to fit three lots that will not affect tree preservation. He said more than likely, the entrance part will be diminished by 100 feet.

Ms. Newell said she would like to see the results of that. She indicated there is a little bit of give and take there between Staff's requests of eliminating the lots and Mr. Ruma's desire to keep them. She said she is not opposed to keeping the lots as long as something else is not sacrificed. She emphasized the importance of tree preservation. She asked Mr. Ruma to allow the Commission to review this further.

Mr. Brown said he is not opposed to lot replacement. He indicated he did not think the entry part was fundamental to the whole development. He said he reviewed what was planted versus what was original in the flood plain. He noted one of the pictures shown of what the site looked like initially and what it looked like 30 years later where the trees showed up. He said he hates waiting 30 years for trees that are removed to develop something and replaced to come back to that same scale. He said a phenomenal job of tree preservation was done at Wedgewood. He said there are a lot of great trees that were planted four years ago, that have matured. He indicated he would hate to see the lots cleared prior to a builder starting to develop on that lot. He said there are so many great trees on that first fairway that are mature, salvageable, and can be worked around. He indicated if he was buying a premium lot and he could buy something with mature trees, that is what he would want.

Mr. Ruma said you can well those trees as they did in Wedgewood to protect them and change grade elevations.

Mr. Brown said it is up to the builders to well them.

Mr. Ruma noted Wedgewood Hills, which is in Dublin that is phenomenal. He said it is exactly what Mr. Brown is saying; he saved 90% of those trees on those lots. He explained a house has to sit someplace. He understands if you put a foundation too close to a tree it is going to die.

Mr. Brown said the mistake that is still sticking in everyone's mind is Wellington Reserve. He said he drives by that every day and cringes. He said he hates the detention pond, the retention pond, the buffer that was cleared against the neighbors, and the mature trees that were knocked down. He said no one stood up and protected those trees.

Mr. Ruma said Wellington Reserve had a 20-foot drop from west to east and all of that water was flowing down into the backyards of those who lived on the backside of Wellington Reserve. He said that was a serious problem and the water had to be stopped. He said when you start changing grade, you start losing trees. He indicated it was a shame to lose a good sense of those trees but they are all being replaced.

Mr. Brown said 30 years from now they will look decent.

Mr. Zimmerman inquired about driveways and sidewalks as there is nothing listed as a permitted material in the architectural standards and he would like to see brick, concrete, or pavers and not the use of asphalt.

Mr. Ruma said he does not use concrete for driveways because it does nothing but go bad (flakes, cracks, stains). He said if a buyer asked for concrete however, he would give it to them. He said all the sidewalks would be concrete, brick, or pavers.

Mr. Zimmerman said he has had asphalt twice and been discouraged by it and with the house he is building right now he is using concrete. He said the cost factor right now is $200 - $300 a driveway; it is pretty close. He said it is hard to maintain and take care of, same as asphalt. Other members said they agreed.

Ms. Newell said she had a personal preference. She said she had an asphalt driveway that really needs to be replaced but she takes good care of it but when it becomes time, she would replace it with pavers.

Mr. Miller asked Ms. Husak to alter the colors she used on her plans as it was hard for him to distinguish certain colors. He said this is a great project. He said he was sorry he was not here in November to address some of these issues. He stated the connector is a 'got to have' for a yes vote from him. He said he thinks Mr. Ruma would agree to the connector. He said Subarea C is an opportunity to really make this project pop. He inquired about the appearance intent of the cluster/empty-nester homes. He stated that is a type of housing that is going to be of value and can really make this a special place. He said he has a hard time understanding what that is going to look like. He said if it is a bunch of ranches on a bunch of skinny lots, he would not be supportive.

Mr. Ruma said more than likely the cluster/empty-nester homes will be a story and a half.

Mr. Brown said if he could just see that, he would be a lot more comfortable. He said if Mr. Ruma can make Timble Falls Drive less of an enticement to cut through by putting those lots in some way, shape, or form, he would be very supportive of that.

Mr. Brown said he hopes Ms. Salay's comments were entered into the record and hoped they would get addressed in some way, shape, or form.

Jeff Brown said, in terms of that senior housing/empty-nester housing, the text calls for that. He said if that happens, when they do the Final Development Plan they would bring in building architecture for the Commission to review at that time.

Mr. Brown confirmed that is not a commitment to doing that.

Mr. Ruma said it is a commitment for them to come back with that product to show the Commission.

The Chair asked Mr. Ruma what he would like to do. He said he did not believe he would get the Commission's approval vote if he did not do something about pictures.

Ms. Newell restated for herself, the pictures are not completing this package for her. She commended Mr. Ruma for his time and knows he has a financial expenditure. She said she appreciates that he has been working with Staff and the community.

Mr. Brown said he has been contentious but with the effort Mr. Ruma has put forth, it is a great project. He said he believes the applicant is doing the right thing and is so close to the finish line. He said it has to be super emotional for the American Italian Golf Association. He thanked all the neighbors that have stepped up and cooperated and had all these meetings with the applicant; he said this is tremendous input and this is how this process is supposed to work.

Mr. Ruma asked if the first PZC meeting he would be eligible for would be April 9th. Ms. Husak confirmed that date but would need materials on Monday, March 30th.

Mr. Oddi said this is a tremendous financial burden for them; every day they bleed thousands of dollars. He said they were prepared for an 18 month process and now they are at 28 months. He said he understands the Commission wanting to see the pictures. He said two more weeks is not a big deal but it is. Because that two weeks turns into two more weeks after that, and they are going to lose everything they have. He said he knows there are no guarantees but is asking for respect and not anything the Commission would not give anybody else. He said it is not just the money it is who they are; every day is depleting. He said if they could return April 9th and everybody is happy, they will be happy.

Ms. Newell said if Mr. Ruma follows through with what he was going to do, and presents good quality, that would complete this package.

Ms. Mitchell agreed that was the only thing missing for her.

Mr. Ruma asked if there was some way he could submit and receive feedback before returning to the Commission. He said he will fix things and make things happen. He said the feedback is really helpful.

Mr. Ruma asked that the application be tabled until April 9, 2015.

Ms. Husak asked for clarification on a few things before moving forward:

- Return materials at corners – Ms. Husak asked if an 8-inch return was the standard desired; the text states 8 – 12 inches.

Ms. Newell said 12 inches is not a typical masonry dimension but rather 8, 16, or 24 inches. Ms. Newell said 8 inches is a little weak; she would rather see 16 inches.

Mr. Brown said he was not opposed to the latitude of 8 inches but more is better. He said sometimes there is a weird corner to be contended with.

- Two cladding styles – Ms. Husak indicated she did not get a consensus on that. She said there are colonial homes in Tartan Ridge that have siding with a brick course. She asked if that was considered two cladding materials. The answer was yes.

- Driveways – Ms. Husak confirmed the permitted materials were concrete, pavers, or brick, which can all complement each other; no black asphalt.

Mr. Brown asked for verbiage about tree protection. He said he was not certain how to define or check that but would appreciate some comfort on that.

Mr. Ruma indicated he thought he had tree protection language.

Mr. Ruma asked Ms. Husak when he would have to submit his materials that were requested this evening. She responded the materials would need to be submitted by the end of the day on Wednesday, April 1 because the materials go to the Commission for review on Friday, April 3.

Ms. Newell asked if a concession could be made for the timing of materials to arrive later than normal. She said she would be happy to have less time to review and would do her due diligence if her fellow Commissioners would support it. She said she appreciates her applicant's willingness to work with us and understands the time constraint on the owner of the property as well. She said she would be happy to make a concession on the arrival of her packets to allow the applicant more time for submission.

Ms. Husak said that could certainly be worked out.

Ms. Newell asked if it was acceptable to everyone else. The Commission agreed to the concession.

Ms. Husak asked if the waiving of the material deadline be stated as part of the motion. The Chair agreed.

Mr. Walter said he did not want to be an impediment to the timeline that is being established for material submittal. He said the things Mr. Ruma said tonight are things the neighborhoods support and would look to have codified. He said their largest concern is that the phases down the road will be developed by other developers and so while the applicant is stating wanting to well the trees, M/I Homes may not. He said he wants to see a picture this body agrees with such that future builders understand the intent of the Commission tonight. He emphasized the need from a neighborhood perspective.

Motion and Vote

Ms. Newell motioned, Mr. Zimmerman seconded, to Table this case and additionally for the applicant waiver for the timeframe for the return of the next application so they can be heard at the next meeting on April 9, 2015. The vote was as follows: Ms. Mitchell, yes; Mr. Miller, yes; Mr. Brown, yes; Ms. De Rosa, yes; Mr. Zimmerman, yes; and Ms. Newell, yes. (Approved 6 – 0)

Communications

Ms. Husak said this was Todd Zimmerman's last meeting. She said he did not want a plaque so a treat basket was presented to him from Staff. She reported Mr. Zimmerman had been on the Planning and Zoning Commission for over 10 years, appointed first in 2002. She told him how much Staff has enjoyed working with him, he has been a great mentor, and stuck it out all these years. She said he will truly be missed.

Todd Zimmerman thanked Staff; it has been a great last nine months. He said he has enjoyed working with everyone and said Victoria Newell was doing a great job as Chair. He told the new Commission members attending the APA Conference that they will find how good a staff they have.

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PLANNING AND ZONING COMMISSION

RECORD OF ACTION

NOVEMBER 13, 2014

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

1. RIVIERA **8025 Avery Road**
14-068Z/PDP/PP **Rezoning/Preliminary Development Plan**
Preliminary Plat

Proposal:	A rezoning of approximately 168 acres from R, Rural District and R-1, Restricted Suburban Residential District to PUD, Planned Unit Development District for the potential development of the site with up to 240 single-family lots and approximately 60 acres of open space. The site is on the west side of Avery Road, north of the intersection with Memorial Drive.
Request:	Review and recommendation of approval to City Council of a Rezoning/Preliminary Development Plan application for a Planned Unit Development District under the provisions of Zoning Code Section 153.050. This is also a request for review and recommendation of approval to City Council for a Preliminary Plat under the provisions of the Subdivision Regulations.
Applicant:	Charles Ruma, Davidson Phillips, Inc.
Planning Contact:	Claudia D. Husak, AICP, Planner II.
Contact Information:	(614) 410-4675, chusak@dublin.oh.us

MOTION #1: Mr. Taylor moved, Mr. Zimmerman seconded, to **TABLE** this Rezoning/Preliminary Development Plan with 11 conditions:

1) That the development text be updated to include language highlighting that Riviera is proposed near a very active high school with year-round activities and that homeowners will likely be affected by the noise and light that typically accompanies such activities;
2) That the development text be updated to describe the intent of the ownership of Subarea D;
3) That Lots 43 and 240 in Subarea A and Lots 144 and 169 in Subarea B are removed to provide larger open space vistas;
4) That the Development Plan and text be updated to consistently name the reserves and provide accurate information regarding their sizes;
5) That the applicant work with Planning to determine a method of either physically delineating Stream Corridor Protection Zone (SCPZ) areas, and/or ensuring the property owners are aware of the presence of the SCPZ and its restrictions;
6) That the applicant provide a direct site connection to Hyland-Croy Road to the satisfaction of the City Engineer to be completed with Section 5 of the proposed development;
7) That the applicant enter into an infrastructure agreement with the City, prior to submitting the first Final Development Plan, for development thresholds and public project contributions;
8) That the developer revises the traffic impact study to the satisfaction of the City Engineer prior to a City Council hearing of the rezoning;

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PLANNING AND ZONING COMMISSION

RECORD OF ACTION

NOVEMBER 13, 2014

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

1. RIVIERA **8025 Avery Road**
14-068Z/PDP/PP **Rezoning/Preliminary Development Plan**
Preliminary Plat

9) That as part of the development of Section 1, the applicant provide a northbound left turn lane on Avery Road into the site and a pedestrian crossing system for Avery Road to the satisfaction of the City Engineer;
10) That the applicant evaluates existing cart paths intended to remain on site and upgrade if necessary to ensure compliance with City standards; and
11) That the development text be clarified as to the required location of the hedge for court-loaded garages and that sight visibility triangles will be maintained.

VOTE: 5 - 0

RESULT: This Rezoning/Preliminary Development Plan was **TABLED**.

RECORDED VOTES:

Chris Amorose Groomes	Yes
Richard Taylor	Yes
Amy Kramb	Absent
John Hardt	Absent
Todd Zimmerman	Yes
Victoria Newell	Yes
Amy Salay	Yes

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PLANNING AND ZONING COMMISSION

RECORD OF ACTION

NOVEMBER 13, 2014

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

1. RIVIERA **8025 Avery Road**
14-068Z/PDP/PP **Rezoning/Preliminary Development Plan**
Preliminary Plat

Motion #2: Mr. Taylor moved, Mr. Zimmerman seconded, to **TABLE** this Preliminary Plat with 1 condition:

1) That the Preliminary Plat be updated in terms of open space dedication, prior to Council Review.

VOTE: 5 - 0

RESULT: This Preliminary Plat was **TABLED.**

RECORDED VOTES:

Chris Amorose Groomes	Yes
Richard Taylor	Yes
Amy Kramb	Absent
John Hardt	Absent
Todd Zimmerman	Yes
Victoria Newell	Yes
Amy Salay	Yes

STAFF CERTIFICATION

Claudia D. Husak, AICP, Planner II

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PLANNING AND ZONING COMMISSION

MEETING MINUTES

NOVEMBER 13, 2014

AGENDA

1. Riviera **8025 Avery Road**
14-068Z/PDP/PP **Rezoning/Preliminary Development Plan (Tabled)**
Preliminary Plat (Tabled)

The Chair, Chris Amorose Groomes, called the meeting to order at 6:30 p.m. and led the Pledge of Allegiance. Other Commission members present were, City Council Representative Amy Salay, Todd Zimmerman, Richard Taylor, and Victoria Newell. Amy Kramb and John Hardt were absent. City representatives present were Jennifer Readler, Steve Langworthy, Claudia Husak, Tina Wawszkiewicz, Aaron Stanford, Gary Gunderman, Devayani Puranik, Marie Downie, Sue Burness, Newar Messina, Nicki Martin, Paul Hammersmith, and Laurie Wright.

Administrative Business

Motion and Vote
Mr. Taylor moved, Mr. Zimmerman seconded, to accept the documents into the record. The vote was as follows: Ms. Salay, yes; Ms. Newell, yes; Ms. Amorose Groomes, yes; Mr. Zimmerman, yes; and Mr. Taylor, yes. (Approved 5 – 0)

The Chair briefly explained the rules and procedures of the Planning and Zoning Commission. She said there was only one case on the agenda this evening. She said Staff will give a presentation first, next the applicant will be invited to make any additional comments with respect to their case, and lastly, public comments will be heard. She reported that 10 people had signed up to speak and would be heard first but then anyone else wishing to address the Commission would have the opportunity. She indicated that 45 letters had been received by the Commission from members of the community, and they have all read them and were made part of the public record. She requested that comments be limited to information that had not already been stated by previous speakers.

1. Riviera **8025 Avery Road**
14-068Z/PDP/PP **Rezoning/Preliminary Development Plan**
Preliminary Plat

The Chair, Ms. Amorose Groomes, introduced this application for a request for a rezoning of approximately 168 acres from R, Rural District and R-1, Restricted Suburban Residential District to PUD, Planned Unit Development District for the potential development of the site with up to 240 single-family lots and approximately 60 acres of open space. She said the site is on the west side of Avery Road, north of the intersection with Memorial Drive.

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

Claudia Husak said several staff members will also be part of this presentation. She presented a slide explaining the process of a Planned Unit Development. She reported the Planning and Zoning

Commission reviewed a concept plan in March 2014 for the Riviera Club proposal, which is the first step in a PUD application for establishing the planned district. She said a planned district means the request is for a rezoning to a district that is not currently in the Zoning Code but will have its own development regulations. Ms. Husak said that at that meeting, feedback was given and public testimony heard but no votes were taken at that time. She said the second step of this process is the rezoning with a Preliminary Development Plan and a Preliminary Plat that is the first formal stage step to establish a PUD. She said this includes a development text, with development regulations that will be applicable to this site from here on out. She added it also includes a Preliminary Development Plan, which has the site layout, the access, street design, open space locations, pedestrian circulation, a preliminary tree survey and the replacement information and utility plan as well as the Preliminary Plat. She said at this stage, the Planning and Zoning Commission provides a recommendation to City Council as this requires legislative action; approval by City Council would constitute the rezoning to a Planned Unit Development District. She said the third step is the Final Development Plan and Final Plat, which includes all final details for the development and those usually happen in stages or sections.

Ms. Husak presented the site that is adjacent to three Dublin City Schools: Dublin Jerome High School to the southwest, Grizzell Middle School and Deer Run Elementary School to the northeast. She added adjacent neighborhoods include Belvedere and Shannon Glen to the south, Tartan West to the north, and to the east is Muirfield Village. She noted the county boundaries and the site is in three counties: Franklin, Delaware, and Union.

Ms. Husak described the site that is 167.1 acres but is shown on the county's website as 168 acres. She said it has been surveyed and verified that 167.1 acres is accurate. She said it has 2,000 feet of frontage on the east side of Avery Road and has been a golf course since 1970. She indicated there are two access points on Avery Road that are accessing the parking lot for the clubhouse and banquet facility. She stated that natural features include two tributary streams to the North Fork of the Indian Run, which converge at the center of the site flowing south into Shannon Glen Park. She added a wooded area is in the northwest portion of the site with tree rows along the western and southern site boundaries and there are many mature trees existing on the site.

Ms. Husak showed a view of the concept plan that the Commission reviewed in March. She said the proposal included 284 single-family lots at a density of ±1.7 units to the acre with 35% of the site dedicated to open space.

Ms. Husak showed a view of the Community Plan that showed the site as parks and open space. She said this site was dedicated as Parks and Open Space in the 2007 Plan update, which staff did specifically at the request of the ownership of the golf course at that time. She explained the Parks and Open Space designation is described as land used for public or privately owned parks and recreational uses that allows the land to be preserved in a natural state. She said this classification may include portions of private lands that have been identified Open Space designations for future development projects but not necessarily targeted for public dedication or acquisition.

Ms. Husak showed the surrounding densities of the site that are 1 to 2 units per acre. She explained the zoning of the site is R-1, Restricted Suburban Residential District and R, Rural District, which both permit single-family lots and have the same development standards, which are 40,000-square-foot lots with 150-foot lot depth. Permitted are agricultural parks and public schools, she said.

Ms. Husak addressed the relationship between the Community Plan and the Zoning Code as it is critical to this application and commonly misunderstood. She explained the Community Plan is a statement of policy while the Zoning Code is a law. She added the Community Plan is a document, which states general principles and no specific issues upon which development and the City is evaluated. She explained the plan itself has no direct legal authority and its adoption does regulate or change the use of land while modifications of the Zoning Code can change uses to which the land may be developed or altered in the

regulations that affect the site. She said the Community Plan affects the future use of land while the Zoning Code affects the use of land today.

Ms. Husak presented a map that Staff provided during the concept plan review where analysis was provided on how the proposed development would fit within the surrounding context in terms of density. She said the research has been done based on plats that were provided for the northern developments and for Muirfield; Staff did a calculation based on picking an area and counting rooftops based on aerial photography. The density results she said were 1.27 units per acre, which included also the commercial lands within that area.

Ms. Husak presented the proposed Preliminary Development Plan that includes 240 single-family lots with access from Avery Road on Riviera Boulevard that terminates into a 2.1-acre central open space around which single-family lots are located. Secondary connections she said are provided through Tantalus Drive and Timble Falls Drive south to the Belvedere subdivision and Firenza Place west to Tartan West. She added a stub street is proposed on the west edge of the site to provide for a future street connection to Hyland-Croy Road.

Ms. Husak reported that Subarea D at the southwest corner of the development is programmed as a potential elementary school with associated improvements. She said if Dublin City Schools does not elect to use the site, it would remain as 15 acres of open space reserved to be owned by the City of Dublin.

Ms. Husak provided a map that the applicant prepared showing the surrounding densities, which resulted in 1.4 units to the acre for Muirfield Village and is probably more accurate than what Staff has provided. In March, she said, 284 lots were proposed with a density of 1.7 units to the acre, and tonight two numbers are proposed: 1) 240 lots with 1.5 units to the acre with the school site taken out; and 2) 240 lots at 167 acres for the total site that equates to a density of 1.44 units per acre.

Ms. Husak showed the four subareas the applicant is proposing and noted the locations on the map and explained the lot sizes and setbacks are very similar to the surrounding neighborhoods. She presented a map of the open spaces proposed and she noted the 52 acres, which the City of Dublin will own and will maintain, and the other 11 acres of open space will be maintained by the Homeowner's Association. She said Planning is concerned that lots within a couple of these subareas impede views into the open spaces and has conditioned the removal of Lots 144 and 169 in Subarea 'B', and Lots 43 and 240 in Subarea 'A' to establish a greater open view corridor connecting Reserves 'J', 'H', and 'I'.

Ms. Husak said Steve Langworthy has some remarks regarding Conservation Design.

Steve Langworthy said Staff has been asked about the Conservation Design resolution that Council passed in 2004. He reported the concept of conservation design was first put forward by Randall Arendt in his "Conservation Design for Subdivision: A Practical Guide to Creating Open Space Networks," published in 1996. He indicated the guidebook was used by many communities to revise their zoning regulation (particularly planned development regulation) to take into account existing natural features such as woodlots, steep slopes, and other natural features that might exist on various properties. He explained this book set forth an elementary design process of identifying potential conservation areas, locating home sites, designing street alignments and trails, and filling in lot lines accordingly. He added the potential conservation areas noted were unbuildable wetlands, floodplains, and steep slopes, and where present, historic, cultural, or scenic features that cause them to stand out.

Mr. Langworthy said sometimes this Conservation Design has been mistaken as being a type of subdivision when in fact it is a process to derive a subdivision. He added this process was also used for farmland in the east as a farmland conservation method.

Mr. Langworthy stated he has seen a lot of subdivisions developed during his term with the City of Dublin and said this was the first time the Conservation Design was considered for an application. He said early on, the developer was asked to provide maps of the site's natural features and how they were treating them as part of their development. He said the developer used this process and planned the house sites around the natural features. He said Staff believes the concepts highlighted in the City's Conservation Design Resolution have been incorporated by the developer to the extent possible. He noted on maps to show where and how the developer applied the conservation design principles. He said aerial photos showed what was on this property before it was developed into a golf course and some of the natural features had been disturbed back then.

