



MEETING MINUTES

Planning & Zoning Commission

Thursday, January 19, 2023

CALL TO ORDER

Ms. Call, Chair, called the meeting to order at 6:30 p.m. and welcomed everyone to the January 19, 2023 Planning and Zoning Commission meeting. She stated that the meeting also can be accessed at the City's website. Public comments on the cases were welcome from meeting attendees and from those viewing at the City's website.

PLEDGE OF ALLEGIANCE

Ms. Call led the Pledge of Allegiance.

ROLL CALL

Commission members present: Rebecca Call, Lance Schneier, Kathy Harter, Mark Supelak, Kim Way, Warren Fishman
Commission members absent: Jamey Chinnock
Staff members present: Sara Holt, Thaddeus Boggs, Chris Will

ACCEPTANCE OF DOCUMENTS

Mr. Fishman moved, Mr. Supelak seconded acceptance of the documents into the record and approval of the 10-20-22, 11-03-22 and 12-09-22 meeting minutes.

Vote: Mr. Way, yes; Ms. Harter, yes; Mr. Schneier, yes; Ms. Call, yes; Mr. Supelak, yes; Mr. Fishman, yes.

[Motion approved 6-0.]

Ms. Call stated that the Planning and Zoning Commission is an advisory board to City Council when rezoning and platting of property are under consideration. In such cases, City Council will receive recommendations from the Commission. In other cases, the Commission has the final decision-making responsibility. Anyone who intends to address the Commission on administrative cases must be sworn in. There are no cases on which public testimony will be given