Ms. Husak said one other plan that was included within the Preliminary Development Plan is a path connection illustration, which shows all the shared use paths and sidewalks. She said the developer plans to use some of the cart paths on the site but certain standards will have to be met. She indicated the applicant has also worked with Dublin City Schools to provide paths for walking or biking to the adjacent schools to which she highlighted on the map.

Ms. Husak introduced Tina Wawskiewicz, traffic engineer.

Ms. Wawskiewicz said the traffic study for any rezoning process is for Staff to understand the impact of the proposed land use on the roadway infrastructure and it is a tool to help determine the developer's responsibility for their site access points as well as their impact to off-site infrastructure. She presented the locations that were studied for the Riviera site. She said with the proposed rezoning, the majority of the site is single-family homes and the potential school site would add trips to the existing infrastructure. She said realistically there would also be some reductions with the existing golf course being converted. She pointed out the ITE trip generation rates were used to develop these and they concentrated on the peak hours (1 hour taken out of a 2-hour period of a count). She said a traffic count would be taken from 7 – 9 am, the highest 1-hour volume within that 2-hour period would be used. She said a benefit of potentially moving the school internally, connecting to the homes, alleviates the trips outside of the roadway network, such as Avery Road, Brand Road, and Hyland-Croy. She said it is important to have a direct connection to Hyland-Croy Road to help distribute the trips in the area and she presented graphics to highlight her point.

Ms. Wawskiewicz said the developer would be responsible for improving Avery Road at their site drive and would need to connect with Hyland-Croy Road. She added a pedestrian crossing would be requested for Avery Road. She said for off-site contributions, percentages would be calculated based on site traffic and applied to the cost estimate for that improvement; this would be presented to the developer through an infrastructure agreement with City Council. She said one of the off-site locations to get a lot of interest is the intersection of Avery Road and Brand Road. She explained that City Council has this intersection included in the Capital Improvement Program.

Ms. Amorose Groomes inquired about the current design fees. Ms. Wawskiewicz said the construction monies have not been programed yet; just the preliminary designs are in the 2014 CIP.

Ms. Wawskiewicz reported they are seeing a little more than 10,000 trips per day using this intersection site traffic and expect an increase of about 7 percent, assuming the school will be on the site and a direct connection to Hyland-Croy. She said without the connection, the increase would be 8 percent. She said currently the intersection operates at a 'C' level of service overall with or without site traffic. Projecting 10 years out, she said, staff anticipates the intersection would fail, with or without site traffic. She noted the other intersections to be included in the infrastructure agreement:

- Post Road and Hyland-Croy Road
- Jerome Road and McKitrick Road
- Hyland-Croy Road and McKitrick Road
- Hyland-Croy Road and Brand Road

Aaron Stanford provided a quick overview of the utility system from a map highlighting the proposed public water and fire protection. He explained this development will get access to public water by means of the installation of these new public water mains and fire hydrants and will connect into both existing 16-inch public water mains at the Avery Road connection just north of the access drive as well as three other connections to Belvedere and Tartan West. He added there will not be any adverse impact onto the existing water pressure services. He said analysis from an engineering consultant recommends new public storm sewer mains, a series of stormwater management ponds, and the installation of new public sanitary sewer mains. He said the site is unique as it was previously identified as Stream Corridor Protection Zone (SCPZ). He said natural areas would be preserved to help the flood carrying capacity. He concluded the consultant's analysis has been submitted and reviewed with four solutions and cost estimates for pipes and will be factored into the infrastructure agreement to be approved by City Council.

Ms. Amorose Groomes inquired about the Stream Corridor Protection Zone (SCPZ). She asked if the ponds were an integral part of SCPZ or could the ponds be reverted back to streams.

Mr. Stanford answered there is probably flexibility to do either depending on how the utilities are set up. He added while the ponds are important for stormwater management, Engineering also considers preserving the natural habitat for vegetation and wildlife to thrive.

Ms. Husak said that all of these maps and analysis were part of the Preliminary Development Plan. She said the other piece of this application is the proposed Preliminary Plat that includes the phasing information, which ties to some of the infrastructure requirements, in particular, the Hyland-Croy Road connection. She explained the Zoning Code includes criteria for approval of the rezoning with the Preliminary Development Plan and Staff has identified 11 conditions:

1) That the development text be updated to include language highlighting that Riviera is proposed near a very active high school with year-round activities and that homeowners will likely be affected by the noise and light that typically accompanies such activities;
2) That the development text be updated to describe the intent of the ownership of Subarea D;
3) That Lots 43 and 240 in Subarea A and Lots 144 and 169 in Subarea B are removed to provide larger open space vistas;
4) That the development plan and text be updated to consistently name the reserves and provide accurate information regarding their sizes;
5) That the applicant work with Planning to determine a method of either physically delineating Stream Corridor Protection Zone (SCPZ) areas, and/or ensuring the property owners are aware of the presence of the SCPZ and its restrictions;
6) That the applicant provide a direct site connection to Hyland-Croy Road to the satisfaction of the City Engineer to be completed with Section 5 of the proposed development;
7) That the applicant enter into an infrastructure agreement with the City, prior to submitting the first Final Development Plan, for development thresholds and public project contributions;
8) That the developer revised the traffic impact study to the satisfaction of the City Engineer prior to a City Council hearing of the rezoning;
9) That as part of the development of Section 1, the applicant provide a northbound left-turn lane on Avery Road into the site and a pedestrian crossing system for Avery Road, to the satisfaction of the City Engineer;
10) That the applicant evaluates existing cart paths intended to remain on site and upgrade if necessary to ensure compliance with City standards; and
11) That the development text be clarified as to the required location of the hedge for court-loaded garages and that sight visibility triangles will be maintained.

Ms. Husak said the above conditions come with a recommendation of approval for Rezoning and Preliminary Development Plan.

Ms. Husak said the Preliminary Plat carries different criteria and approval is recommended to City Council for approval with one condition:

1) That the Preliminary Plat be updated in terms of open space dedication, prior to Council review.

The Chair invited the applicant to step forward and state his name and address for the record.

Jeff Brown, attorney with Smith and Hale, 37 W. Broad Street, Columbus, Ohio, said he would be speaking along with Greg Chillog and Charlie Ruma. He said the applicant has been working diligently with Staff and neighbors to make revisions to this plan. He reported the number of units has decreased from 284 units to 240 units, and five acres of open space has been added. He recalled that density was a big question during the Concept Plan Review as to how it relates to the areas surrounding the site. He said the properties to the north are between 1.89 and 3.28 units per acre, to the south 1.58 and 2.0 units per acre, and Muirfield across the street has 1.47 units per acre. He said if the applicant was to decrease the development by four lots as part of one of the conditions proposed by Staff, it brings this proposal down to 1.412 units per acre. He concluded the applicant density is below the neighbors and they have more open space than adjacent property owners.

Mr. Brown said Conservation Design has also been part of the conversation. He said Riviera is the 'hole in the donut'. He said it was developed as a golf course, and things happened as a result of that such as pavement; the clubhouse and maintenance facilities; and the ponds that have been created. He believes the applicant has incorporated the conservation designs into the planning of this development as shown in the preservation of the stream corridor, the pond area, and the wooded areas with this property.

Mr. Brown said contact was made between the school system and Charlie Ruma. He said with the schools adjacent to this site, and the desire to build another, the applicant redesigned their plan and as a result, committed 15 acres as open space that backs up to the high school to create a better buffer between the homes and was dedicated to the City of Dublin.

Mr. Brown concluded that Charlie Ruma has a long history with Dublin and has done many wonderful projects. He said in this particular development, Mr. Ruma has tried to work with the community, numerous changes have been made as a result, and he understands the community standards of Dublin.

Greg Chillog, The Edge Group, 330 W. Bridge Street, Columbus, Ohio, said the proposal is not just 240 single-family homes on 167 acres. He said there are both external and internal influences on this site. He said they have identified the surrounding uses, the densities, and the proximity to this site and believes the applicant is meeting or exceeding the standards. He noted the connection to the surrounding open spaces/parks as well as the internal conservation areas and tree stands. He restated some of the earlier descriptions of this site made by Ms. Husak and Mr. Brown. Additionally, he pointed out the walking paths and their lengths along with entry features. He concluded that this site fits into the neighborhood and products were placed where they need to be.

Charlie Ruma said he has been developing in central Ohio for the past 35 years, including 50 developments, somewhere in excess of 10,000 lots, most notably, Wedgewood Hills. He said he is strict about architecture control, adheres to the Dublin Appearance Code, and hires an architect to approve all of his plans. He indicated he is planning a very high quality program for Riviera with attention to detail. He explained the lots are going to be 100-foot-lots and similar to the high end product of Wedgewood Hills.

Mr. Ruma said he does not want see Riviera Golf Club go away as it has been part of the Dublin Community for the past 50 years but the American-Italian Golf model is not working anymore. He said due to the heavy competition of other golf clubs in the area, membership has dropped significantly. He said the golf course will lose $250,000 this year and cannot continue to operate. He said Riviera just

wants the same opportunities and rights that their neighbors had to develop this last remaining site in the area.

Mr. Ruma reiterated what was requested at the Concept Plan in March: buffer area to the high school; usable open spaces; connectivity to the schools; age-targeted housing for empty-nesters; Avery Road protected; vistas and setbacks; and lower density. He said the product being proposed tonight connects neighborhoods and allows for a child to go from Pre-K to graduation via the bike or walking paths. He said they will remove the four lots suggested by Staff, which equates to 236 lots on 167.1 acres at 1.412 units per acre for density that meets or exceeds what has been done in the area. He said the connections had been made. He also mentioned his conversation with the Superintendent of the Dublin City Schools where he was asked to reserve some space for a future school, which he has also done by dedicating this open space to the City of Dublin. He concluded this is a very commendable proposal and one of the best developments they have ever put together; they have utilized the land well, and there is a good mix of product.

The Chair announced that the Commission has reached the public portion of the meeting and explained the procedures.

Kevin Walter, 6289 Ross Bend, Dublin, Ohio, thanked the City of Dublin for allowing the citizens to formally address the Planning and Zoning Commission. He stated he represented a coalition of nine homeowner's associations, and various community groups. He said their group is more than a parochial voice concerned about their own backyard. He shared results of their survey over the development of the Riviera Development. He said 2,771 people were surveyed and 696 residents responded with address information allowing the coalition to visually depict the strength of concern over this issue. He said the group's primary objective is opposition to the rezoning.

Mr. Walter said their version of an alternative "staff report" was submitted by his group with the same Dublin City Code review criteria but with vastly different recommendations. He said they recommend disapproval.

Mr. Walter said in 1988, Riviera was depicted as Parks and Open Space. He said in 1997, 83 acres of the site was designated as Parkland in anticipation of its inclusion in the Glacier Ridge Metro Park. In 2003 he said, Council provided a rezoning to the R-1 classification through Ordinance 65-03. He said in 2007, the owner of the Riviera Golf Club requested that depiction of Parks and Open Space on the Community Plan and Council agreed to change the visual representation to the use of Parks and Open Space with an R-1 classification. He said when the Community Plan was updated in 2013, the R-1 classification was affirmed. He said his group supports this classification and all its uses. He said they understand the Community Plan is a guide that is malleable, but is also the stated intention of Dublin City Council and as such, deviation from the plan should be considered against not only the developer application but also balanced against the stated intent of Council and the general welfare of the community as a whole. He said when the classification was affirmed in 2013, Riviera was depicted as appropriate for conservation design subdivision in map 3.2 B. He said Council reviewed three trend build-out scenarios and preferred the mid-range scenario; Riviera was designated as a conservation design development.

Mr. Walter said the Staff Report picks and chooses what parts of the conservation design elements and Community Plan are used as it applies to the development application. He said in 2004, City Council passed Resolution 27-04, affirming conservation design as a desired development pattern with specificity. He said the Staff Report cannot be more wrong on its discussion of the requirements for the Riviera application to conform to conservation design principles. He argues that the Resolution does not just encourage conservation design but compels it. He said the passage about the meaning of Randall Arendt's discussion on golf courses was completely backwards. He proceeded to read Resolution 27-04 and shared a graphic of curvy-linear street patterns for conservation design and said Riviera's proposed street grid did not look like that.

Mr. Walter said a Resolution maintains the same force of law as an Ordinance. He quoted the City Code as stating "Council shall use a Resolution where practical for any legislation of a temporary, informal, or ceremonial nature." He said Resolution 204 was enacted by the City of Dublin to express what conservation design is, where it applies within the City, and how to use it with very prescriptive modeling. He said it is clear Resolution 27-04 applies to the Riviera property. He said City Staff is not at liberty to dismiss the importance of the resolution. Its applicability to the Riviera property would indicate the developer generally followed Randall Arendt's process. He said his theories are completely irrelevant to this application. He said City Council has spelled out in words, pictures, and legislative action on numerous occasions that conservation design is important and the developer must, and the City will, require conservation design principles on new development in northwest Dublin.

Mr. Walter indicated he has read the traffic reports and has done research to find that it appears the traffic study was conducted appropriately and to industry standards but has found some anomalies. He said Belvedere residents incur a significant amount of cut-thru traffic due to the high school. He showed images of backed-up cars. He said the traffic report states Belvedere is a community of 154 homes, it generates 113 right turns from Abbey Glen to Brand Road headed toward the high school. He said Riviera, a community of 240 homes will only generate 38 trips headed to the high school across all exits and only 4 additional trips at Abbey Glen. He said the traffic study shows the number of cars exiting Riviera at Avery Road and turning left onto Memorial Drive, is 0. He said he finds these types of assumptions out of the scope of reality and questions the overall validity of the entire traffic report with regards to the impact the development will have on neighboring traffic volumes at critical intersections such as Brand and Avery Roads.

Mr. Walter said it is clear that the Riviera development text is simply lacking in detail. He said the review criteria for design standards states that the proposed development must meet or exceed the quality of building signs in the surrounding area. He believes the development text is very weak and lacking in specificity and only rises to the bar of meeting City Code. As an example he said, the architectural section of the development text is expressed in 522 words, including 30 words of headers. In contrast he said, the architectural section of Tartan Ridge development text is 4,046 words with 69 pictures and diagrams providing a visual representation of the text. He said the level of detail in the development text assures Dublin that a quality development will become reality. He said today the applicant said it is his "intention" to do that; for Tartan Ridge it was put into words in the development text. He added the development text is the blueprint that is the basis for all building within the development. He said review criteria 13 requires evaluation of the development based on comparable designs in a surrounding community. He said Tartan Ridge offers a wonderful template for acceptable development text, as further example, Tartan Ridge has an in-depth discussion of four-sided architecture. He said the full discussion of architecture in the Riviera application consists of two basic points that are very limited. He believes Riviera should be held to a standard equal or greater than set by Tartan Ridge.

Mr. Walter concluded their recommendation is for disapproval of the Rezoning and Preliminary Development Plan as the application fails to meet review criteria 2, 3, 5, 6, 10, and 13.

The Chair thanked the Homeowners' Associations for their coordinated effort and providing a united front, which will hopefully avoid some repetition during this meeting. She explained the timer will be used for subsequent presentations. The Chair decided that Phase 2 of the Homeowner's presentation should commence first.

Christine Gawronski, 7691 Worsley Place in the Brandon subdivision, said she was the current president of the Brandon HOA and she has been a part of the coalition of concerned citizens comprised of the nine HOAs. She thanked the Commission for their time and allowing the concerned citizens the platform to participate in the community planning. She indicated she has heard the comments that "we're drawing up the draw bridge in Dublin and not letting anyone else in" and that is not what is happening. She agrees with all of Mr. Walter's presentation. She said she hopes the Commission finds this proposal is not

keeping with the Community Plan, is not consistent with conservation development, and that it fails to meet all 16 criteria used to evaluate a development in Dublin and as a result, reject the proposal. She asked the Commission if they do decide to go ahead with the Rezoning, several conditions are requested to be imposed as conditions of approval in addition to what the Planning Department has recommended.

1) Density: The density numbers used for Tartan West and Muirfield Village are not an apples-to-apples comparison. She said those include condominiums and should just be matching single-family density, which would be 1.27 units per acre for Muirfield. She believes the 1.412 density number provided by Mr. Ruma includes the 15 acres being donated to the school and asked that the density be based without that 15 acres.
2) Building Design: Meet or exceed the surrounding area and that means single-family homes.
3) Lot Sizes: She said some lots in the proposal are as small as 55 feet wide and the majority of lots are about 70 feet wide. She said this number of small lots is simply unacceptable. She said for single-family homes in the surrounding neighborhoods, lots are in the 85 – 110 foot range, featuring side-loaded garages or three-car garages. She said the lots appear to be arranged for maximum density by forcing them together. She said the concerned citizens are requesting a minimum lot width of 85 feet, requiring a three-car garage, and keeping parked cars off of the street.
4) Inter-development Traffic: She said by placing the school area in the back of the site this proposed development will force significant traffic through Amicon Drive, and Devictor Way and converge on Firenza Place. She said if the land is not used for a school, the placement of the open space is poor and should be spread throughout the development consistent with the conservation design. She said she understands it is generous of Mr. Ruma to dedicate the land to the schools but also knows this was the most problematic portion of the property for his use.

Ms. Gawronski asked that this proposal be sent back for a complete reconfiguration. She said they agree with the Planning Department for a connection with Hyland-Croy Road.

Ms. Gawronski continued:

4) Buffering and Parks: Too many lots intrude upon the stream and keep the stream from truly being open space. She said the open space should be a community amenity, unfortunately there is no buffering for Grizzell Middle School. She said they are requesting a 50-foot buffer from all homes as in Belvedere where there is a 30-foot no build zone and 20-foot drainage easement and 60 feet next to Grizzell Middle School similar to what exist adjacent to Karrer Middle School plus better access to open space parks.
5) Trees: She recalled comments made at the March meeting regarding the Wellington Reserve Development. She said when that was approved, Mr. Ruma promised the landmark trees would be protected and he was amazed in March to hear that they were not. She said when the development was sold to his son, and the subcontractor began work, there were at least two historic trees, one of which was approximately 200 years old. She said when the contractor was bringing it down, residents told him it was a protected tree but he went ahead and removed it. She said there are multiple landmark trees on the Riviera property and we cannot afford to let that travesty be repeated here. We ask that the developer find a temporary staff member for the City who would be tasked with monitoring and protecting landmark trees and other natural treasures.

Ms. Gawronski concluded this proposal is still inadequate.

Jeffrey Oleski, 7013 Post Preserve Blvd, said he did not have the opportunity to meet with Kevin Walters. He indicated the last three years he has been in search of a new subdivision throughout Columbus, Powell, and have resided in Dublin for nine years. He said when Riviera has the opportunity to become an amazing community. He stated he has played the Riviera Golf Course.

Mr. Oleski said Subarea B was originally 30 acres and is now down to 15 acres and being transformed to an elementary school, which resulted in all of the 280 homes being shoved forward and reduced to 240 but the homes have not changed at all. He said the density is nowhere near where it needs to be. He said the opportunity is here to get it right and to be well under 200 homes.

Mark Mace, 6469 Green Stone Loop, said on behalf of the four homes bordering the course, we would prefer Riviera remain green. He said should this rezoning pass, they strongly believe in the proper buffering and preservation of Riviera's natural beauty and habitat is paramount for this development to ensure environmental sensitivity we respectfully request the ponds bordering Belvedere and natural feature surrounding these ponds remain in place while providing needed buffering and green space. He said he commends Mr. Ruma on the proposed plan to address the concerns by preserving the ponds and the surrounding features attributing to the areas natural beauty and habitat. For these reasons he said, we commend Mr. Ruma and the proposed plan as it relates to preservation of ponds, natural features and a green space bordering Belvedere. He thanked Belvedere homeowners on lots 100, 101, 102, and 103.

Andrew Eilerman 8142 Timble Falls Drive, said he and his wife moved to Dublin in 2012, and lived prior to that in Grove City, at the time we were searching for a safe place to raise children. He said his wife works in Dublin as a pediatrician in Muirfield Square. He asked what was in the hearts, souls, and minds of the residents that live near this area. He said there are tons of children that live in Belvedere and surrounding subdivisions and he is concerned with the retention ponds that are near, especially the proposed elementary school. He said he is concerned about the traffic which is already experienced around his subdivision but going through our subdivision to get to Jerome High School or over to Hyland-Croy. He asked the Commission to do right by our children, who are our future, and keep Riviera green.

Joe Di Cesare, 7636 Worsley Court, said he has been a member of Riviera for 40 years and has been in Brandon for 25 years. He said he is speaking on behalf of the developer and staff, who have worked on this a long period of time. He indicated he is aware of all the HOAs, and wanted to support Riviera becoming a subdivision. He said Mr. Ruma has worked with the schools, Commission, and staff, to present a lot of curvy-linear moves and saw the conservation design. He said the first thing listed is 1.5 units per acre for density, which Mr. Ruma is under. He asked the Commission to vote to allow Mr. Ruma to continue.

Emily Williams, 6290 Belvedere Green Blvd, said she agreed with Andy Eilerman and Kevin Walter. She said she and her husband have lived on Belvedere Green for the last decade and the traffic is horrible. She said they are currently working with the City of Dublin Police on traffic calming solutions but nothing has been achieved yet, and she cannot imagine one more car, turning on that road as a cut through to Jerome High School. She said she is worried about the kids and personally has witnessed two accidents right in front of her house in the past year and that is two car accidents too many in a 25 mph zone. She asked that the Commission take traffic as a serious consideration when voting on this proposal.

Bob Fathman, 5805 Tarton Circle North, Dublin, Ohio, said he read in the Planning Report that Phase 5 would be held up pending approval of a road all the way through to Hyland-Croy Road. He said the whole doggone plan should be "deep-sixed" until that is guaranteed. He said he supports everything Mr. Walter said earlier and the plan should be rejected for all the reasons he outlined. He said per the letter from the schools stating under no condition would the school have any interest at all in selling land of the north edge of Jerome High School to the developers to put an access road in. He stated there is no guarantee that the roads will be built to alleviate traffic. He is concerned if the first four phases go through, what happens if the road is not built. He asked if the project would be stopped at that point. He asked that Mr. Ruma be required to show documentation that a road had been secured before starting the project.

Susan Gruber King, 7015 Tuscany Drive in Tartan West, said she is concerned with the impact this development and road to Hyland-Croy Road will have on traffic. She said there are currently other areas

developing that are causing more traffic on Hyland-Croy Road. She brought up access roads cut through developments to get to main streets. She said Tuscany Drive is 25 mph and during the mornings, they have a constant flow of traffic coming from Glick Road onto Corazon, turn left on Tuscany, going all the way up Tuscany Drive and then turning left onto Hyland-Croy Road to get to the High School, moving at about 45 – 50 mph. She said that traffic goes on days, nights, and weekends. She said the Police have patrolled periodically and hand out tickets but if a connector road is built to Hyland-Croy Road, when that road backs up, the traffic will come back around through the development onto Firenza, onto Tuscany, so they can make a left turn onto Hyland-Croy Road to get to the High School or up to the US 33 and SR 161 to go to work. She said she does not think the traffic impact study correctly reflects the traffic density numbers. She said with 240 homes for this proposal, consisting of families, there will be at least one wage earner, probably two, and there may be a caregiver taking kids to school or a teenager to High School because even if the kids can walk, they may want wheels. She believes there will be a lot more traffic than currently anticipating. She asked if Hyland-Croy will be widened to accommodate all this additional traffic or the speed limit lowered. She said traffic will be a nightmare.

Mike Galeano, 6253 Muirloch Court South, said if this Commission decides to deviate from Resolution 27-04's green space requirements, he wants to know exactly why they plan to deviate, what has changed from 10 years ago to articulate why it is today any less important at 50 percent than it was.

Leslie MacLeod, 8034 Balmoral Court, near the Avery-Brand intersection, said she has lived on this street for 13 years, and it has been increasingly hard to exit from our street, much more so the last few years. She said even tonight at 6:30, trying to come to this meeting, it was difficult to turn onto Avery Road. She said traffic is a nightmare at all rush hours. She has witnessed accidents right in front of her as kids are going to Jerome High School. She said she agreed with Mr. Fathman that a plan to provide access to Hyland-Croy Road has to be distinctly spelled out as far as how it is to be achieved and be required to be part of the initial development, if in fact it is approved, which she opposes. She said she cannot see justification on any level per public safety and the severe impact this development would have on the character of the environment of the area. She said she still has one student attending Jerome High School and has been very active with the school over the years. She said they have supported many levies that have been passed as this school district has grown. She said it is good to hear there is a site being donated for a possible school in the future but all of us here have to support and fund the construction and operating levies that will be required in order to have the school so that is a very big consideration here. She reported that Jerome High School is already over capacity and there are other schools as well. She said what the Commission's role should be to address the density from the current zoning requirements.

Greg Waina 6157 Avoset Court, in Hawk's Nest subdivision, said many good points were brought up tonight. He said the proposal has a certain amount of designated green space but his concern from the Hawk's Nest HOA, the green space that is passive, but one of the jewels we have in Columbus, which is our active green space, for example, Avery Park. He said Avery Park is probably at capacity in terms of what it can withstand right now in terms of activities, and what is needed in that park to rejuvenate the green grass after soccer is played on a regular basis there. He suggests that before this proposal goes forward, that an impact study is done on the City's active recreational spaces in addition to the passive spaces here.

The Chair said the discussion was closed off to the public to hear Commission comments. She said two Commissioners were not available to be with us this evening; Ms. Amy Kramb provided her thoughts in the way of a memo dated November 10, 2014, and will read those comments to be placed in the record.

Ms. Kramb Memo:

> I apologize for missing tonight's meeting. I've spent considerable time reviewing the Applicant's materials, the Planning Staff Report, the Friends of Dublin Report, the

Position Report, and all the resident correspondence received as of Friday, November 7, 2014. Based on my review, these are my comments:

1) Discrepancy in Plans needs corrected/clarified

a. Several of the lot numbers on the tree survey plans don't align/match with the lot numbers on the Preliminary Development Plan. For example, on page 6/11 of the Tree Survey, the lots on the south side of Timble Falls Drive are labeled west to east as 230, 240, 241 and 242; yet, the same lots on page 1/2 Preliminary Development Plan identify the lots as 229, 230, 231 and 232.

2) Density

a. Calculation for density should not include the 15 acres the developer is allotting for the school. Thus, the calculation should be for the remaining 152 acres (not 167 acres) and 240 residences, so 1.58 dwellings per acre.

b. The density must be 1.41 units per acre or less, which is the lowest surrounding density.

c. Open space calculation should also be based on the 152 acres and should not include the 15-acre school site, which when developed, will no longer be 15 acres of open space.

3) Conservation Design Principles

a. I disagree with the Planning Report regarding the applicability of the Conservation Design Principles. This site is exactly what the conservation design principles are meant to protect; full compliance with these principles is absolutely appropriate for this site.

b. Conservation design seeks at least 50% open space. At 240 units on 152 acres, the 63 acres of open space is insufficient. The open space should be at least 76 acres.

c. The roads and lots need to be adjusted to protect landmark trees and preserve as many trees as possible. This most likely means a significant reduction in the number of lots on this site.

4) Trees

a. Trees are not man-made and should not be treated as golf course additions like cart paths and sand traps. Many of the trees on this parcel existed prior to the creation of the golf course, because I cannot image that a hardwood tree would be 40+ inches in diameter on a 40 year old golf course. The well maintained trees that have been on the parcel for the last 40 years (and longer) are ingrained into the landscape and should be considered natural conditions deserving preservation.

b. Protect tree #899 at all costs – it is a 72-inch Chestnut Oak in Good Condition (see comments below regarding Subarea D/Preserve L).

c. Protect Tree #216 – it is a 72-inch Swamp Oak in Fair Condition at the rear of Lot 112. The lot lines need adjusted and/or the Stream Corridor Protection Zone needs extended to include this tree.

d. Protect Tree #171 – it is a 54-inch Red Oak in Good Condition at the front of Lot 132.

e. Lots need adjusted or removed to ensure greater tree preservation. For example, Lot 139 has 3 landmark Oak Trees in Good Condition (Tree #161 – 36 inches, Tree #162 – 28 inches and Tree #163 – 28 inches). Lot 139 should be removed to protect the trees. In circumstances where

there is one large landmark tree on a lot, the lot should be positioned or designed to ensure preservation of the tree. For example, Lot 98 has a 40-inch Silver Maple in Good Condition (Tree #41). The narrow front of Lot 98 would certainly result in the removal of this landmark tree. The Lot and/or the adjacent lots should be adjusted to ensure the tree remains protected; and, language should be added to the development text to ensure preservation of these landmark trees.

5) 100-year Floodplain

a. Lots should not lie within the 100-year floodplain. Lots 43, 44 225, 232, and 239 (on the Preliminary Development Plan) are completely in the flood plain and no house can be built on the lot without being in the floodplain and needing flood insurance. These lots should be eliminated.

b. Lots 118, 140, 240, 238, 237, 236, 235, 234, 233, 224 (on the Preliminary Development Plan) should be adjusted to not be in the floodplain.

6) Elimination of Lots (Planning's condition #3)

a. Planning recommended removal of Lots 43, 240, 144 and 169 to open vistas. I agree with the elimination of these lots but for a different reason. I agree with the elimination of Lots 43, 240 and 144 since they are in the floodplain and have landmark trees. I also agree with the elimination of Lot 169 because according to the tree survey the lot has 26-inch and 29-inch Oak Trees in Good Condition (tree survey calls the lot 243).

7) 15 acre Subarea D/Reserve L

a. The 15-acre school site should be removed from the development plan calculations.

b. The 72-inch Chestnut Oak in Good Condition (Tree 899) needs protected. According to the tree survey, the tree lies within Reserve L at the rear of Lots 190 and 191. If the canopy and thus the roots of Tree 899 extend into Lots 190 and 191, then I suggest altering or removing these lots. Tree 899 is the largest tree on this site and it needs preserved for everyone to enjoy. Language needs added to the development text to ensure protection before any construction begins and protection no matter what becomes of Reserve L.

8) Development Text

a. Section XI. Architecture:

i. This Section is not specific enough. There is too much default to the Residential Building Code. If this property is rezoned, the new zoning must create a development better than what existing zoning provides.

ii. There should be percentages associated with permitted and secondary building materials to ensure lots of brick and stone and less stucco.

iii. Allowable roofing materials, like dimensional asphalt shingles, should be described as having a specific thickness, quality, warranty, etc. Likewise, the quality of secondary materials, such as vinyl, should be detailed.

iv. The Four-Sided Architecture requirement section needs more detail so that more is required than just continuing a one-foot high brick water table around the sides and rear of a house.
v. The text should come with renderings and sample architectural design showing the diversity and high quality that will make these homes as good as or better than the surrounding neighborhoods.

b. Section IX. Tree Preservation/Removal
i. I don't agree that evergreen trees are an acceptable replacement tree. Existing evergreens being removed may be replaced with evergreens, but removed deciduous trees should not be replaced with evergreens.
ii. I disagree with allowing 30% of the replacement trees to be evergreen, especially since the text allows trees within the Avery Road buffer to count as replacement trees. Preferably the trees in the Avery Road buffer would not count towards replacement trees.

c. Additional, specific text needs added regarding Tree Preservation. Specific landmark trees, such as the three largest trees on the site (#899, #216, #171), need called out in the development text to ensure protection.
d. The Conservation Design Principles need added to the development text to ensure compliance.

9) Traffic Study

a. The public comments and concerns regarding the traffic study need addressed. The numbers need explained and reconciled and this information needs shared with all.

In general, I feel this application needs significant re-working to apply the Conservation Design Principles and justify the rezoning of this parcel. I am sure there are additional issues/concerns I have failed to mention above, but I am confident my fellow commissioners will have plenty to add and I suspect we will see this application again.

If I were present at tonight's meeting, I would vote NO on case 14-068Z/PDP/PP because, at a minimum:

- **It fails Criteria 6:** The proposal does not respect and protect the unique characteristics of the natural features and natural resources on the site. The roadways and lots should avoid the landmark trees and make all efforts to avoid the good conditioned, hardwood trees. This site is unique, because these trees have been given room to grow; these trees have well-maintained, large canopies that are not typically found in heavily wooded areas.

- **It fails Criteria 2:** The proposed plan is not in conformity with the Community Plan, which defines this parcel as a Park/Open Space. If I were to grant a rezoning, the new zoning would at least need to conform to the lowest surrounding residential density. Furthermore, questions remain as to whether or not this development will place an unreasonable burden on the existing street network.

- **It fails Criteria 5:** The proposal does not have sufficient open space to meet the Objectives of the Community Plan, which calls for this to be a park/open space and Conservation Design Principles, which urge developments to have at least 50% open space.

- **It fails Criteria 13:** The proposal does not have enough detail to ensure that the building design meets or exceeds the quality of adjacent neighborhoods.

The Chair said she would like to thank Ms. Kramb for her well-addressed thoughts and is a reflection of what this Commission tries to do in looking at all the issues presented. She called for the comments from the balance of the Commissioners.

Amy Salay said what strikes her the most is from the very beginning of this application being thought of or the rumor coming out that this site might be developed, we began to hear from our residents. She said the most important and sacred trust that is placed in Planning Commissioners and City Council is the fact that we were elected to be the voice of the citizens. She said democracy was mentioned and this is how it works at the local level. She said she appreciated that everyone came out tonight and that you place your faith in us to listen to all sides and make decisions accordingly. She indicated that there is a very functional government in Dublin and she is proud of this Commission and our City. She said we are the citizen's representatives so we have to first and foremost, reflect community sentiment and there seems to be almost universal dislike and mistrust with this proposal.

Ms. Salay said she did not know about all the problems with the project off of Brandon Road and when she heard that the trees that we had talked extensively at City Council and the Planning Commission spent a lot of time talking about preserving these trees, and that was sort of one of the only reasons I supported that development because she thought they were getting a lot of trees and then to find out that a contractor just went out there and hacked down a 110-year old tree, that is completely unacceptable. She said there are trees that are gone that should have been saved. She said she would acknowledge that this developer has done some very beautiful neighborhoods in our community and he has done some neighborhoods that are much more traditional and less appealing.

Ms. Salay indicated what she has noticed in other neighborhoods and what she sees happening here if we do not tighten up the architectural descriptions and details; we are going to have way too much HardiePlank. She said if there are going to be homes built on this site, they need to be primarily brick and stone and the other materials would be for trim. She cited an example of Tartan Ridge as being a neighborhood that when we saw the pictures while rezoning it and pictured it in our heads with beautiful renderings provided, you drive through that neighborhood, it looks like what we saw when we rezoned it. She said she appreciated that level of detail when we were approving it and now that I see it built, I really appreciate that level of detail. She said a site like this, we absolutely have to have that level of detail, if not, we might end up with something we are not as pleased with.

Ms. Salay stated there are way too many 75-foot lots. She disagrees with the citizen group that said they should have a minimum of 85-foot lots; the minimum should be 100 feet. She indicated when you look at some of the neighborhoods in our community that have 100-foot lots, the houses grow to fit barely on those 100-foot lots so you end up with a very claustrophobic feeling in the neighborhood. She reported she had walked, biked, and driven by this site in all seasons when she knew this proposal was coming, envisioning what it needs to look like. She said this proposal leaves this site completely unrecognizable and that is very unacceptable to her because of the condition of the trees and you can see and appreciate the individual trees and how amazing they are. She said that is where we apply Conservation Design. She reviewed the tree survey and lots and tried to overlay them and said she would not list all the lots she could see and a number of streets need to be rerouted and at least 70 lots need to be eliminated in order to preserve these individual trees. She said a tree cannot be reproduced. She explained her neighborhood is 20 years old and are just now getting to the point where our trees provide a little bit of shade cover when taking a walk on a warm afternoon. She said it will take 30 years before they get a canopy that is truly providing shade cover. When she looks around the City at immature trees she said this place is going to be amazing in about 50 years when we get the tree growth. She said our children are going to thank us. She said right now, we have this area with so many beautiful large

specimen trees, landmark trees that we cannot possibly get back. She stated she really liked Ms. Gawronski's idea about having an individual who reports to the City of Dublin, and our City Forrester, charged with protecting the trees. She indicated that is the only way to ensure that our trees are not cut down by accident or however it happens. She said once these trees are damaged, they are damaged forever and they are gone forever.

Ms. Salay said she does not believe another typical single-family neighborhood is needed, not here, not now. She said she recognizes the overcrowded school system but believes that can be resolved so children can attend the best school district in Ohio. She said it is our responsibility to not contribute to the overcrowding.

Ms. Salay said she was disappointed in Staff's analysis and finds herself agreeing with the citizen's analysis when it comes to the Community Plan. She recalled a City Council meeting where this area was debated while updating the Community Plan in 2007. She said folks very stridently insisted that we not put anything on this Golf Course but Parks and Open Space so that is what City Council did. She is very happy with that decision and does not see a compelling reason to go against the Community Plan. She stated our community is so carefully planned with our residents, consultants, planners, and ultimately developers come forward and generally speaking, conform to the Community Plan and that is why our community is great. She said in this case, it does not come anywhere close. She said she understands this land may develop at some point but does not think this is the right development. She stated she cannot support the rezoning and cannot even get to the Preliminary Plat or any of the other stuff subsequent to that because she cannot support the rezoning. She indicated she has never voted against the Community Plan.

Todd Zimmerman said he has been in that audience for years and understands what it is like to be out there. He thanked Claudia and Staff because the report was good. He said he was not here for the first preliminary, but was on PZC ten years before and understands what is expected. He asked if all the golf club buildings were being removed and what was the timeframe.

Ms. Husak answered the removal of buildings would be in Phase 1.

Mr. Zimmerman inquired if there have been any drainage issues reported by area homeowners coming from Riviera.

Ms. Husak said she had not. The Chair noted that Mr. Hammersmith shook his head no from the audience.

Mr. Zimmerman said for him to consider approval of this proposal all home lots would need to be removed from the Stream Corridor Protection Zone and/or 100-year flood plain and it would be determined by Staff as to what lots those would be. He said architectural wise, for a PUD, the applicant would need to do better than the Appearance Code providing a higher quality of materials on the exterior trim and roof materials. He referred to condition #6 and asked when the applicant is to provide the details of the direct site connection to Hyland-Croy Road.

Ms. Husak said the site connection to Hyland-Croy Road would be worked out during the Final Development Plan.

Ms. Amorose Groomes said the development text states that it would happen prior to Phase 5.

Mr. Zimmerman asked when the applicant would have to tell us; obviously sometime before we would have to vote on it.

Ms. Husak said yes the Commission would be told where the connection would be, how and when.

Mr. Zimmerman inquired about condition #1. He suggested adding Grizzell Middle School. He questioned Reserve L for the potential elementary school. He asked if the existing basin would need to stay.

Ms. Husak said if the school were to be developed, there would need to be some stormwater management on that site.

Mr. Zimmerman asked if it would have to be as large as it is currently.

Ms. Amorose Groomes said schools normally do not store water on site for safety and it would probably become a dry basin.

Mr. Zimmerman said he agreed with Ms. Salay's points on Conservation Design.

Victoria Newell said she has said this before and will say it again, when looking at the site, her comments were that she would support zoning for a PUD as it gives an advantage of protecting the land. She indicated Mr. Ruma spoke very passionately at the Informal Review of how he was going to develop it and so she was surprised when she looked at the plan. She said she envisioned larger lots because that was her takeaway from the presentation. She said she agreed with Ms. Salay with needing larger lots, closer to 100 feet. She said there are a lot of inconsistencies and the sites are numbered incorrectly. She said the density in the Muirfield development is noted once from Staff as being 1.27 units per acre and included in our Planning Report and the presentation given tonight Muirfield's density is listed as 1.41 units per acre. She said she is left wondering what the true impact of the surrounding is on the other site. She said she cannot support going above the lowest density of any of the surrounding properties. She said the Muirfield site in particular is the largest body of area that seems to have the lowest building development.

Ms. Newell said she spent a lot of time looking at the landmark trees on this site. She reported she tagged all of them that were on the plans. She agrees with Ms. Kramb's comment that there are several more pieces of property on this site that need to be eliminated just for the sake of the trees that need to be preserved on them, especially Lots 144, 143, 142; there is a very significant grove of trees within those areas. She said as she went around this site, there were a number of significant or landmark trees that fall right next to a drive of a street. She said it appears in the plans as though there is an attempt to preserve the tree but there is so much root going to be cut away from those trees and fears in the end, there are going to be a lot more trees lost with the way this site is laid out.

Ms. Newell said along the stream corridor with a lot of the trees that are getting preserved, in the tree report, many of them are actually noted as being in poor condition so in the end, where we are preserving that area she said over a period of time those trees are actually going to be lost She said a lot of them were identified as Green Ash, will be gone from our city in very short order. She said that makes the other trees on the site that much more important.

Ms. Newell said in terms of the architectural character and the development, she thought the text portion to that site was actually very weak. She said Mr. Ruma had used Wedgewood as an example of how the architecture would be geared and judged on this site. She said he also reported he had used Mr. Apel to have done the architecture review. Ms. Newell said she had the pleasure of working with Bob Apel for 14 years as an employee so she is very aware of the process that went through him. She said Mr. Ruma had some very significant architectural standards and guidelines that he judged that the architecture too for Wedgewood that do not exist in this application. She said that would need to be developed for her to support rezoning. She said she thought PUD would be a better way to go than the R or R-1 classification. She said nothing is compelling her to change the zoning.

Ms. Newell said as she read the text description for each of the parcels, only one of the subareas was there any reference to lot coverage and it was the most dense of the subareas. She said these all need to go hand in hand in the text.

Ms. Newell said she uses the walking system all around Dublin on a regular basis. She said it really adds to the character of community. She said the walking/bike paths on the site stop and are not continuing. She suggested as the site is developed, that is taken into account. She also noted a few short loop paths and suggested a more continual path instead of covering the same ground.

Ms. Newell concluded she cannot support rezoning per her comments stated.

Richard Taylor thanked everyone for coming out this evening. He also thanked Mr. Ruma for addressing some of the concerns that were expressed by this Commission in particular at the Informal Review with regards to fewer lots, path connections to the schools, and providing some accommodation for other segments of our community for empty-nester lots.

Mr. Taylor said when the Commission members receive this packet of information a week before this meeting, we receive it independently and each review it independently and do not come together to discuss it prior to the meeting. He said it is tremendous that all the other members share a lot of the agreement on this application.

Mr. Taylor stated there is still a lot of work needed to be done on this subdivision before it can move any further. He said the 15-acre site should be removed from the calculation for determining density. He said the trees were the most dramatic issue with this application. He said there are a couple of trees on the site that are tremendously large and there are a whole bunch of trees that are very good size. Unlike the trees on Wellington Reserve he said, where it was scrub land/semi-forest, these trees on Riviera have been nurtured, fed, watered, trimmed, and protected for forty years. He said on paper, they may considered as 'Good Condition', that is as high of a rating you can get on a tree survey. He indicated a lot of the trees, if there were to be such a category would be rated as 'Spectacular'. He said some of them were probably world-class specimens of that type of tree at that age because they have been so well cared for. He said there are several trees that would probably fall in the Landmark category because they are extraordinarily large trees. He said the science of determining the age of a tree without cutting it down and counting the rings is imprecise for sure but there are a lot of commonly accepted guestimates for that. He said 72-inch trees by any measure are at least 200 years old and could possibly be 400 years old in some cases. He said that makes them irreplaceable. He said the larger trees (2 at 72 inches, 1 at 54 inches, several that are 48 inches, and a couple that are 40 inches, and on down the line) not only should not be impacted by this development but should be preserved. He does not want to see one of these trees in someone's back yard and a kid nails a tree fort within it. He indicated streams can be rerouted to be preserved but trees that have been there for 300 years are irreplaceable so extraordinary measures should be taken for the design of this development to protect those trees.

Mr. Taylor said he is in favor of the empty-nester homes in Subarea C and does not have a problem with the lot size or lot coverage there but somehow there must be a stipulation whereas first floor master bedrooms are required, or something like that.

Mr. Taylor said his concerns in Subareas A and B are the side yards that step back from the Zoning Code quite a bit. He said in Belvedere for example, the side yards are a total width of 18 feet with a minimum of six on a side, which is similar to the R-3 designation but what is being asked for is just six feet on each side and that is a difference of up to eight feet between two houses. He said the side setback needs to be much closer to the Zoning Code right now so the houses do not get too big on these lots and start to squeeze the lot sizes down.

Mr. Taylor said a lot of his comments are with the development text regarding the architecture and are mirroring what the other Commissioners have stated. He said "meeting or exceeding the Appearance Code" is far too generic and we need to go beyond that. He said the percentages of materials needs to be noted. He said he did not understand copper as a trim material and pvc/foam and vinyl needs to be cleaned up. He said shutters need to be composite or wood, not vinyl. He said roofing needs to be bumped up. He said a definition of four-sided architecture needs to be further defined. He said he had comments on chimneys, garages, architectural diversity, and Plan Approval. He said we need to do a development text and plan review process here because this is such a special site at the same level as places like Tartan Ridge. He said there are still references in the text about cul-de-sacs, which need to be removed.

Mr. Taylor said the elevations along Avery Road need to be enhanced somehow and if we are going to develop that strip of land along Avery Road, it is an opportunity to relocate the multi-use path there and get it further away from the road.

Mr. Taylor said he is unhappy with the Open Space; at the Informal Review he stated he would like to see those as more positive space and less as leftover space in the homeowner's backyards.

Mr. Taylor said he is not able to totally discern what all the traffic studies mean. He said according to the chart in the Planning Report, even with the Hyland-Croy connection, the traffic on Firenza is predicted to almost double the traffic and quadruple traffic on Summerhouse Lane. He indicated he thought it was the result of the layout of the streets. He said there is enough twists and turns in this that in some cases, easier to leave the development to get out and not go straight out to Hyland-Croy or Avery Road. He said a more direct arrangement of streets might reduce some of the traffic flow on other streets. He said there is a lot of impact on other neighborhoods that could be avoided if this were laid out differently.

Mr. Taylor concluded that the Community Plan and sentiment are of paramount importance as we make decisions here. He said this body is a representative of the public in that regard. He said we do not always follow the Community Plan direct but when we do, the bar is pretty high. He said this proposal has a long way to go before he is willing to go against the recommendations that others have made before us in the Community Plan.

Ms. Amorose Groomes said the flood plain in this area is at 927 feet; she said she highlighted all the contour below 927 feet and some lots in their entirety are in the flood plain. She said this will have to be addressed. She agrees the 15 acres for the school site needs to be removed from the Open Spaces. She reported there are 968 trees on this site and there are 56 trees that are worthy of designing around as they predicated the golf course. She shared some photos taken of the trees to show the true size and excellent condition of the trees relative. She said tagging Landmark trees was started by the Kiwanis Club for our area about 25 years ago and every year, every Brownie, Girl Scout, and Boy Scout Troop, and all the folks that serve our communities so wonderfully took responsibility for a grid and tagged every tree that was greater than 24 inches. She said they may not have gotten every tree but a lot of terrific information came forth. She said this put a stake in the ground that said this is who we are and at this point, we have an inventory of what we have. She said there are 19 Landmark trees on this property. She shared a graphic where the 56 trees were located that likely existed before the golf course did and some of them might be upwards of 300 years old. She said it shows us some hot spots of areas to design around. She said this property cannot be developed and still save every one of these trees but as the proposal stands, 25 percent is not nearly enough in her estimation. For Conservation Design she said, the bar needs to be much higher in terms of the trees that we are committed to saving.

Ms. Amorose Groomes indicated she had a great experience this summer, as a monitor for one of the foursomes at the tryouts for the Dublin-Jerome Girls Golf Team. She said it was a hot August day and she walked this course and watched four unbelievably talented High School golfers play a round of golf at Riviera. She said she was able to walk from tree to tree and stood in the shade throughout the entire golf

course. She said that made for a really great afternoon with her nine-year old. She said this speaks a lot to this property and the condition of these trees. She indicated she is a self-proclaimed tree hugger with a degree in Horticulture so she knows a little bit about trees and can better appreciate these trees.

Ms. Amorose Groomes said she has some concerns about the traffic engineering report; a slide stated 7 percent of the 10,000 trips would give an increase of 7 percent to the existing 10,000 trips which equals 700 trips in 240 homes with 2.91 trips per home. She said a trip leaving your home is one trip and when you return, it is another was her understanding. She said she did not disagree with the guiding principles of the engineering study and how they might work in other neighborhoods but when we have a neighborhood that almost all of the traffic is going to head to the south and to the west we might need to change our modeling a little bit because she does not know that it captures the fact that cars are not going everywhere, they are all going to the same place.

Ms. Amorose Groomes said you asked the Commission to cut out a piece of the pie in Subarea D and in Muirfield you wanted to cut out all of the pieces of the pie that reduced the density and we cannot do that. She said we have to take the pie as a whole, when we are looking at our adjoining neighborhoods because they are whole developments and contributes to the feel or the experience of a neighborhood. Therefore she said, Subarea D cannot be calculated in this. She said although the offer from the applicant is very generous of transferring it to the City, or for the school for maybe a dollar, at the end of the day, there will be a school there and that is no longer Open Space.

Ms. Amorose Groomes concluded for the applicant that they have heard a lot from the neighbors, heard from the Commission. She said we have some decisions to make. She said there were 11 conditions in the Staff Report, including some high hurdles this evening but the applicant is always given the opportunity to pursue a vote or take advantage of some time they might have to fine tune the plans to some concerns raised during the meeting. She invited the applicant forward to state his thoughts.

Mr. Brown said he appreciates the comments from the Commission and the neighbors. He said given the difference of opinion between some of the Commission members here and the Staff Report, the only thing to do is to ask that this application be tabled to allow the applicant to respond to the additional issues that have been raised.

The Chair verified with the applicant their desire to Table both the Rezoning/Preliminary Development Plan and the Preliminary Plat.

Motion and Vote
Mr. Taylor moved, Mr. Zimmerman seconded, to Table the Rezoning/Preliminary Development Plan. The vote was as follows: Ms. Amorose Groomes, yes; Ms. Newell, yes; Ms. Salay, yes; Mr. Zimmerman, yes; and Mr. Taylor, yes. (Tabled 5 – 0)

Motion and Vote
Mr. Taylor moved, Mr. Zimmerman seconded, to Table the Preliminary Plat. The vote was as follows: Ms. Salay, yes; Ms. Newell, yes; Ms. Amorose Groomes, yes; Mr. Zimmerman, yes; and Mr. Taylor, yes. (Tabled 5 – 0)

The Chair adjourned the meeting at 9:43 p.m.

As approved by the Planning and Zoning Commission on February 5, 2015.

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PLANNING AND ZONING COMMISSION

MEETING MINUTES

MARCH 13, 2014

AGENDA

1. Riviera Club **8205 Avery Road**
13-114CP **Concept Plan (Discussion)**

Chris Amorose Groomes called the meeting to order at 6:30 p.m. and led the Pledge of Allegiance. Other Commission members present were Richard Taylor, Amy Kramb, Warren Fishman, Joe Budde and Victoria Newell. John Hardt was absent. City representatives present were Jennifer Readler, Steve Langworthy, Gary Gunderman, Claudia Husak, Marie Downie, Jonathan Russell, Andrew Crozier, Barb Cox, Aaron Stanford, Velma Coen, Alan Perkins, Dana McDaniel, Paul Hammersmith, Sue Burness, Yazan Ashrawi, Sandra Puskarcik, Jason Nahvi, Josh Adkins, and Laurie Wright.

Administrative Business

Motion and Vote
Mr. Taylor moved, Mr. Fishman seconded, to accept the documents into the record as presented. The vote was as follows: Ms. Kramb, yes; Mr. Budde, yes; Ms. Newell, yes; Ms. Amorose Groomes, yes; Mr. Fishman, yes; and Mr. Taylor, yes. (Approved 6 – 0)

Motion and Vote
Mr. Budde moved, Mr. Fishman seconded, to accept the February 6, 2014, meeting minutes as presented. The vote was as follows: Mr. Taylor, yes; Ms. Kramb, yes; Ms. Newell, yes; Ms. Amorose Groomes, yes; Mr. Fishman, yes; and Mr. Budde, yes. (Approved 6 – 0)

Motion and Vote
Mr. Taylor moved, Mr. Budde seconded, to accept the February 20, 2014, meeting minutes as presented. The vote was as follows: Ms. Newell, abstain; Ms. Kramb, yes; Mr. Fishman, yes; Ms. Amorose Groomes, yes; Mr. Budde, yes; and Mr. Taylor, yes. (Approved 5 – 0 - 1)

Ms. Amorose Groomes said there was just one case on agenda tonight and that would be the order. She briefly explained the rules and procedures of the Planning and Zoning Commission.

1. Riviera Club **8205 Avery Road**
13-114CP **Concept Plan**

Chair Chris Amorose Groomes introduced this application for a request for review and non-binding feedback for a Concept Plan application for a potential new subdivision with approximately 284 single-family lots, 58 acres of open space and associated site improvements on 168 acres located on the west side of Avery Road, north of the intersection with Belvedere Green Boulevard.

Ms. Amorose Groomes provided a breakdown of the order of tonight's process. She said, we will hear from our staff first, providing a presentation they have prepared with respect to this application; following that, the applicant will come forward and make any additional comments or corrections with respect to the staff presentation; a letter from the schools will be read by Steve Langworthy, our Director of Land Use and Long Range Planning; public comment will begin starting with those that signed in on the sheets

out in the lobby, stating name and address for the record. Ms. Amorose Groomes said she will then close the floor and the Commission will have their discussion; and finally, there will not be a vote taken this evening as it is a Concept Plan. She further explained that recorded minutes are filed with each case; that the proposals are heard; public comment is heard; and all the information is gathered and heard in a public forum so everyone hears the same information at the same time from all of the parties involved.

Claudia Husak said we are here for a Concept Plan Review for the Riviera Club application. She provided a process slide to outline the steps the applicant goes thru to receive approval from all the reviewing bodies. She said the Concept Plan is the first step to establish a planned district and requires Planning and Zoning Commission review for complex projects. She said the applicant may elect to get feedback from City Council. She explained the second step would be the Preliminary Development Plan that is rezoning as well as the Preliminary Plat that is the first formal step in the establishment of Planned Unit Development District that entails a development text and a preliminary development plan, which requires a vote by the Commission as well as City Council. She said the last step would be the Final Development Plan and Final Plat, which is the last step in the process which would be required before an applicant could file for a building permit and includes all final details which again the Commission would review and approve and City Council is the final authority on the final plat.

Ms. Husak presented a slide that outlines the site of 168 acres, including three counties – 5.7 acres in Delaware, 66.6 acres in Union and 93 acres in Franklin. She said the site has 2,000 feet of frontage on Avery Road. She said it was developed as a golf course in the 1970's with amenities like cart paths, ponds, fairways, and trees. She said there are two existing access points off Avery Road, in the center of the site providing access to a clubhouse and banquet facility. She said the site also has natural features such as two streams that are east and west going south toward the Shannon Glen Park that contribute to the North Fork of the Indian Run as well as a floodway and a Stream Corridor Protection Zone that requires further analysis.

Ms. Husak presented a slide that reflects the location of Dublin Jerome High School, Grizzell Middle School and Deer Run Elementary School. She said there are single-family subdivisions surrounding the site: to the south – Celtic Estates, Belvedere and Shannon Glen; to the east is Muirfield Village; and to the northwest is Tartan West. She said the site zoning is split between Union and Franklin County. She said on the west side it is zoned Rural (R) on the east it is Restricted Suburban Residential District (R-1) which both permit single-family homes and requirements are a 40,000-square-foot lots at 150 feet wide. She said this 168 acre site could yield approximately 180 homes, not considering required infrastructure and open space dedication requirements. She noted that agriculture, parks, and public schools are also permitted in these districts.

Ms. Husak highlighted the Community Plan history that showed there was no Future Land Use map in 1988. She noted the schematic plan, a Land Use Element that showed large areas of the City with a land use designation upon it and focused on the site being discussed that reflected rural residential. She explained the plan has land use paragraphs from which she read a portion that stated:

…an anticipated use of a portion of land adjacent to Muirfield Drive extension will be a mixture of residential development of varying density, some office and minimal commercial. The predominant land use is to be single-family residential extending all the way to Brand and Avery Roads. All development west of Avery Road is to be single-family at two units per acre or less. She said the City updated the Community Plan in 1997, whereas the western portion of the site would be part of the metro park and the City secured land with Franklin County Metro Parks, west of Hyland-Croy Road where the metro park is currently located. She said the eastern portion of the site at that time was shown as residential, medium density that allowed one to two dwelling units per acre….

Ms. Husak noted there were developments approved during that time which were Belvedere and Tartan West that provided street connections toward Riviera. She said in 2007, the City updated the Community Plan again, and the growth scenario for the entire City assumed that the Riviera Country Club could

develop under a "conservation subdivision" land use type that equated to 1.5 dwelling units per acre. She explained that during the public review process of that Community Plan, the property owner of the club at the time requested that the designation show current use of the land as a golf course so staff was directed by City Council to avoid identifying the site for redevelopment on the Future Land Use Map and the open space designation was adopted.

Ms. Husak said the current Community Plan carried forward this Parks/Open Space classification, described as "Land use for public or privately owned parks and recreational uses, or lands that are to be preserved in a natural state. This may include portions of private lands that have been identified for open space preservation as part of future development projects, but not necessarily targeted for public dedication or acquisition."

Ms. Husak noted the first discussion question: Is the proposed land use appropriate? She said many times the Commission asks staff as to how the development fits within the surrounding areas. She reported staff has analyzed the density of the adjacent subdivisions: Tartan West was approved at 1.83 units per acre; Belvedere approved at 1.5 units per acre; Shandon Glen 1.7 units per acre; and estimated density for Muirfield at 1.27 units per acre. She said tonight's proposal is for 1.7 units per acre. She said current zoning would allow ± 180 homes but 284 units are being proposed which prompts another discussion question as to whether or not the density is appropriate.

Ms. Husak said the Concept Plan does not show individual lot lines but shows pods of development with varying lot dimensions. She said the pods have been placed to either mirror or exceed the lot sizes and the widths of adjacent developments with the smaller lots concentrated to the north and west with larger lots to the south adjacent to Belvedere. She noted the main access point is off Avery Road, in the center of the site, it is proposed as a boulevard entry and the secondary connectivity is proposed through Tantalus Drive and Timble Falls Drive to the south within the Belvedere subdivision and Firenza Place to the west through Tartan West to Hyland-Croy Road where the street stubs exist today. She said no access to Hyland-Croy Road is being proposed with this Concept Plan.

Ms. Husak said the third discussion question posed was whether the relationship of development areas to surrounding uses was appropriate. She said the Concept Plan includes 58 acres of open space or 35 percent of the site. She said the larger open spaces are concentrated along Avery Road and the streams. She noted the large wooded area to be preserved and smaller open spaces contemplated within the development but appear to be too small to have much usefulness or visual effect. She reported the fourth discussion question was whether the open space was appropriately located.

Ms. Husak noted the lack of buffers to the more intense uses at the high school sports area as well as Grizzell Middle School.

Ms. Husak read the discussion questions again:

1) Is the proposed land use appropriate?
2) Is the proposed density appropriate?
3) Is the relationship of development areas to surrounding uses appropriate?
4) Is the open space appropriately located?
5) Other considerations by the Commission

Ms. Amorose Groomes invited the applicant to come forward.

Charlie Ruma 4020 Venture Court, Columbus, Ohio 43228, said he had been a developer in central Ohio for 45 years. He said his family grew up here, been married 48 years, has three children with six grandchildren, and they all live here. Mr. Ruma said he was no high falutin developer to pillage the land. He said he had developed a number of communities throughout central Ohio, most notably, the Wedgewood Golf and Country Club area that included over 1,000 acres of office, multi-family, and retail.

He has had dealings with land in Dublin since 1972; he started the North by Northwest Business Center that later became Metro Center.

Mr. Ruma explained that in 1963, the American/Italian Golf Association was searching for a new home for their golf course. He said they had a nine-hole course located in Groveport, Ohio, that sometimes flooded when they had heavy rains. He said in 1964, they bought parcels in several counties and ended up with 168 acres. He said they planned a golf course and modest clubhouse well before the inception of Muirfield Village and Muirfield Golf Course. He reported that many developments and golf courses came later. He said the clubhouse has not been updated with a swimming pool or tennis courts and the greens are not built to PGA standards. He said it was in its heyday in the 70s but they have since experienced severe financial difficulties. He noted other clubs that experienced the same financial problems. He reported that they cannot operate this golf course beyond this year; it is going to close. He said they are currently operating on funds he provided through a deposit for further acquisition of the land.

Mr. Ruma said he had considered this property years ago. He believes this is the best property that is remaining in Dublin and said it is the last that can be developed in the northwest area. He reported that he submitted a proposal to the American/Italian Golf Association (the owners) a year ago along with seven other developers and they chose him to do what was best for the land, best for the owners, best for the community, and hopefully a good opportunity for himself. He requested the help of the Commission to learn if his proposal makes sense and if they should proceed ahead. He asked how he could ensure this was approved to be better for the community and better for everyone. He reported that they have done studies: wetland, corridor, and started a traffic study. They have taken soil samples, did a tree survey, and met with the schools, the fire chief, and neighbors.

Mr. Ruma said he put together what he thought was the best possible team to work on this proposal. He noted the site was surrounded by all levels of Dublin schools within walking distance, making it the best attraction for a residential community. He said there was a multi-use path up Avery Road. There are paths going through Belvedere and Tartan West that stub into Riviera. He said if they are successful, they will create a pathway system that connects to all the schools. He said they reviewed the density levels of the communities around this site. He said they would like to mirror the wetland at Belvedere.

Mr. Ruma said they considered age-targeted housing for empty nesters but did not want to propose at this time until he received feedback from the Commission. He said if the Commission looked upon that favorably, he would make sure he incorporated that into his plan. He said the overall density of their proposal is 1.67 units per acre, 1.4 units to the south. He said homes that abut Belvedere would have a minimum of 100 feet as frontage for custom builders. He said areas that abut schools and condominiums will be developed in the more standard 75- to 80-foot lot size. He said the major ingress/egress points, will have a double boulevard effect; that single point is halfway on Avery Road. He said they are proposing at their cost to build a road to the west to connect with Hyland-Croy Road. He said they met with school administration and they are taking this under consideration. He said the green area along Avery Road will be ± 300 feet from the front of any house from Avery Road and somewhere between 400 to 500 feet from the houses at Muirfield. He understands this process will take at least a year. He said in 2015, they may be able to proceed with engineering drawings and in 2016, before they even start to develop the site, possibly finishing in late spring so there will be no houses until then. He said the pace may be to build houses over 7 - 8 years: in good years they may build 30 lots per year or 10 – 15 per year in slow years. He emphasized that the impact would not be immediate. Mr. Ruma said the prices would range from $550,000 - $700,000 for the standard lots and $700,000 - $900,000 for the estate lots. He said one year ago he was before the Commission to discuss Wellington Reserve and the anticipated prices were to be in the $500,000 - $600,000 price range. He contends that there is a huge demand for good quality new housing with amenities. He again asked for guidance and input.

Ms. Amorose Groomes invited Steve Langworthy to read a statement provided from the Dublin Schools.

Steve Langworthy read the following statement from Dublin City Schools regarding the proposed Riviera development:

There has been a significant amount of information regarding this proposed project circulating in our community. Some of that information has directly mentioned possible impact on our schools. We have been asked to provide accurate information to the Planning and Zoning Commission.

The information District officials have received to date regarding the proposed Riviera subdivision has allowed us to make preliminary enrollment calculations for the proposed development, using the student per household ratios of the adjacent subdivisions of Belvedere and Shannon Glen. While we have not been given any timeline for the full build-out of the proposed development, our Planning Department estimates of the number of students produced by the proposed Riviera development at full build-out are listed below:

Elementary School – 145
Middle School – 102
High School – 105

We understand that the ultimate rezoning of the Riviera Golf Course will be a City of Dublin decision and "impact upon schools" is not a major factor in the decision-making process. With that being said, if this development is ultimately approved, we would ask the Commission to consider the proximity of some of the proposed homes to the Dublin Jerome football stadium and to the Grizzell Middle School property. School properties are in heavy use throughout the year. The same is true with any available green space at the middle school level. For example, practices at our facilities requiring stadium lights may go on as late as 11 p.m. Many events require the use of a public address system. Additionally, there is little break during the summer. Jerome will be hosting the nationally recognized Top Gun Football Camp again this year, as an example. Residents who live near Coffman's football stadium or the Jerome baseball field can attest to the heavy, year-round use of these facilities and the noise that often emanates into these neighborhoods.

As part of any approval plans for this development, a green space buffer zone and sound mitigation steps would benefit the District and any future city residents of this area.

We would like to clear up any public misinformation regarding easements. Our District has <u>not</u> granted the property owner any easements associated with this project and we do not plan to grant any easement requests onto the Jerome High School property in the future.

As a public school district, it is our job to educate any students who live within the boundaries of Dublin City Schools and we will complete that task regardless of any decisions made regarding the Riviera property.

Mr. Langworthy said that concludes the statement. Ms. Amorose Groomes said that statement will be available on the City of Dublin website as early as tomorrow.

Ms. Amorose Groomes began the public comment portion of the meeting and explained the five-minute timer being used.

Mike Mess 8823 Vineyard Haven Drive, thanked the Commission for the opportunity to present comments. He said he was a long time resident of Dublin, currently residing in the Savona condominiums in Tartan West that is on the north side of the golf course. He said he was the President of Savona HOA. He said in the summer of 2013, a group of Homeowner Associations started meeting. He said today they have eight HOAs participating in a discussion group representing 3,430 homes, represented on a map. He said they wanted to publically express their views tonight on this proposed development and he asked

the Commission to consider a quote from one of his favorite characters, Spock. "The needs of many outweigh needs of the few". He said the other speakers from his HOA group believe keeping Riviera green best fits the needs of the entire community. He said the topics they plan to cover are:

1) Maintaining the integrity of the current Community Plan;
2) Addressing potential overcrowding of the schools;
3) Impacts on traffic;
4) Impacts on infrastructure and taxes; and
5) Potential options to keep Riviera green.

Mr. Mess emphasized that their group could help decide what is best for the many and not just for the few.

Kevin Walter 6289 Ross Bend, representing the Friends of Dublin comprised of 3000 individuals that actively participate in the community initiative. He cited Section 153.002 of the Code; it defines a concept plan as an opportunity for discussion to determine if the proposed development is "generally consistent with the Community Plan". He said it is our position that this development is fundamentally not consistent with the Community Plan. He said Riviera was designated as parks and open space in the 1988 – 2007 and newly adopted 2013 Community Plan that describes this vision of the community as approved by City Council. He said it is used by city staff when discussing new projects with developers, councils, and residents. He said the Community Plan is the key policy guide for City Council and the Planning and Zoning Commission as they evaluate the character, location, extent of proposed public and private developments in Dublin. He said it is critical that councils throughout the years have expressed in words and in picture the desire for Riviera to remain classified as parks and open space. He named a list of council members that have approved this. He said the developer will tell you this was always thought that this would be developable by pointing to the City ordinance 65-03, which zoned the land to R-1, which designed to bring multiple properties into zoning compliance. He said there was no specific intent to develop as a residential development. He said in the 1997 Community Plan, the only plan that shows this as residential, 83 acres of the site were shown as metro parks and with subsequent updates reflect parks and open space. He stated the Community Plan is changeable, but the bar is set high to change classifications; it should not be a slam-dunk for a developer to come in and change classifications that have been voted on by generations of Council. He said if we allow this, we lower the bar by which Community Plan can be updated. He said the developer stating the justification of closing a donut hole is not a compelling enough argument.

Mr. Walter said City Council has affirmed that this property should not be filled. He said this was the only major parcel of undeveloped land in northwest Dublin, and as such, great care should be taken. He noted a memo dated June 11, 2013, "staff was directed by City Council to avoid identifying this site for redevelopment on the future land use map". He said City Council has made several classifications and discussions about this, calling it a vital green area of the community with beautiful vistas. He contends this proposal is in direct opposition to the Community Plan.

Bob Fathman, 5805 Tartan Circle North, the Chair of the Civic Action Committee, Muirfield Village Civic Association, addressed the impact on the schools if this were to develop and reflected on a slide: Deer Run ES – 149 Grizzell MS – 52, and Jerome HS – 341 students over capacity. He asked if this was good for the school district, children, or parents. He said absolutely not. He is opposed to turning this property from green space to housing. He referred to a slide showing the Operating Expenses of the Dublin City School District. He explained that in 2013, it cost $12,790 to educate one student; the state reimbursement is $1,035, leaving local property taxes to pick up the balance of $11,755. He said estimates were based on 1.24 students per home, as provided by the school district, which will cost $14,567 per home to the school district if this proposal goes through. He said a $400,000 home property tax would be $7,000 per year. He said additional property tax will be needed at $7,567 per home to educate the children. He asked by a show of hands, how many people attending the meeting tonight live

in the City of Dublin. He said those with hands raised will have to pay more taxes to operate the schools per year. His final comment referred to the slide, which showed the capital expense to add new students. He referred to classrooms needed and the overcrowding this will impose. By his estimates, it will cost $11 mil to upgrade. He emphasized this was not a good plan for the schools, the children, or the tax payers of Dublin.

Kip Rosier, 8079 Alimoore Green, President of Belvedere HOA, said recently their board voted to oppose this Riviera plan. He said they are concerned with the major is traffic impact. He said based on the 2003 traffic counts, they expect the 284 homes proposed, the will see additional 2,044 trips added to the area that represents a 20 percent increase in traffic. He noted the major intersection at Avery Road and Brand where in 2012 there was a very bad accident where a child was thrown from the vehicle and seriously injured. He noted in 2013, a multi-injury accident at this same intersection. He said during peak times, taking your kids to soccer practice, baseball practice, it is not safe as it is often confusing. He emphasized their position that this development will add more traffic and problems. He said Belvedere is also concerned about the additional cut-through traffic. He said this is a land-locked area, conducive to choose this route to come out. He said a former City Council member said the streets should not be stubbed at the golf course. He said there are additional traffic impacts all along Avery Road, coming out Perimeter to access 33. He mentioned several other streets that would be impacted by additional traffic. He concluded by saying traffic is a major concern for Belvedere and surrounding neighborhoods. He asked the Commission to please consider this plan very carefully.

Scott McCort, 8155 Avery Road in Celtic Estates, said initially they thought this plan would bring more houses, more taxes, and more revenue for the City but they also recognize the cost to the City to support these houses. He said the City produced a Land Use Study for residential housing in Dublin, and found the cost is three times more than they generate in revenue which equates to $1,700 per household, annually, and will impact the tax payers. He said the analysis shows this type of housing produces the worst fiscal results. He said they also looked at the other infrastructure impacts such as traffic, sewer, and water. They concluded that there is adequate water supply but not adequate sewer capacities. He said this land was planned for always being green space. He noted the estimated costs to adjust the infrastructure for this plan to go forth. He said there is a financial benefit to the current owners and the developers but not to the City and its residents. He said there would be an additional burden to the community and would be detrimental to the environment to remove the green space. He contends, this is in direct violation of the current Community Plan and sees no reason to rezone and amend the city plan.

Christine Gawronski 7691 Worsley Place, President of Brandon HOA, said the trend around the country is many golf courses competing and it is more difficult for coursed to remain profitable. She said Dublin can be a leader in solutions. She proposed options other than flooding the area with homes: sell to the City for passive parkland; partner with the Schools to turn this into a nature or learning lab as landmark trees and streams are on this property. She said she worked with Mr. Ruma on the Wellington Place development that abuts to Brandon and landmark trees that were promised to be preserved have been removed. She said a previous Community Plan showed the west half of the property becoming part of the Glacier Ridge metro park. She said it would be far less expensive for the City and schools to purchase this land than to service 284 homes on this site. She noted an article from the December Columbus *Dispatch*, describing a place in Casselberry, Florida that was preparing to buy a closed golf club and turn the area into public parkland with nature trails and an article about a golf course in Granville, Ohio where the Village and Township combined, chose to buy a conservation easement, guaranteeing the land would never be developed, the club can keep the title to the land to continue to operate if they so choose or sell as parkland. She said whether the City buys this land or it remains in the hands of the Riviera owners, some of the land could be configured to wetlands and used in a corporate trade through the wetlands bank. She said the owner could realize a gain of $17,000 - $65,000 per acre and still operate as a golf course but some of the land would need to be converted to wetlands. She said Dublin contributed to extend Glacier Ridge, a consortium could avoid the cost of buying the property outright, and instead, purchase over time before ultimately owning the land and extending the life of the golf club if they wish

or allowing them to buy it back. She concluded there are a few options to converting this land and does not need to be converted to unwanted housing. She contends that another housing development does not benefit Dublin. She said just because it is the last parcel in northwest Dublin to be developed, does not mean it should be.

Rick Goebel, 6849 Vineyard Haven Loop, said he has lived in Columbus over 35 years and in Dublin for the past seven years. He said he lives in the Savona development in Tartan West. He said his property is adjacent to the golf course. He reiterated that the needs of many outweigh the needs of the few. He summarized what was discussed earlier: revenue will not offset expense due to study; traffic congestion is already a problem; and schools will be overcrowded and expensive. He said there is a number of empty properties and room for expansion elsewhere. He said this proposal is not consistent with the Community Plan. He said the solution is for green space: a golf course, a bike path, a park, or wetlands. He said that as a community, they could identify a better fit to preserve the beauty of Riviera. He asked attendees that support parkland or green space to raise their hand or clap. By the applause received, it confirmed their support.

Mike Ensminger, 7502 Kilbrittain Lane, said what has been discussed is appropriate for a theoretical concept plan but wanted to diverge into reality. He reported that in November, 2011, the City notified Wellington Place residents that the applicant would be purchasing the undeveloped tract to the west of their subdivision on Brand Road to build 28 high-end single-family homes. He said now that the applicant is interested in purchasing Riviera Golf Club, we thought it would be an appropriate forum to highlight the challenges that Wellington residents continue to face, 2.5 years later, after that initial application was submitted. He shared the overall disappointment and accountability of follow-through by the applicant and the builder. He said in 2011, the applicant promised multiple custom homebuilders, but Virginia Homes is the only builder of all 28 houses. He said Mr. Ruma is not the builder and closely related to the proposed builder but he has not heard from Mr. Ruma since City Council approval despite his continued assurances to remain actively involved in the project. He questioned the applicant's commitment to keep the rural nature of the Brand Road corridor. He explained they are left with a gaping, treeless space that does not fit with the rest of the natural landscape. He said there was an “accidental” destruction of a 100-year old tree on Brand Road and the dry basin ponds are eyesores. He said the area has been pillaged. He said there were over 1,100 trees on that property but there is not much left. He said he was shocked when speaking with the Virginia Homes project manager, who freely admitted he was unaware of the opacity requirements for the landscaped borders.

Mr. Ensminger said this was a heavily negotiated point nearly two years ago. He said multiple homeowners contacted Virginia Homes about the flooding and run off in July, August, and October and were told each time it was a 100-year rain. He reported it took them eight weeks to provide a temporary and inadequate solution, which was to put up an orange fence not approved by EPA. He shared some pictures of his lawn. He said they basically destroyed his back yard; ruining bushes and grass to where he cannot even let his dog out. He said Virginia Homes promised re-grading of his backyard, shrub replacement, mulching and sodding but nine months later, they have just backed-filled with ungraded dirt, without his permission on 6:55 am on Saturday. He said they only sought permission from his neighbor to be on his property, not him. He said just last summer, they witnessed a Virginia Homes representative, swinging from a limb and tearing it off of a tree that the City Arborist designated to preserve. He said the subcontractor verbally assaulted two residents. He said they were reassured that their neighborhood would not be used as a construction entrance but the dump trucks sped down the street, damaging the roads and frustrating the residents. He reported that construction started as early as 6:45 am, in violation of City Code, even on weekends. He said they continue to be disappointed with this 28-home development and tried to imagine these problems magnifying 10-fold with the introduction of nearly 300 homes proposed for Riviera.

Jamie Davitt, 8169 Summerhouse Drive West, said she lived there almost three years with their children. She referenced the movie “It’s a Wonderful Life” and the character George Bailey, who had said it was

the people who do most of the paying in spending in this community. She gave the group of attendees a round of applause for their passion. She compared the financial struggles of our first golf course, Riviera to the movie where the same thing happened in the movie with the savings and loan building. George Bailey reached out and said "Give it time." She asked that we give Riviera time; it does not have to be developed right now. She said it experienced financial distress not unlike many industries. She explained you cannot un-develop what you start with Riviera. She noted the Dublin brand and reputation and how Riviera is a $10 million asset. She said there were a lot of developments started and undeveloped within a mile of Riviera: Oak Park, 69 percent; Tartan Ridge, 39 percent; Tartan West/Sienna, 70 percent; and Jerome Village, 91 percent. She said that equates to 2000 lots available within one mile of Riviera Golf Club so why destroy Dublin's oldest golf course. She said we are known for green space, parks, and golf courses. We have 168 acres of landscaped green space so why build homes when there already is abundance? She noted there are 91 trees left over from 1,100 that were chopped down in Wellington for 28 houses. She concluded with a Chinese proverb, "One generation plants the trees; another generation gets to benefit from the shade".

Greg Smith, 6457 Green Stone Loop, in the Belvedere subdivision said he moved to Dublin four years ago from Upper Arlington. He said after his third child was born and needed a larger house, they chose Dublin for the schools and green space views, which they paid a huge premium to live near designated green space. He is now concerned that he would be forced to go back to Upper Arlington. He admits that is dramatic but Upper Arlington will not overcrowd the schools. He said his daughter's classroom at Deer Run was a trailer last year and his other daughter at Deer Run was told she was lucky to have desk. He asked the Commission if they are trying to mess up Dublin's high rankings. He said he has not seen numbers from anyone that show Dublin can support the children that would come from these additional homes and make it work with the schools. He said Upper Arlington made mistakes a long time ago and wish they can have green space back. He said he was 100 percent confident; they would not build over golf courses there. He summarized stating the proposed development would destroy nearby schools, and green space we could never get back. He asked the Commission to protect Dublin's most important assets.

Jamie LaRue, 8494 Glenalmond Court, thanked the Commission for allowing him the opportunity to speak the thanked them for their service to the community. He said he recently relocated to this community, which is fifth house. He said the development of 284 homes on Riviera would drastically change the character of Dublin, have an adverse effect on schools, traffic, and taxes. He said Dublin schools were the driving force for selecting their home after looking at New Albany, Powell, and Westerville. He said had Deer Run, Grizzell, and Jerome been overcrowded, taxes higher, and traffic worse, their decision may have been quite different. He said the Commission could ask the applicant to provide more buffer zones for the schools, to donate land to the schools to enable development, or to fund construction of sewers, roads, and subsidize infrastructure or simply keep it green. He asked that they protect the integrity of the Community Plan.

Ed Siddell, 8153 Summerhouse Drive West said his family has resided in the Belvedere subdivision for the past ten years at the intersection of Timble Falls and Summerhouse Drive. He reported the traffic is already pretty bad in the morning because it is a cut-through for the high school traffic from 7:20 am - 8 am. He referred to a slide which shows Summerhouse Drive as an oval that turns to Abbey Glen and the kids go around both sides of the circle, which blocks the way to work. He said it continues up through Grizzell and Deer Run. He showed a video that revealed that the students do not stop at Belvedere Green and Summerhouse Drive intersection, using it as a racetrack, which is dangerous. He said the City of Dublin put out a speed check on the left side and the traffic got so backed up, they were no longer speeding because they could not due being backed up. He said Timble Falls is the proposed cut-through street for these additional 284 homes; that is a recipe for disaster. He said that Dublin police said they could not and will not put officers there every day. He said they cannot put speed bumps there as they cannot afford the man hours or the resources. He asked the Commission how it could be afforded with additional homes when it is not affordable now.

Mark Mace, 6469 Green Stone Loop said 12 years ago, he and his wife decided to move to a better school district for the benefit of their children and thought the Dublin school system would be the best fit for special needs child. He said additionally, they wanted a community that placed a special importance on parks, green space, and bike paths. They chose Belvedere due to the close proximity of parks, bike paths, and the beautiful view we have of the Riviera Golf Course. They were pleased to learn later the site was identified as parks and open spaces. He said both of his children have attended Deer Run, while their special needs son is currently at Grizzell. He said they fought for years to obtain the services we now enjoy for the first time. He said they finally have an excellent intervention specialist and are satisfied with the services they are receiving. He said for every Riviera child that attends Deer Run ES, Grizzell MS, or Jerome HS, a child currently enrolled will most likely be sent elsewhere. He said school redistricting is an almost certainty. He said if his child is sent to another school, he will lose everything they have fought for all these years. He said intervention specialists do not follow your children, they stay at the schools. He said with almost 8 - 12 percent of kids on individual education plans, many families will be affected by the loss of their intervention specialist, who is a key to the entire IEP process. He asked the Commission not to rezone this property; there are too many homes and people against this project. He asked that they please listen to their residents.

Ms. Amorose Groomes said there were no more speakers listed on the sign-up sheet but as promised, that does not preclude anyone from speaking. She asked that they raise their hand and she will invite them to come forward, stating your name and address for the record.

Bryan Faller, 8703 Finlarig Drive said he fought against this plan but after hearing Mr. Ruma state his reasons for this to be approved because Riviera is no longer a good golf course does not mean we should develop this green space by adding 284 homes in that area. He said Mr. Ruma claimed this was the last good piece of land to develop but to restate what someone said earlier, should it be developed. He said that Mr. Ruma said he already started a traffic study but did not state the results. He said he did not hear him disagree with what other presenters have said about the increase in traffic. He said he met with school administrators but again did not disagree with the overcrowding statistics that have been shown. He said he wants to develop a community with walking distance to the schools but did not say how the traffic will create impediments to children walking to schools who live across Avery Road. He said Dublin is a big cycling community. He said to have ± 2,000 more cars per day traveling on these roads should be taken into account. He said he came here tonight with an open mind but nothing convinced him that the community should support this development. He said that he thought it was telling that not a single person in this community has said we should do this.

Ms. Amorose Groomes asked the public if anyone else would like to address the Commission. She explained they would not field questions this evening. She said once they close it off to public comments, the Commission will have a discussion as a result of what has been heard this evening and respect to the speaking points made earlier.

Jerry Williams, 6290 Belvedere Green Boulevard said if not questions can be heard, he came into this with a completely open mind without an agenda. He asked the Commission, other than Mr. Ruma, what would be good about this? Ms. Amorose Groomes responded that is a great question that will be addressed in our discussion points following public comment. She asked if anyone else present that would like to speak with respect to this application. [Hearing none.] She said that concludes the public comment portion.

Ms. Amorose Groomes explained there are five questions posed by staff and the purpose of tonight's meeting is to gather all of the information and begin to sort through it. She said the applicant will have the opportunity to ask any points of clarification after their discussion. She stated first, they wanted to get the input of their residents and second of all, she wants the applicant to walk away with a clear

message that you heard from the public and the Commission. She reiterated that staff had provided five discussion questions but the Commission probably had a list of their own as well.

Amy Kramb said she had been on this Commission for six years and this is the most people she has seen attend one of her meetings. She said as a lifelong resident of Dublin, she appreciates passionate people coming out to show their support/lack of support for an application. She said she graduated from Dublin and has a son in the school system. She recommends the public take this to the school board. She referred to the presentation made by Ms. Gawronski, which provided alternative options for this property. She said, unfortunately, the Commission does not have the authority to do anything with those options but since they are on the record, she hoped that City Council would hear them. She said the Commission is tasked to answer questions for the applicant. She explained that they cannot say, build a park; the City has clearly stated they will not build a park but suggested if they keep talking to City Council, maybe things will change. She said one of the big questions being asked is what the benefit of this application is. She reminded everyone, this is still private property, still zoned residential, but sometimes it is favorable to do a Planned Unit Development rather than straight zoning, which allows more control as to what happens on that property. She said this Concept Plan as presented today could be better. She said a PUD could provide much better opportunity for this piece of land instead of staying as existing zoning. She said it is probably not going to be the 181 homes that technically are there by the time you have your EPA guidelines and so forth but could be 80 – 100 homes but the Commission does not have control over what those look like.

Ms. Kramb addressed the discussion questions: 1) land use is appropriate as being zoned residential and would not rezone it PUD because there is too many houses under the current plan, which falls under the next question; 2) way too dense to be considered open green space or a conservation subdivision since they would need to be under the lowest number at 1.27 units per acre; 3) is appropriate to the surrounding uses but the school letter is a great reminder of the need for large buffers between athletic fields and homes because residents do not like the stadium lights and noise when they were there, first; 4) there needs to be a lot more open space that is usable, not necessarily just passive, a more park-like space with trails; and 5) Mr. Ruma's suggestion of empty-nester housing is a wonderful option for this property as they would not have children attending schools, which takes a huge burden off the schools but asked if they would want to live next to schools with loud stadiums. She said traffic is always a huge issue for her; she likes to see traffic reports. She said she understands this would be done at the expense of the developer but would like to see required to expand the scope of the traffic study, more than what is normally required. She explained that will all come later along with the agreements for the cost of roads and sewers. She reiterated that tonight is to cover basic questions.

Victoria Newell thanked everyone that spoke as well as the applicant. She said she was saddened to see loss of Riviera Golf Club. She said she was a long time resident of the City of Dublin and was attracted to the ability to raise a family here. She said they had a good school system and close walking distance to schools and parkland. She noted that original parks were neighborhood parks. She envisioned when she moved there that someday, there would be an "emerald necklace" of parks, all of them interconnected with bike paths. She said when an applicant proposes a development on a very large beautiful piece of property; everyone wants it to stay naturally as parkland.

Ms. Newell addressed the discussion questions: 1) it is currently zoned residential; if they choose to sell and zoned residential, it can be; straight zoning will get whatever will come; as a PUD, there is more control to preserve some of the natural aspects of this site; it is appropriate use if it cannot be preserved as park land, cannot preserve it as a golf course, can preserve as a great residential neighborhood next to other great neighborhoods; 2) density is not appropriate, she would rather see more green space with lower density and the green space to feel like a park that is contributed to the entire community of Dublin, not just a park associated with a development; 3) relationship to surrounding uses needs buffers along school property; 4) yes, open space is appropriately located but street frontage along Avery Road needs to have a more natural character, undulation will be helpful

being able to see into the green space and being preserved where you have flood lands in the center of the site and would like more interconnection off of Avery Road.

Joseph Budde stated that he does not support the Concept Plan as presented and requested rezoning, he does not support. He agrees that the existing zoning would allow the developer to develop and all interested parties would be well served by participating and working with the developer so a PUD could be put together. He does not believe the proposed land use is appropriate but zoning precludes him from saying he cannot support it. He said the density as proposed is many more houses than what should be developed. He stated the relationship to the surrounding uses should be appropriate. He agreed with fellow Commissioners that the buffers along the school properties would need to be developed. He said he was very concerned about the impact on the schools, the schools impacting the residents that would live there, and the traffic on Avery and Brand Roads as he bikes with groups of people through there all the time. He recognizes that some kind of development will happen here and encouraged the developer to work with all the interested groups and those that came tonight and work it out. He was adamant that there needs to be cooperation amongst all the parties.

Warren Fishman said he was really proud to be Dublin resident. He said Dublin is one of the smartest cities in the world, rated 6th or 7th smartest and it really shows tonight. He applauds the preparation of speakers to provide statistics and logical reasons for your beliefs. He said whether anyone agrees or disagrees with you, he thought it was commendable. He noted the thousands that volunteer in Dublin that do not have an interest. He said the Irish Festival and the St. Patrick's Day parade could not happen without all the volunteers. He appreciated the civil meeting expressing passionate and emotional beliefs.

Mr. Fishman skipped around the proposed discussion questions. He said the proposed density is not even close. He said Muirfield is 1.27 units per acre and it is 2,300 units. He noted that one of the traditions they have in Dublin is to make things better and better; the next subdivision knocks our socks off. As Mr. Ruma so aptly said, this is the last piece we have. He encouraged his colleagues on this board and City Council that if it ends up a subdivision that it should be incredible and surely less than 1.27 units per acre. He said it is appropriate given it is zoned residential and not much we can do about that. However, he said sometimes if they wait, better things happen. He said yes and no to the relationship of the houses in the area but there are schools, crowded roads, and there could be a better relationship. He stated that the open space needs to be usable open space. He said developers take land that cannot be developed anyway, the land around the water, the flood plain, need to have a set back from Avery Road but do not consider that free open space. He said if the developer's heart is in the right place, 3.8 acres is the size for a useable park. He said open space scattered throughout the development needs to be useable. He said the space around the water and next to the roads is a given and should not be counted. He does not believe this is properly located. He said the audience has done a terrific job of talking about other considerations. He said if this was perfect world he would like to see that a park because there is no major park in that area but it is zoned residential and the possibility of becoming residential. He said Mr. Ruma is doing what he has the right to do by making a proposal and has heard a lot of information from intelligent people tonight and hopes he takes that into consideration.

Richard Taylor said Mr. Fishman did such a wonderful job of complimenting you all, that he would just ditto his comments. He threw a little compliment to Mr. Ruma's group for coming before the Commission with a true Concept Plan. He said this is still wide open here with just one drawing to see what we can make better. He said he would prefer this remain a golf course and preferably a public course and ideally, a municipal golf course. He said it is awkward that a city that was born out of golf and markets itself so heavily around golf and invests so heavily in golf…how much did we pour into the President's Cup this year? He said he read again today in *Business First* about Shamrock to be developed as housing and there was little opposition, where he even learned to play golf and where families go to play golf together. He said to replace a recreation destination with houses seems awkward and would hate to see that happen here.

Mr. Taylor addressed the specifics with the plan. He said the issues that were a concern to him were all brought up by speakers this evening. He noted he would take a different tack. He said it was easy to put up a chart and say traffic congestion is caused by houses. He said car trips cause congestion, having to go somewhere like shops, schools, work, church, and recreational activities when none of that is readily available by foot or bike. He said the nearest shopping in Shawnee Hills is a 2.5 mile drive from Riviera Golf Club. He said if he wanted to mail a package, the Post office is a 10-mile round trip. He said because of the street layout design, all of these developments follow the traffic onto the same handful of roads. He said on top of that, this section is very homogenous type of housing; families about the same age, about the same number of kids, about the same income, they work about the same place at the same time. Everyone leaves about the same time to go to work, take the kids to school, to go shopping in the middle of the day, leaves again to pick up kids from schools and everyone leaves to come home from work at the same time causing bubbles of traffic congestion. What was interesting to him he said on this particular location was that this bounds all three schools but there is no useful way to get to this development to any of the schools without going through somebody's yard and does nothing to make the travel easier from the existing neighborhoods to the south.

Mr. Taylor said when he was a kid, he could walk on residential streets and sidewalks the entire way to his school one mile away. He said his first job, two blocks away at a restaurant where he bused tables; he walked to every day so his mom did not drive much at all. He said if a development happens here it has to connect to the schools so kids can safely walk to school and not have their parents drive them, keeping them inside the development and off of Avery Road. He suggested it would also allow the developments to the south to do the same.

Mr. Taylor said it was possible this land could be developed as housing and wants to make sure if that comes to pass that we give Mr. Ruma some comments about this that will help him to go in the proper direction. He said the needs of the community have to be addressed, first and this is not 284 single-family houses. He said to reduce traffic congestion is neighborhood level services to reduce car trips. He said a prime example is the Tara Hill/Muirfield Drive development where that United Dairy Farmers is one of the busiest in the country where the traffic stems from walk-ins and bicycles. He said housing for underserved citizens in our community is needed like those that would use the roads the least. He cited his parents as an example. He said after living in Muirfield a long time but as they age there is no suitable place to downsize to in Muirfield and the next step will be to a retirement home. He said what would have been more suitable would be a flat in Muirfield so they could stay close to their friends, close to their family, and let their family house go to another family. He said his folks do not drive much and certainly do not get early in the morning to drive to work or drive kids to school and trips shopping are very few. If we could use a significant number of units to serve that underserved population, we could reduce the traffic congestion and prevent further traffic congestion. He said the proposal does not address any of his concerns, if further isolates the existing neighborhoods from adjacent schools, and do not allow itself access to the schools and only has one type of housing.

Mr. Taylor reported he had heard comments previously that were not mentioned tonight about solutions to widen streets and improve intersections. He does not believe those are solutions to traffic congestion. Lastly, he said, what Mr. Fishman touched on was parks and open space; it is not the space that is left over between people's backyards, which is what this plan shows, not easily accessible to the public. He emphasized it has to be planned, designed, and useful space. The term conservation subdivision design is an old concept, which means you group all the houses together in pods and you landscape what is leftover.

Mr. Taylor addressed each discussion question: 1) because this is an informal review he does not feel bound to say the land use is appropriate, a golf course or park would be better; 2) density is far too high; 3) no proper relationship to the existing uses that are schools and that needs to be addressed; 4) as Mr. Fishman said, it would be better off to be useful parks or a series of smaller parks as an "Emerald Bracelet" rather than a necklace; and 5) his personal preference is to remain a golf course; as a planning

commissioner, not necessarily opposed to development of the site but it has to be much different, more intelligent, and cannot just be a reaction as Mr. Fishman said to the current market place.

Ms. Amorose Groomes thanked several speakers for their coordinated efforts and wonderful representation of a community working together to bring forward valid outstanding points presented in an exceptional way and depict what the issues are for the residents surrounding this piece of property. She said the members of those HOAs are certainly fortunate. She expressed her joy seeing the room filled with folks passionate about their community, which leads to their community getting better.

Ms. Amorose Groomes described the difference between the Community Plan and Zoning Code. She said zoning on this piece of property would allow roughly one unit per acre on 168 acres, but some space will be deducted for streets, etc. She said the Community Plan is guiding document for the way land is used when rezoning is under consideration. She said if Mr. Ruma wanted to develop that land tomorrow, he could move forward with the zoning that is in place now. She said his intent is to "up zone"; to build more houses. She explained that what happens on that property right now is the zoning that is in place. She said Ms. Kramb stated that if we entertained a rezoning of that, it is a give and take relationship. What we typically give is more density and what we take is a higher standard. She said if he were to build homes on that today, it would just need to meet the letter of the building code, which typically in the city is a much lower standard than PUD codes. She explained that materials are typically upsized from what is in the straight Zoning Code. She cited the relation of the architecture of your home and the detail to different architectural elements.

Ms. Amorose Groomes summarized that Mr. Ruma is looking for an upzoning and that has yet to be seen if that will happen or not. She said it was very concerning to hear what happened at Wellington Place. She said we have wonderful folks that have the ability to take that all to Code Enforcement and she will follow up as well. She said as a Commission that approved that zoning, promises were made to us as well; we want those to ring true and come to fruition.

Ms. Amorose Groomes reported that this room has been filled to capacity when they talked about the Jerome baseball diamonds; the difference between a baseball game and football game is severe. She said any homes that back up to a football field must understand how loud it can get. She said when the baseball folks were here, they complained about how they could hear shouting from individuals that were offensive to them. She said as a Muirfield resident, on the other side of Muirfield Drive, she could sit on her back patio in the evenings of September and October and tell you who carried the ball. She emphasized that it is loud and we need to be sensitive to that. She thought the schools probably put a football field there figuring it would be the least likely place a development would be adjacent to.

Ms. Amorose Groomes remarked that as a City, we like to tout our horn that we are a wonderful city but first and foremost, I am a parent. She confirmed we are a wonderful city and people come here because of our schools. She said we do many great things as a city but what we do well is educate our young people. She said that has to be on the forefront of our minds if we do this: not necessarily applicable as Commissioners but to certainly consider what is good for our city. She said we typically hold a developer to a standard higher than their neighbor; should be less dense than Muirfield.

Ms. Amorose Groomes began to address the discussion questions: 1) yes, because of zoning in place but it is not desirable; she wants it to remain a golf course; 2) no, the density is not appropriate; 3) no, as Mr. Taylor did an outstanding job of illustrating the connectivity issues, which need to be resolved and possible ways of reducing the number of trips required in and out of this neighborhood on a daily basis; 4) no, as Mr. Fishman talked about the set back on Avery Road; open space must be dense and usable and she gave an example of holding soccer practices on space not designated a soccer field; and 5) numbers show we are all the drain on the system every time someone has come to zone where you live, they could have made the same arguments, it is all of us; we owe great volunteerism to our schools and to our city at large. Again she said she would prefer to see this as a golf course but not in the zoning

for this piece of property at present. She said the charge before us is to make it as good as we possibly can. She had hopes and dreams this would be a wetland's preservation as well that deserves some exploration. She stated at the end of the day, it is zoned residential.

Ms. Amorose Groomes invited the applicant forward.

Jeff Brown, Smith and Hale, representing the applicant said, he appreciates the Commissions comments and understands the existing zoning; in a perfect world this would remain as open space. He said he will continue the dialogue with the schools since three are within walking distance. He said even if a path system is created you may have the conflict between child and parent as to whether they should walk. He said they also appreciated the explanation of the advantages of the PUD. He said a tradeoff of getting density vs getting higher standards is something Dublin has used to the advantage of the neighbors and the city on various projects. He said they came with a Concept Plan because they knew this would be controversial; always the last piece is thought to be left open. He said there were changes for the golfers when the schools were built. He has played golf up there and understands the noise level as he could hear every song the bands were practicing through the four hours of playing his round. He said they will need time to react to the comments heard this evening. He stated the traffic and sanitary sewer studies are required and EMH&T have been working on a solution. He concluded that he knows what the issues are and are committed to meeting and resolving as many as they can with the neighbors.

Mr. Ruma thanked everyone for showing up. He said he had been through this a couple of times and appreciates the respect and guidance shown here. He said he plans to react as best as he can as he plans to develop the property. He said if there is a better way to do it then the property can be sold at the same price to others; it needs to be sold at fair market. He said if someone wants to make an offer, if the City wants to buy it as a park, then they should approach him and he will pass on his cost without making a profit.

Mr. Ruma said he was really bothered by and will look at the problems at Wellington Reserve. He said these were sold to his son; he plans to build 28 homes and within the first two weeks, he had 38 deposits. His son is now writing contracts after going through a lottery for lot selection. He said the first few contracts range from $750,000 - $900,000. He said he just found out about the mistake of the 100-year old tree. He said that is not his style and the pictures you saw were during construction. He said despite what the situation was, he will look into it to ensure trees are planted and the water is handled so it is not a burden on the neighbors. He said he will stand by his commitment and work with staff. He expressed his appreciation of the Commission's time given to the community.

Ms. Amorose Groomes said if there are no other questions from the applicant, there is no vote to be taken this evening and this will conclude the portion of the meeting dedicated to this Riviera project. She stated they will take a five minute break and resume at 9:10 pm.

Ms. Amorose Groomes stated that today is the conclusion of Warren Fishman's term. She reported he served six years on the Board of Zoning Appeals; served a total 17 plus years on the Planning and Zoning Commission, not all consecutively; and served as a resident representative for the Bicycle Task Force. She thanked Mr. Fishman for his service and commitment to the City. She said he has assisted and aided in the community becoming a more beautiful place. He received a standing ovation. Ms. Amorose Groomes presented the award to Bea Fishman for sharing Warren with all of us and invited stories from the Commissioners.

Mr. Taylor shared his story of appreciation for Warren. Ms. Kramb said she would miss him and think about him as she drives past bike paths, water features, and sandwich boards. Ms. Newell said it was an honor to serve on this board with Warren; he left a good mark on the City of Dublin. Mr. Fishman said he had tremendous respect for everyone on the board and thanked them for their service as well. Mr. Budde said he never saw a project he did not like but cited one instance where he did and tonight he said he did

not agree with the plan. They shared mutual admiration for each other. Ms. Amorose Groomes said it was a privilege to serve with him and it was a lot of fun.

Communications

Mr. Langworthy said on behalf of staff, how much of a gentleman Mr. Fishman has always been and it translates out to the audience, the applicants, and the rest of the City. He said this speaks well for the Commission as a whole. He said Mr. Fishman will be missed very much.

Mr. Langworthy said they should have all received an invitation to the City Council Work Session. He said the Resolution that was passed was placed in the Dropbox that came out as a result of the Council Retreat that describes some of the improvements for design on some critical projects.

Mr. Langworthy said they finally got to answering Amy Kramb's questions as related to traffic and also placed in the Dropbox is a City Council Resolution. He encouraged review before attending the work session. Ms. Kramb expressed her appreciation.

Commission Roundtable Discussion

Ms. Amorose Groomes asked if there were any items for a roundtable discussion. [Hearing none.] The meeting was adjourned at 9:29 p.m.

As approved by the Planning and Zoning Commission on April 3, 2014

Mayor Chinnici-Zuercher stated that Dublin residents appreciate the library's presence within the community. Council would be interested in actively participating in the master planning process and in looking at a variety of ways in which the City could partner in the funding of a possible expansion, either on the library's present site or another.

CITIZEN COMMENTS

John Bevilaqua, President, American Italian Golf Association and Riviera Country Club, 8205 Avery Road stated that he is present to respond to the City's proposed Community Plan provision for the westward extension of Memorial Drive through the Riviera Country Club property to Hyland-Croy Road. Since 1970, this has been the site of a golf and social club. Their course opened 15 years prior to the Village of Dublin becoming a city. They have paid their taxes, have employees, maintain their property, and provide entertainment via golf and social events to citizens of Dublin and surrounding communities. This site consists of 165 acres of primary greenspace surrounded by sprawling growth. Their intention is to remain a permanent entity at this location. Over the years, Riviera has survived the economic recession of the late 1970's and the deep stock market slide at the turn of the century. Currently, they are enduring the glut of an over abundance of golf communities in and around central Ohio. On Saturday mornings, spring and fall, they tolerate the above-normal speaker noise from the sports announcers at the Dublin Jerome sports fields, which abut the Riviera property to the west. In addition, it has been necessary to periodically deal with rumors of the club being for sale. In the midst of these detriments to long-term success, they have now become aware of the City's long-range Community Plan that provides for the extension of Memorial Drive westward through their property. This would destroy their golf course and greenspace. Obviously, computer-generated hypotheticals and models have been run, which have been both costly and time consuming. In their opinion, that money and effort would be better spent elsewhere. He respectfully requests that City Council remove from the Community Plan, forever if possible, any and all discussions, scenarios, and plans, etc. that call for the extension of Memorial Drive through Riviera Golf Club. The members of the Italian Golf Association and members of Riviera Country Club plan to survive here in Dublin. They are actively pursuing a full membership. They do not need additional obstacles to impede their growth and long-term viability in this community. Discussions with Council involving the extension of Memorial Drive westward through the Riviera property have become an annoyance to them and to the building and retention of membership.

Mayor Chinnici-Zuercher stated that she was not present at the Community Plan workshop where this topic was discussed. When she indicated to the City Manager that Mr. McCash's recollection of direction given at that meeting was that the traffic modeling was not to occur, Ms. Brautigam noted that the minutes of that meeting indicate the travel model was desired.

Ms. Brautigam stated that when staff conducts long-range thoroughfare planning, they run tests on many scenarios. In this case, they tested to see what would occur with traffic if, in 30 years, there were to be a connection from Avery Road to Hyland-Croy Road. The minutes and the meeting recording indicate that Council members expressed concern about the study, but at the end of the discussion, the understanding was that the study would be performed both with and without a westerly extension of Memorial Drive.

Ms. Salay stated that during the meeting, it was obvious that both City Council and the Planning Commission expressed support of the continued presence of the Riviera Country Club at its present location. Part of the City's focus is on greenspace, beautiful vistas and recreation. Riviera provides all three. She apologized for any anxiety this discussion caused for Mr. Bevilaqua and the Riviera membership. In her view, this suggestion is focused on very long-range planning -- 20-40 years in the future. Council hopes that this site remains a golf course and club forever. Council has no designs on that property for the future.

Mrs. Boring stated that when the discussion occurred, she was totally opposed to it. She did not support such modeling going forward – no matter what the results should be. She believes that a provision should be placed within the Community Plan that this site should be forever preserved as greenspace – that no road should ever be built through the site. Furthermore, she believes it is very detrimental to the Golf Club to have this in the Community Plan. People will not join the club, nor will they buy homes next to this site because of the Plan. When Council fails to give clear direction that this land should forever remain greenspace, what results is a disservice to the golf club and to the citizens of the community.
She suggested that Council give staff direction at this time not to spend more time on this particular modeling. She would never support this concept.

Mr. McCash stated that when the meeting ended, he had the impression that this was an idea that was considered, similar to several others, but that it would not be pursued further. Several years ago, he served on Planning Commission when the Belvedere development, a subdivision to the south, was approved with a street stubbed at the Riviera property line. He argued at the time that this was not vacant land, but rather had a designated use and that the street should not be stubbed at the golf course. He lost that argument. He was surprised to see a continuation of that road. He sees no purpose for the road extension.

Ms. Salay moved that consideration of an extension of Memorial Drive westward through the Riviera Club property be forever removed from the Community Plan.
Mr. McCash seconded the motion.
Vote on the motion: Mr. Keenan, yes; Mrs. Boring, yes; Mayor Chinnici-Zuercher, yes; Ms. Salay, yes; Mr. McCash, yes; Vice Mayor Lecklider, yes.
Mayor Chinnici-Zuercher requested that Mr. Bevilaqua share this information with the golf club members.

Wallace Maurer, 7451 Dublin Road, stated that he would defer comments on his usual topic to the next Council meeting.

LEGISLATION
SECOND READING/PUBLIC HEARING - ORDINANCES
Ordinance 11-07
Authorizing the Provision of Economic Development Incentives to Xcelerate Media, Inc. to Induce the Retention of its Current Workforce and the Further Expansion of the Xcelerate Media, Inc. Workforce within the City of Dublin and Authorizing the Execution of an Economic Development Agreement.
Ms. Gilger stated that this ordinance proposes an economic development agreement that provides for a $31,000 work force expansion and performance incentive. In return, Xcelerate Media agrees it will create approximately 62 new jobs by December 31, 2011, which equates to an annual payroll of nearly $4.5 million. The president of Xcelerate Media is present to respond to any questions from Council.

Bob Mahaffey, President, Xcelerate Media, Inc. stated that his company provides ethics and compliance training to corporations. Their offices are located adjacent to Starbucks in the Historic District. They will be expanding their office space in pods of 12-17 employees at other locations within the District. He noted that the company has no debt; their only expense is related to people. A recent capital investment made in his company will be used to add new employees. The intent is to grow the company within the Dublin community.

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

Wallace Maurer, 7451 Dublin Road noted that on page 3 of the agreement, section F, second to last line, there is a typo. The word "retain" should be "retaining."
Ms. Gilger responded that this would be corrected.

RIVIERA

Preliminary Development Plan
and Preliminary Plat

RIVIERA

Dublin, Ohio

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Draft Submittal for Approval: Dublin Planning and Zoning Commission, October 29, 2014
Approved: Dublin Planning and Zoning Commission, April 9, 2015
Approved: Dublin City Council, June 8, 2015-Ordinance 35-15

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SECTION I-
Development Overview

I. Location and Size

A. The site is located completely within the City of Dublin corporation limits and in three counties, Franklin, Union and Delaware Counties.

B. The site is located at 8205 North Avery Road, on the west side of Avery Road, approximately 3,175' north of the intersection of Avery Road and Brand Road, immediately north of the Shannon Glen and Belvedere subdivisions. The property is the largest remaining parcel along Avery Road that is undeveloped between the Shannon Glen, Belvedere, Tartan West and Muirfield subdivisions.

C. There is approximately 2,020' of frontage along Avery Road.

D. The site measures approximately 3,400' east/west and 2,020' north south and is generally rectangular in shape.

E. The site is ±152.2 acres in area.

II. Existing Conditions and Character

A. The site is currently operating as the Riviera Golf Club, a private, full-service golf course with wedding and banquet facilities open to the public. The golf course is an 18-hole championship golf course with tree lined fairways, tees and greens, asphalt cart paths, ponds, driving range and rough areas.

B. 907 trees exist on the site. Of the 907 trees, 658 (73%) are in good or fair condition and 249 (27%) are dead or in poor condition.

C. The site is located in the North Fork Indian Run Watershed. The site generally drains from the west and from the east to a centrally located stream that flows from north to south, outletting into Shannon Glen Park.

D. Portions of the site are located within the 100-year floodplain, which has been indicated on the Preliminary Plat.

E. A preliminary investigation found two (2) jurisdictional streams and no jurisdictional wetlands on the site. The study was performed by Geotechnical Consultants, Inc. in October, 2013. The report, "Preliminary Jurisdictional Waters Determination", has been submitted separately.

F. Sanitary sewer from the clubhouse facility is currently handled by a package plant. On-course restrooms utilize a septic system with a leach field. The plant, septic tanks and leach field will be removed in Phase I.

G. Several wells exist on-site and are used for irrigation. These wells will be capped in accordance with the proper procedures if they cannot be reused as pond recharge wells. Capping or re-use of the wells will occur in Phase I.

H. The site is generally flat; sloping between 1% and 3%. There are no steep slopes. The eastern high point is at the 960 elevation, the western high point is at the 944 elevation and the low point is elevation 920.

I. A large clubhouse, banquet facility, cart barn and parking lot exist at the highpoint near Avery Road. A maintenance facility exists on the southern boundary at the end of Tantallus Drive. Several other small comfort stations and shelters exist around the site.

III. Analysis of Natural Resources for Conservation Design

A. Conservation design practices are based on the natural resources of the site and provide for the preservation of open space. Sites with woods, streams, river frontage, steep slopes and other natural features or which otherwise provide significant open space will be considered as prime candidates for employing conservation design techniques.

B. Primary Conservation Areas

1. Wetlands

   a. There are no wetlands on the site, per the “Preliminary Jurisdictional Waters Determination” report.

   b. There are no naturally occurring ponds on the site. Several ponds have been created as part of the development of the golf course to serve as irrigation storage, playing hazards and general aesthetics. Ponds have been added or modified in shape over time to accommodate golf course operation.

   c. Two jurisdictional streams exist on the site as identified in the “Preliminary Jurisdictional Waters Determination” report.

   d. There is no river frontage on this site.

2. Floodplains

   a. A 100-year floodplain exists along the two jurisdictional streams identified in the “Preliminary Jurisdictional Waters Determination” report.

   b. A Stream Corridor Protection Zone has been placed over the two jurisdictional streams to protect the flood plain.

3. Steep Slopes

    a. There are no steep slopes on the site. The site is gently sloping from 1% to 3%.

C. Secondary Conservation Areas

1. Soils

    a. The predominant soil types are Blount and Glynwood, a Type C/D soil.

    b. On-site sewage disposal is not proposed for this development, eliminating the need to define areas for filtering effluent.

2. Woodlands

    a. There are no wooded areas or “woods” on the site. However there are a large number of trees on the site.

    b. Areas of original forest cover have been cleared long ago for agricultural purposes. Aerial photography from 1959 shows limited numbers of trees along the streams and fencerows.

    c. As the golf course developed over time, several hundred trees were planted to define fairways, influence playability and for general aesthetics. A select number of these trees have become specimens and warrant preservation.

    d. A tree survey has been performed, identifying 907 trees in various conditions on the site.

3. Farmland

    a. Agricultural land/farmland is not present on this site.

    b. Farming of the property ceased with the development of the site as a private golf club in 1970.

4. Views Into and Out from the Site

    a. The current clubhouse is located on a highpoint and has prominent views along Avery Road.

    b. Significant open space views exist from Shannon Glen Park along the stream corridors.

5. Significant Wildlife Habitats

    a. Habitats of threatened or endangered wildlife species do not exist on the site.

b. Wildlife travel corridors exist along the streams. These corridors are linkages to areas used as food sources, homes and breeding grounds.

6. Historic, Archaeological and Cultural Features

a. There are no buildings, ruins, earthworks, stone walls or other resources with historic, archaeological or cultural significance on the site.

D. The primary and secondary conservation areas are generally located along the stream corridors and within floodplain areas of the site as well as along the property perimeters. With most of the natural resources located within these areas, larger, contiguous development zones are defined east of the streams, west of the streams and between the forks of the streams.

IV. Existing Land Uses

A. The City of Dublin GIS mapping identifies the site as "parks/open space." The Riviera Golf Club currently operates as a private, full-service golf course with wedding and banquet facilities open to the public.

B. The site is currently zoned in two districts. The area situated in Union County is zoned R-Rural District. The area situated in Delaware and Franklin Counties is zoned R1-Restricted Suburban Residential District. Both districts permit 40,000 square foot single family lots, schools and parks.

C. The site is bordered by the Tartan West Subdivision to the north and west, Deer Run Elementary and Grizzell Middle Schools to the North, Muirfield to the east, Belvedere and Shannon Glen Subdivisions to the south, Shannon Glen Park to the south and Dublin Jerome High School to the south and west.

D. Surrounding land uses include: suburban residential low density, suburban residential medium density, suburban/rural residential, civic/public assembly, parks/open space and vacant/undeveloped.

E. Surrounding densities range from 1.41 du/ac. to 3.28 du/ac for residential uses.

F. Portions of the Riviera site are near the Jerome High School stadium. This is a very active facility with year round activities. Any homes near this facility will likely be affected by noise and light that typically accompanies activities at the stadium.

V. Proposed Land Uses

A. Proposed uses are single family residential, parks, open spaces, community gardens and permitted uses as outlined in the R-1, Restricted Suburban Residential District in the Dublin Zoning Code.

B. The proposed zoning classification is PUD – Planned Unit Development. The proposal is to develop the tract with 185 single-family lots oriented around a significant park/open space system.

C. Fee simple single family lots in widths from 60’ to 100’+ will provide a range of residential products, from low maintenance, age targeted homes on 7,200 square foot lots, to custom homes on 14,000 square foot lots.

D. Subarea A proposes a minimum thirteen thousand (13,000) square foot, one hundred (100) feet wide fee simple lot with typical setbacks. Custom and semi-custom single family homes will provide a high quality built environment.

E. Subarea B proposes a minimum nine thousand seven hundred fifty (9,750) square foot, seventy-five (75) feet wide fee simple lot with typical setbacks. Single family homes in this sub-area will provide a high quality built environment.

F. Subarea C proposes a minimum seven thousand two hundred (7,200) square foot, sixty (60) feet wide fee simple lot. Single family homes in this sub-area will provide a high quality built environment. Reduced setbacks, first floor master floor plans and common maintenance target a buyer looking to downsize and reduce maintenance.

G. When compared to homes in surrounding neighborhoods, Riviera will provide homes having equal or higher quality and character.

VI. Incorporation of Conservation Design Techniques

A. Provision for a variety of housing styles and designs.

1. Rivera provides three subareas with different housing styles and designs.

2. Subarea A provides custom and semi-custom homes on 13,000 square foot lots.

3. Subarea B provides higher end, traditional single family homes on 9,750 square foot lots.

4. Subarea C provides an age targeted home on 7,200 square foot lots.

B. Preservation of open space and natural resources.

1. Natural resources have been preserved in large, contiguous, visible and accessible open space areas.

2. Open space areas have been distributed throughout the development.

C. Consideration as prime candidates for employing conservation design techniques.

1. Even though this site only exhibits one of the criteria (streams) to be considered a prime candidate for conservation design, conservation design techniques have been employed in the analysis and planning of the site.

D. Conservation layout should generally adhere to the following principles:

1. Conservation design projects should strive for at least 50 percent open space.

    a. A total of 76.1 acres preserves 50 percent of the site as open space.

2. Conservation design should strive to have at least 75 percent of the dwelling units directly adjacent to open space areas.

    a. 166 of 185 lots are directly adjacent to open space areas. This represents 90 percent of the total units.

3. Conservation design projects should attempt to provide large setbacks from existing streets, especially designated scenic roads.

    a. Avery Road has been designated a scenic road. The development has approximately 2,020’ of frontage along Avery Road.

    b. A 100’ wide scenic setback has been provided along Avery Road.

4. Create a separate area identity surrounded with open space areas specifically preserved in the development of these projects.

    a. The Riviera site is an infill site. Location and type of development within the site is dictated by bordering developments. Proposed uses are complementary to the adjacent uses.

    b. The preservation of 76.1 acres of open space, its location within the project and its programming potential create an identity not only for this site, but for the surrounding area.

5. Whenever possible, the street system should have a curvilinear pattern that will minimize traffic speed, support the housing development pattern and protect natural features.

    a. The Riviera street network provides connections to surrounding neighborhoods at 3 points and provides for 1 new connection. The road layout discourages cut through traffic, speeding and is generally curvilinear in form.

    b. The road network minimizes stream crossings and has been designed to avoid/preserve trees and other natural features.

VII. Parks and Open Space

A. A total of 76.1 acres (50.0%) of the development will be preserved for parks and open spaces.

B. The parks and open space system within the Riviera development will be developed around the existing stream corridor and extend to all areas of the development. These areas will function as both passive and active green spaces and designated park areas.

C. A prominent central park area 29.6 acres in size becomes the organizing element for the neighborhood. This park provides easy access and visibility to the preserved natural features on the site and areas for programmed park development for the new development as well as surrounding neighborhoods.

D. A shared-use path system, within the open space areas, will provide access to the greater citywide system, will provide multiple walking/running loops within the development and provide safe alternative access to schools.

E. The Riviera parks and open space system will complete a significant greenway link in the regional park system, connecting Avery Park to the south to the 1,000 acre Glacier Ridge Metro Park to the northwest.

F. Parks and open space areas within the development will be owned by the City of Dublin and maintained by the City of Dublin and the home owners association.

VIII. Provision of Utilities

A. General

1. All utilities, including sanitary sewer, water, telephone, electric, and gas, are available at this site.

2. All utilities will be designed and constructed to meet the standards established by the City of Dublin Engineer, which includes the City of Columbus standards as required.
3. A comprehensive storm water management system will meet City of Dublin design criteria.

4. All utilities shall be placed in appropriate locations on the lots that will best preserve the existing trees in good or fair condition.

B. Sanitary Sewer

1. Sanitary sewer service to Riviera will be provided from two locations.

2. The southeastern portion of the proposed development will be serviced from an existing 8-inch sanitary sewer line that is stubbed to the southern property line at the end of Tantalus Drive in the Belvedere Development and was designed to accommodate approximately 33.9 acres of tributary area

3. The remainder of the development will connect to the existing 18" sanitary sewer line which is located onsite, along Riviera's southern property line and was designed to accommodate the remainder of the site

4. A sanitary sewer analysis, "Capacity Analysis for the North Fork Indian Run Sub-Trunk", determined a capacity deficiency which warrants downstream sewer improvements. This study has been funded by the developer and has been submitted separately.

5. Any required off-site sanitary sewer improvements and developer percentage contributions shall be identified and included in an infrastructure agreement between the developer and the City of Dublin, as approved by City Council.

C. Water

1. An existing 16-inch water main along the east side of Avery Road should be adequate to provide service to this site.

2. Public water mains will be constructed along the proposed roadways within the development.

3. The existing 8-inch water mains stubbed at the end of Firenza Place, Timble Falls Drive and Tantalus Drive will be tied into the new public system which will aid in service to this site.

D. Storm Water –Pre Developed

1. The predominant soil types are Blount and Glynwood, a Type C/D soil, corresponding to a pre-developed runoff curve number of 74.

E. Storm Water –Post Developed

1. In the post-development condition the site drainage will be handled by four retention basins that will accept drainage from impervious areas such as roadways, driveways, roofs, and sidewalks and some back yard drainage. The total developed tributary area to the basins is approximately 130 acres with a composite runoff curve number of 81. The analysis was conservatively run with a 10-year critical storm. The outlets of the basins drain to the existing stream running through the site. Water quality is provided by the use of the wet basins per Ohio EPA and City of Dublin requirements. The outlet for each basin will be a three-stage outlet, with the first stage providing the required 24 hour water quality drawdown. The second stage controls the 10-year event, and the third stage the 100-year event.

2. Stream corridor protection zones, as required by City of Dublin, have been placed on both jurisdictional streams as indicated on the Preliminary Plat.

3. All stormwater management areas will be maintained by the City of Dublin.

IX. Access, Circulation and Improvements

A. Vehicular access to the site will be from a single access point on Avery Road and from 3 existing streets stubbed to the property, connecting to the surrounding neighborhoods.

B. A full service, site access drive from Avery Road will provide primary vehicular access.

C. Tantalus Drive extends from the Belvedere neighborhood to connect with Riviera.

D. Timble Falls Drive extends from the Belvedere neighborhood to connect with Riviera.

E. Firenza Place extends from the Tartan West neighborhood to connect with Riviera.

F. Cacchio Place street stub will provide for a potential connection to Hyland-Croy Road.

G. Primary vehicular circulation through the neighborhood provides easy access to three subareas providing different single family product types while discouraging cut-through circulation.

H. Pedestrian connections will provide access to the neighboring schools, surrounding bike path network and regional parks/open space network.

I. A pedestrian crossing system on Avery Road will be provided.

J. A northbound turn lane shall be provided at the Avery Road site access as detailed in the TIS.

K. The developer will enter into an infrastructure agreement with the City, prior to submitting the initial final development plan, for any applicable development thresholds and public project contributions, including the Avery Road pedestrian crossing.

X. Phasing

A. This project has been divided into five (5) Phases. Phasing will start with Section 1 and progress in order through Section 4, as indicated on the Preliminary Plat.

B. Phase 1 (Section 1) will include removal of the clubhouse, parking lot and maintenance facility, wells, sanitary plant, septic system and leach fields and other associated infrastructure, construction of a northbound Avery Road left turn lane, Avery Road pedestrian crossing, main site access drive,

street connection to Tantalus Drive, Reserves A, B and C, Basins A and B, and 40 lots in Subarea A.

C. Phase 2 (Section 2) will include Reserves D, E, F and G, Basin C, and 45 lots in Subarea B.

D. Phase 3 (Section 3-1) will include Reserves H and I, and 23 lots in Subarea B.

E. Phase 4 (Section 3-2) will include the street connection to Firenza Place, Reserve J, Basin D, and 29 lots in Subarea C.

F. Phase 5 (Section 4) will include the street connection to Timble Falls Drive, Reserves K, L and M, Basins E and F, and 48 lots in Subarea B.

SECTION II-
Development Standards

I. DEVELOPMENT STANDARDS

Basic development standards are addressed in this text regarding proposed density, general site issues, traffic, circulation, landscaping, and architecture. These component standards ensure consistency and quality throughout the development. Unless otherwise specified in the submitted drawings or in this written text, the development standards of Chapter 152 and 153 of the City of Dublin Code shall apply.

II. PERMITTED USES

A. Single-family detached homes.

B. Parks, open spaces and community gardens.

C. Permitted uses as outlined in the R-1, Restricted Suburban Residential District in the Dublin Zoning Code.

III. DENSITY

A. A maximum of one hundred eighty five (185) residential dwelling units shall be permitted in this PUD.

B. A maximum gross density of 1.22 dwelling units per acre shall be permitted in this PUD.

IV. LOT STANDARDS

A. Subarea A

1. General Character

a. Dwellings may be custom and semi-custom single family homes on traditional lots with fee simple ownership, having equal or higher quality and character when compared to homes in surrounding neighborhoods.

2. Lot Size

a. Lot Area: Thirteen thousand (13,000) square feet minimum.

b. Lot Width: One hundred (100) feet minimum.

c. Lot Depth: One hundred twenty-five (125) feet minimum.

3. Lot Setbacks

a. Front yard: Twenty-five (25) feet minimum. Staggered setbacks on adjacent lots are not required.

b. Rear yard: Twenty-five (25) feet minimum.

c. Side yard: Eight (8) feet minimum.

d. Avery Road: There shall be a minimum building setback of one hundred (100) feet, as measured from the proposed Avery Road right-of-way. Streets, utilities, storm water management, landscaping, shared-use paths, open space, park amenities and entry features may be located within this setback to enhance the rural character of the Avery Road corridor.

B. Subarea B

1. General Character

a. Dwellings may be single family homes on traditional lots with fee simple ownership, having equal or higher quality and character when compared to homes in surrounding neighborhoods.

b. Portions of Subarea B (west) are near Jerome High School. The school and associated sports fields are very active facilities with year round activities. Any homes near the school will likely be affected by the noise and light that typically accompanies activities at the school.

2. Lot Size

a. Lot Area: Nine thousand seven hundred fifty (9,750) square feet minimum

b. Lot Width: Seventy-five (75) feet minimum.

c. Lot Depth: One hundred twenty-five (125) feet minimum.

3. Lot Setbacks

a. Front yard: Twenty-five (25) feet minimum, except for Cacchio Lane which is twenty (20) feet minimum. Staggered setbacks on adjacent lots are not required.

b. Rear yard: Twenty-five (25) feet minimum.

c. Side yard: Six (6) feet minimum.

d. Avery Road: There shall be a minimum building setback of one hundred (100) feet, as measured from the proposed Avery Road right-of-way. Streets, utilities, storm water

management, landscaping, shared-use paths, open space, park amenities and entry features may be located within this setback to enhance the rural character of the Avery Road corridor.

C. Subarea C

1. General Character

a. Dwellings may be single family homes on traditional lots with fee simple ownership, having equal or higher quality and character when compared to homes in surrounding neighborhoods. Reduced setbacks, first floor master floor plans and common maintenance target a buyer looking to downsize and/or reduce maintenance.

2. Lot Size

a. Lot Area: Seven thousand two hundred (7,200) square feet minimum.

b. Lot Width: Sixty (60) feet minimum.

c. Lot Depth: One hundred twenty (120) feet minimum.

3. Lot Setbacks

a. Front yard: Twenty (20) feet minimum. Staggered setbacks on adjacent lots are not required.

b. Rear yard: Fifteen (15) feet minimum.

c. Side yard: Five (5) feet minimum.

4. Lot Coverage

a. The maximum lot coverage shall be seventy (70) percent.

D. On-Lot Stream Corridor Protection Zone

1. Portions of the Stream Corridor Protection Zone may be platted on individual lots.

2. No building, structure, fence, patio, recreational or athletic facility, or any other improvement of any kind may be placed temporarily or permanently upon, in or under the area designated hereon as an “On Lot Stream Corridor Protection Zone” nor shall any work be performed thereon which would alter the natural state of the zone or damage any of the trees or vegetation therein.

3. No tree may be removed from the “On Lot Stream Corridor Protection Zone” except for the removal of dead, diseased, decayed, or noxious trees and other understory vegetation or as

may be required for conservation or in keeping with good forest management practices. Areas without trees or understory vegetation on the lot may be maintained as lawn.

4. The developer will work with planning staff to determine a method of physically delineating any on-lot SCPZ area and/or ensuring the property owners are aware of the presence of the on-lot SCPZ and its restrictions. If an on-lot SCPZ's is present, final design and/or details for delineation or notification will be included in the final development plan.

V. STREET ACCESS AND/OR IMPROVEMENTS

A. Access

1. Avery Road:

a. A full service intersection shall be provided as indicated on the Preliminary Plat.

2. Tantalus Drive:

a. Tantalus Drive shall be extended northward from the Belvedere neighborhood to connect with the Riviera street network as indicated on the Preliminary Plat.

3. Timble Falls Drive:

a. Timble Falls Drive shall be extended northward from the Belvedere neighborhood to connect with the Riviera street network as indicated on the Preliminary Plat.

4. Firenza Place:

a. Firenza Place shall be extended eastward from the Tartan West neighborhood to connect with the Riviera street network as indicated on the Preliminary Plat.

5. Cacchio Place:

a. As indicated on the Preliminary Plat, a street stub, Cacchio Place is provided to allow future access to Hyland-Croy Road. The developer will work with staff to provide a sign at the end of the stub indicating the intent of the future connection.

6. Pedestrian Access to Schools:

a. Off–site pedestrian access to Grizzell Middle School shall be provided as permitted by Dublin City Schools.

b. If so desired by the Dublin City Schools, the developer will provide a pedestrian connection to Jerome High School.

c. Any permitted off-site connection points to existing path networks on school properties shall be coordinated with Dublin City Schools.

d. Final design details of any connections will be provided in the Final Development Plan.

7. Private Driveways

a. Vehicular access shall be limited to one (1) driveway curb-cut per lot.

b. Corner lots generally should provide driveway access to the anticipated lesser traveled street, except lots 25 and 26 as indicated on the Preliminary Plat. Lots 25 and 26 shall have driveway access limited to Albanese Circle.

c. Permitted primary pavement materials include concrete, brick, concrete pavers, colored and imprinted concrete, or natural stone pavers or flagstones. Asphalt is not permitted. The use of gravel as a driveway material is not permitted. Secondary materials such as brick or stone may be used for driveway borders or insets.

B. Improvements

1. Avery Road Site Access:

a. A northbound left turn lane shall be provided at the Avery Road site access, as detailed in the TIS, as part of Section 1.

2. Avery Road Pedestrian Crossing:

a. A pedestrian crossing system across Avery Road shall be provided as part of Section 1 and coordinated with the City Engineer. Final details of this crossing shall be provided in the Final Development Plan.

3. Hyland-Croy Connector Road:

a. The developer will work with the city to program a direct site connection to Hyland-Croy Road to the satisfaction of the City Engineer prior to the approval of a plat that includes the Firenza Place connection to Tartan West.

4. Off-Site Traffic Improvements:

a. Any required off-site traffic improvements, including the Hyland-Croy connector, and developer percentage contributions, based on the findings of the TIS, shall be identified and included in an infrastructure agreement between the developer and the City of Dublin, as approved by City Council.

VI. STREET STANDARDS

A. Public Streets

1. **Right-of-Way Width**: Fifty (50) feet minimum

2. **Pavement Width:** Twenty-eight (28) feet minimum for all public streets, as measured back-of-curb to back-of-curb

3. **Drive Lanes:** Two (2)

4. **Parking Lanes:** Parking shall be permitted on one side of public streets internal to the site opposite the waterline and fire hydrants.

5. **Tree Lawn:** May vary based on existing vegetation, but shall in no case be less than eight (8) feet in width.

6. **Sidewalk:** Four (4) feet wide minimum; sidewalks shall be concrete and located on both sides of the street.

7. **Shared-use path:** Eight (8) feet wide minimum; shared-use paths shall be constructed of asphalt, except when located in front of lots. When located in front of lots, the path shall be constructed of concrete with saw cut joints.

VII. UTILITIES

A. Design and Construction

1. All utilities shall be designed and constructed to meet the standards established by the City of Dublin Engineer, which includes City of Columbus standards as required.

2. Required off-site sanitary improvements and developer percentage contributions shall be identified and included in an infrastructure agreement between the developer and the City of Dublin, as approved by City Council.

B. Location

1. All utilities shall be placed in appropriate locations on the individual home lots that will best preserve the existing trees in good or fair condition.

VIII. STORM WATER MANAGEMENT

A. Design and Construction

1. A comprehensive storm water management system shall be developed, following the Ohio EPA and City of Dublin storm water management policies.

B. Location

1. Storm water management facilities may be located in any reserve areas. Final design and details will be provided in the Final Development Plan.

C. Stream Corridor Protection Zone

1. There shall be a Stream Corridor Protection Zone as indicated on the Preliminary Plat. A definition is contained within the City of Dublin Codified Ordinance Section 53.200 for the areas designated as "Stream Corridor Protection Zones". Sections 53.210 – 53.240 describe uses and facilities that are permitted and prohibited within the Stream Corridor Protection Zone.

D. 100-year floodplain (Zone A)

1. The developer shall provide a Letter of Map Amendment (LOMA) and supportive materials in the Final Development Plan that includes lots in FEMA designated 100-year floodplain (Zone A), subject to approval by engineering.

E. Maintenance Responsibility

1. All stormwater structures/areas shall be maintained by the City of Dublin.

IX. TREE PRESERVATION, REMOVAL AND REPLACEMENT

A. Tree Preservation/Removal

1. It is the intent of the developer to preserve as many good and fair condition trees as possible on site. A good faith effort will be made to preserve existing trees in good and fair condition where indicated on the preliminary development plan. Tree replacements will be made in accordance with the Zoning Code, except as noted. The developer will work with staff at the final development plan stage to identify appropriate measures and best practices to ensure continued preservation.

2. A Tree Removal and Preservation Plan will be provided as part of the Final Development Plan.

a. Tree protection fencing shall be shown on the Tree Removal and Preservation Plan at or beyond the critical root zone of all trees to be preserved.

b. Chain link, wire or two rail wood fencing shall be used to protect special, selected landmark trees identified to be preserved and located in or near the path of direct site development.

3. City approval of tree protection fencing locations shall be required prior to the issuance of construction permits.

4. If critical root zones of preserved trees cannot be maintained during construction, those impacted trees shall be replaced in accordance with code.

B. Tree Replacement Plan

1. Tree Replacement shall be per code, with the following exceptions:

a. Replacement trees shall be deciduous or evergreen trees. Deciduous trees shall have a minimum caliper size of two and one-half (2 ½) inches. Evergreen species shall be seven (7) feet in height minimum and count as two and one-half (2 ½) inches.

b. Evergreen trees shall be limited to no more than thirty (30) percent of the total caliper inch replacement requirement.

2. Replacement trees may be located in all open space reserve areas.

X. PARKS AND OPEN SPACE

A. Dedication

1. The open space will meet that which is required under code.

2. The code required open space shall be dedicated to the City

B. Maintenance

1. Reserves A, B, C, D, E, G, H, I, and J shall be maintained by the homeowners association. Stormwater structures in these reserves shall be maintained by the City of Dublin.

2. Reserves F, K, L and M shall be maintained by the City. Stormwater structures in these reserves shall be maintained by the City of Dublin.

C. Programming

1. All reserves shall be programmed in conjunction with city staff as passive and active areas at the time of anticipated open space development. It is the intent of the developer to consult residents in open space programming decisions.

2. Open space programming may include the following options and amenities:

    a. Reserve A, E, G and I: multi-use path, trash/recycling/bike racks, bench seating, landscaping and/or HOA maintained gardens (bird/butterfly/honeybee or prairie)

    b. Reserve B: Landscaping

    c. Reserves C, F, H and J: bench seating, landscaping, multi-use path and/or HOA maintained gardens (bird/butterfly/honeybee or prairie)

    d. Reserve D: gathering plaza, gazebo/shelter, landscaping and/or HOA maintained gardens (bird/butterfly/honeybee or prairie)

    e. Reserves K, L, and M: parking, restrooms, platform tennis/basketball court, open play fields, bocce, cricket field, lacrosse/soccer field, multi-use path, trash/recycling/bike racks, bench seating, picnic grove/tables, public art, playground, obstacle course, rental shelter, shelter/gazebo, climbing structure, outdoor fitness equipment, labyrinth, fishing pier/dock, landscaping and/or HOA run/maintained community gardens (bird/butterfly/honeybee, meditation or prairie)

3. Future design and development of parks and open spaces shall be permitted with administrative approval based on the above programming standards.

D. Shared-Use Path System

1. A shared-use path system shall provide connections between Shannon Glen Park and Tartan West, connections to Grizzell Middle School and the Avery Road pathway. It shall also provide multiple internal loop systems within the open space reserves.

2. Portions of the shared-use path system may incorporate sections of the cart paths that currently exist on site. Existing path sections that are to be utilized shall be evaluated and upgraded to City standards, if necessary. Evaluations will be performed with each phase of development and to the satisfaction of the City Engineer.

XI. LANDSCAPING

A. Entry Features

1. Entry features may include integrated project signage, landscaping, and irrigation.

2. Final location, design, and standards for entry features and related landscaping and signage details shall be presented and approved during the Final Development Plan phase.

3. All entry features will be owned and maintained by the homeowners association.

B. Street Trees

1. Street trees shall be installed in accordance with the City of Dublin Code. Final type and location shall be determined by the City Forester.

C. Auto Courtyards

1. In those instances where a garage location creates an auto courtyard in the front of the house; a minimum thirty (30) inch high wall or hedge shall be installed and maintained along the courtyard pavement parallel to the street.

D. Private Sidewalks

1. A minimum four (4) feet wide sidewalk shall be required for every residence. This private side walk shall extend from the front door to the driveway, where applicable, as the driveway may abut the front door.

E. Mailboxes

1. Mailboxes shall be consistent in design and style throughout the development. A mailbox design shall be submitted for review and approval at the final development plan phase.

F. Cul-de-Sac Islands

1. Cul-de-sac islands shall be landscaped with lawn and /or plant material.

2. Any lawn and/or plant material located within an island shall be maintained by the HOA.

G. Avery Road Landscape Treatment

1. A landscape treatment shall be installed in the setback along Avery Road to enhance the rural character of the corridor.

2. Plantings shall create a natural woodland effect and may consist of deciduous trees and shrubs, ornamental trees, perennials or any combination thereof. This effect shall be installed across the Avery Road frontage.

3. Any trees, meeting the replacement tree standards, planted in this treatment, shall count toward the overall replacement requirement.

4. Masonry piers, stone walls and/or fencing may be included as part of the landscape treatment.

5. A sign and/or entry feature may be located within this setback. Details shall be provided for approval as part of the Final Development Plan.

6. Pedestrian pathways, multi-use paths, water features and pond access may be provided in this treatment.

7. Final design and details of the landscape treatment shall be provided for approval as part of the Final Development Plan.

H. Mid-Block Shared Use Path Access

1. Shared use paths that are located mid-block between lots shall be landscaped to provide a barrier between the pathway and adjacent private yards.

2. Landscaping shall include lawn, deciduous shrubs, evergreen shrubs, deciduous trees, evergreen trees and fencing or any combination thereof. Design and details shall be provided and approved in the Final Development Plan phase.

3. The final locations where shared-use paths cross public streets will be evaluated by the City Engineer to minimize mid-block crossings and included in the appropriate final development plan.

XII. HOMEOWNERS ASSOCIATION

All residential property owners located within the Riviera PUD shall be required to join and maintain membership in a forced and funded homeowners association, which will be formed prior to any lots being sold. Homeowners association responsibilities shall be detailed within Declarations of Covenants and Restrictions as approved by the City of Dublin before being duly recorded in the office of the appropriate County Recorder. These Declarations of Covenants and Restrictions shall run with the land and shall include, without limitation, the requirements imposed upon the homeowners association in this text.

Section III-
Architectural Standards

I. Architectural Standards

A. Architectural standards are addressed in this text regarding plan approval, character and styles, diversity, permitted materials and colors, configuration of materials and architectural elements.

B. Unless otherwise set forth herein, all structures shall meet the City of Dublin Zoning Code Residential Appearance Standards.

C. Images have been included as supportive information to the written text to express the design intent and architectural vision for the development. Limitations shall be expressed in the written text. The included imagery shall not be used to interpret limitations or exemptions of any standards, but are intended to generally exhibit the minimal level of detail of described architectural features and embellishments and to provide pictorial examples of architectural reference styles.

II. Architectural Review Committee

A. The Master Developer shall retain the right of individual plan approval for all single family homes within the subdivision.

B. Architectural Review Committee

1. The developer shall form an architectural review committee (ARC) to ensure that all dwellings and accessory structures comply with or exceed the architectural standards set forth in this development text. Prior to filing for a building permit with the City of Dublin for the construction of, or any addition or major alteration to, each primary or accessory residential structure in this development, the owner or builder shall be required to subject the exterior architectural elevations and the site plan to a review by the ARC. The ARC shall undertake a review of these elevations and plans for compliance with the commitments made in the development text such as (but not limited to) setbacks, building heights, diversity, architectural character, level of detail of architectural elements, types of materials, and colors. The ARC shall approve only those structures that comply with or exceed the requirements set forth in this development text. The City of Dublin shall not be required to issue a building permit for any affected residential structure in this development without written evidence of approval of such structure from the ARC.

2. Rules and regulations relating to the membership of the ARC and the conduct of its affairs shall be the responsibility of and implemented by the developer. At least one member of the ARC shall be an architect registered in the State of Ohio. The requirement for the ARC review and approval shall be evidenced through the developer recording deed restrictions with appropriate County Recorders prior to the commencing construction on any residential structure in this development. The developer shall ensure that the deed restrictions require adherence to the architectural standards in this text and may choose to implement even stricter architectural requirements than are found herein.

3. The ARC shall be composed of at least three members, including a developer representative, a registered architect and a registered landscape architect. The developer shall provide membership information for the ARC to the satisfaction of planning staff as part of the final development plan.

III. Architectural Character

A. The character within this development shall be traditional in nature. Its vocabulary shall employ Classical, Colonial Revival, Midwestern Vernacular, European Country and American Period Revival styles. Continuity of element and scale and the commonality of building materials between the referenced styles will reinforce an architectural cohesiveness while providing architectural diversity within the site. These styles can be found throughout the neighborhoods surrounding the Riviera development. Incorporating these architectural styles will complement the surrounding development pattern and allow the new homes to "fit in" to the character of the area.

B. Architectural Styles Defined

1. Midwestern Vernacular – The character of Midwestern Vernacular architecture evolved throughout the mid- to late 19th and early 20th centuries and makes reference to a broad range of styles. Greek revival references incorporate simplicity and permanence of form while retaining versatility, while "farmhouse vernacular" is characterized by Gothic influences and verticality of proportion common to Early Victorian examples. The Midwestern Vernacular style reiterates local forms, strong examples of which are indigenous to Dublin and may also be found in Bexley and Upper Arlington.

2. Colonial Revival – Late 19th century examples of the Colonia l Revival style draw inspiration from Renaissance, Georgian, and Neoclassical styles, as evidenced by symmetrical, tightly organized, and well-defined exteriors and restrained ornamentation. Surfaces tend to be pale and smooth; clapboard siding is typical of the Colonial Revival style.

3. Classical – Traditional early American styles such as Colonial, Federal, and Georgian fall under the heading of Classical. Although individual styles evolved throughout the late 17th and whole of the 18th century, Classical residences are characterized by precision in execution, balanced, symmetrical compositions, and careful attention to detail. Main blocks of residences are often finished in brick, although regional variations employing alternate materials such as stone or clapboard do occur. Entry surrounds integrate the Classical Orders through use of columns or pilasters with pediments.

4. European Country – Inspired primarily by provincial country homes in France, American examples of the European Country style first appeared in the 1920s. Characterized by the use of stone and stucco as cladding materials, the European Country style also employs deep recesses and reveals for doors and windows as well as steeper roof pitches and flared eaves. Forms tend to be simple and rectangular and tall, well-proportioned windows are common, resulting in a simple, elegant residence.

5. American Period Revival – The late 19th and early 20th century saw the emergence of American Period Revival styles, including Shingle Style and Craftsman. These styles tend to be informal yet disciplined and employ simpler massing and vernacular forms. Broad gables and gambrels are common, as is the incorporation of porches and balconies. Traditional cladding materials are used and include cedar shakes or shingles, wood, and stucco. Fenestration is characterized by horizontal window groupings, shed or arched dormers and glass is often incorporated in the front door.

C. Age Targeted Homes

1. Single family homes located in Subarea C will be targeted to buyers looking to downsize and/or reduce maintenance.

2. Homes in this subarea would be on traditional lots with fee simple ownership. Reduced setbacks, greater lot coverage, common maintenance and first floor master floor plans are common elements associated with the age targeted market.

3. Home styles will adhere to the defined architectural styles. An architectural theme is permitted in this area. Home product details will be provided in the final development plan for this section.

D. Single family homes shall provide a high quality built environment as recommended in the community plan. Homes in Riviera shall have equal or higher quality and character when compared to the homes in neighborhoods immediately surrounding the development.

IV. Architectural Diversity

A. The same or similar front elevations shall not be repeated within:

1. Two lots on either side of subject lot.

2. Three lots directly across the street from subject lot.

3. Any lot on a cul-de-sac bulb.

B. Corner lots apply to the street on which the home's front facade is situated.

C. Open Space areas may provide similar separation as lots within the influenced area. In this case, the open space area may be considered as influenced lot or lots.

D. A lot diversity matrix will be presented for approval at the final development plan phase.

E. Individual homes in Subareas A and B, utilizing siding as the only cladding material on all facades, shall be limited to 25% of the total number of homes in Subareas A and B.

F. Themed Communities

1. Themed or architecturally coordinated communities featuring a specific architectural style with one or more builders may be permitted and are not subject to the diversity schedule outlined above. In the event that such a community is proposed, the developer shall file a single final development plan for that community with illustrations of representative building elevations and anticipated product mix for review by the Planning Commission.

G. Administration of Standard

1. Due to the mix of homebuilders to be found in this development, an advance matrix of "substantially similar" building elevations is not possible. Therefore, it will be the responsibility of the Architectural Review Committee to evaluate each house plan in the development for compliance with the diversity standard. Compliance with the diversity requirements shall be required for the approval of the construction of each new dwelling within the PUD.

V. Permitted Building Height

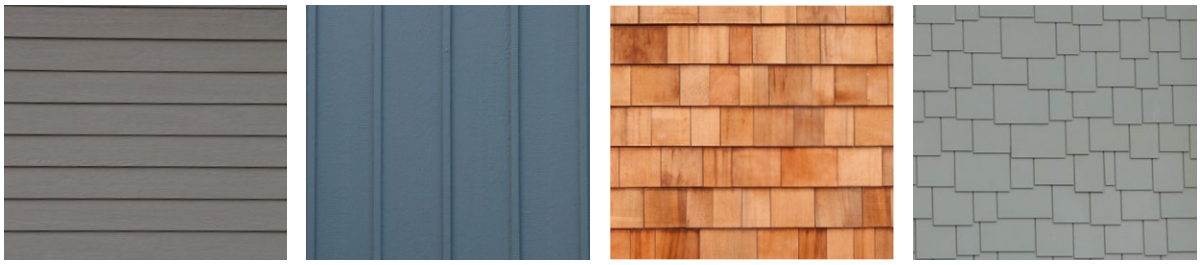
A. Maximum of thirty-five (35) feet, as measured per code.

VI. Permitted Exterior Materials

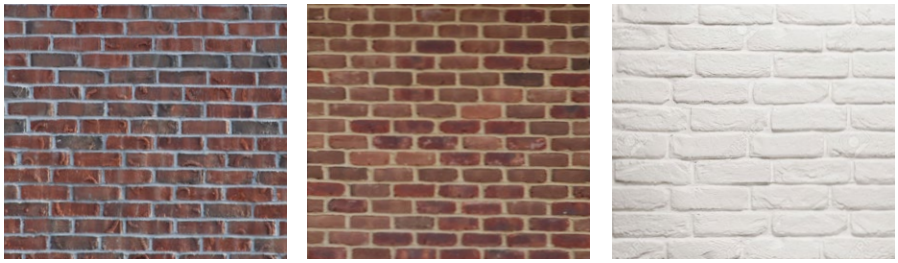
A. Cladding Materials

1. The exterior cladding of all structures shall be finished using all natural materials, including brick, stone, manufactured stone, wood, stucco, fiber-cement siding products or any combination thereof.

2. All exposed foundations shall be clad with brick, stone or manufactured stone.


Siding

Stone


Brick

Stucco

B. Trim Materials

1. Wood, aluminum, PVC, urethane foam, EIFS, copper or fiber-cement products. Shutters shall be considered as trim for the purpose of meeting the Residential Appearance Code requirements.

PVC Trim Boards

PVC Moulding

PVC Trim Detail

PVC Trim Detail

C. Roofing Materials

1. All homes shall utilize dimensional asphalt shingles (minimum 30-year warranty), wood, slate, concrete, or tile. Standing seam metal roofs are permitted on porches and secondary roofs.

Dimensional Asphalt Shingles

Dimensional Asphalt Shingles

Concrete Roof Tiles

Wood Roof Shingles

Slate Roof Tiles

VII. Permitted Exterior Colors

A. Cladding Colors

1. Natural earth tones and/or neutral colors, including white, as represented in the Sherwin-Williams "America's Heritage" collection and/or Benjamin Moore "Williamsburg" collection, or similar color collections by other manufacturers.

Benjamin Moore Williamsburg Collection

2. High-chroma colors are not permitted.

B. Trim Colors

1. Natural earth tones and/or neutral colors, including white, as represented in the Sherwin-Williams "America's Heritage" collection and/or Benjamin Moore "Williamsburg" collection, or similar color collections by other manufacturers.

2. Complementary or contrasting to siding color.

C. Roofing Colors

1. Natural earth tones and/or neutral colors, including black.

2. High-chroma colors are not permitted.

VIII. Configuration of Materials

A. Four-sided architecture shall be required so that similar architectural design elements and details shall be consistent throughout all elevations of the structure. All building elevations shall be articulated with a consistency of detailing.

B. The application of exterior wall materials shall be continuous around corners.

C. Changes in cladding material shall occur at logical locations, typically at interior corners where one building mass meets another. Material transitions at exterior corners are permitted with a minimum 16" material return and trim detail.

D. When used, wood siding and fiber cement siding products shall be in the pattern of clapboard, dropsiding, tongue and groove, board-and-batten or shingles.

Textured Clapboard

Smooth Clapboard

Beaded Clapboard

Smooth Beaded Clapboard

Dropsiding

Tounge and Groove

Board-and-Batten

Straight Edge Shingles

Staggered Edge Shingles

E. Walls shall show no more than two (2) cladding materials (excluding trim) unless otherwise approved by the Architectural Review Committee. Brick and stone may be combined.

F. Individual homes in all Subareas shall be limited to the amount of stucco utilized as a cladding material on the primary façade of each home. Stucco shall be limited to a maximum of 50% of the area of the primary façade.

IX. Architectural Elements

A. Four-sided Architecture

1. Similar architectural design elements and details shall be consistent throughout all elevations of the structure.

B. Prominent Facades

1. Corner lots, end lots, pie-shaped lots and lots adjacent to large open spaces present highly-visible, side facades (Lots 1, 7, 9, 10, 11, 17, 21, 40, 41, 54, 55, 64, 65, 69, 70, 72, 76, 87, 108, 109, 123, 124, 132, 137, 138, 145, 164, 170, 171, 177 and 185 as indicated on the preliminary plat). Each street-facing elevation on these lots must contain at least three (3) design elements, in any combination, as defined in the Dublin Zoning Code 153.190.

C. Roofs

1. Primary roof pitches shall have a minimum slope of 7:12 rise over run.

2. Secondary roofs, such as minor gables, dormers and porch pediments shall be permitted to have minimum slope of 4:12 rise over run. When the primary roof pitch is a gable with the pediment end oriented towards the street a less roof pitch shall be permitted.

3. Flat roofs are permitted, but must integrate strong cornice lines.

4. Roof penetrations, including, without limitations, vent stacks, shall not be located on the front roof slope and shall be painted to match the color of roof.

D. Dormers

1. Dormers shall have gabled, hipped, arched, or shed roofs.

2. Dormer windows shall either match the standard window size of the house or smaller.

3. Dormers may be no larger than necessary to hold their windows and framing unless otherwise approved by the Architectural Review Committee.

E. Gutters and Downspouts

1. Traditional half-round gutters and/or ogee gutters with downspouts shall be used and shall be made of aluminum materials that match or compliment the color of the home's trim.

2. Gutter and downspouts shall be placed at the corner of the building that is least visible from nearby streets.

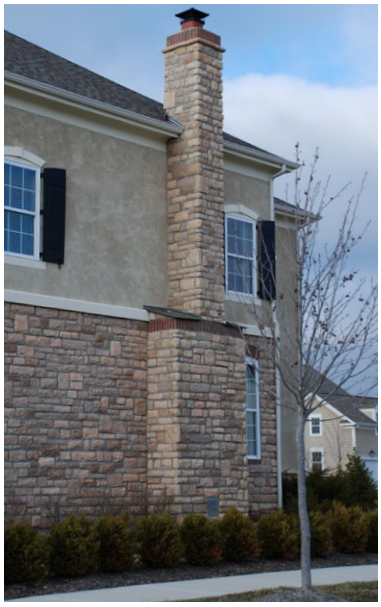
F. Chimneys

1. "Cantilevered" or "through-the-wall" chimneys are not permitted.

2. All chimneys shall be built on an integral foundation.

3. All exterior portions of chimney shall be finished masonry, consisting of brick, stone, and/or manufactured stone.

4. The use of stucco, siding and wood shall be prohibited.



G. Garages

1. All single-family dwellings shall have an attached or detached garage of sufficient size to accommodate a minimum two (2) standard sized automobiles, side by side.

2. Side loaded garages are encouraged.

3. Front loaded garages, not part of a court load configuration, court loaded garages and side loaded garages are prohibited to have garage doors facing Avery Road.

4. All garage doors shall be decorative in appearance, such as "carriage-style" doors.

Front Loaded

Side Loaded

Court Loaded

Decorative garage door

Decorative garage door

Decorative garage door

Decorative garage door

Decorative garage door

Decorative garage door

Decorative garage door

H. Windows

1. Windows shall be constructed either of wood, painted aluminum, fiberglass or composite materials. Painted aluminum clad and vinyl clad windows are permitted. Vinyl windows are prohibited. Applicants may present and request approval of specific vinyl window products at the final development plan stage.

2. Windows shall be single hung, double hung, operable casement, awning or transoms oriented horizontally with vertically proportioned panes of glass.

3. All double-hung windows shall have the appearance of divided light.

4. Window grids are to be proportionally similar on all windows with vertical orientation.

5. Window surrounds and/or trim appropriate to the architectural character of the home are required.

6. Cantilevered bay windows are not permitted.

Awning

Casement

Casement

Arched Top

Double Hung

Double Hung

I. Shutters

1. Shutters shall be sized to fully cover the adjacent window.

2. Shutters that are operable or appear as such shall utilize appropriate shutter hardware (s-clips and hinges).

3. Shutters shall be constructed of wood, PVC or fiber-cement and shall be painted or have integral color.

4. Raised Panel, flat panel, louvered and board-and-batten are permitted shutter styles.

Raised Panel

Flat Panel

Louvered

Board and Batten

J. Roof Eaves

1. Eaves shall be continuous. Eaves which overhang less than one (1) foot shall have closed soffit.

K. Front Porches

1. Front Porches, when utilized, shall be covered and open. Glass and screen enclosures shall be prohibited.

L. Lighting

1. Each unit shall have a minimum of one (1) approved yard post light near the sidewalk of front entry.

2. Each unit shall have lighting on each side of or above the garage door opening.

Yard Post Lights

Light Fixtures

Light Above Garage Opening

Lights Beside Garage Opening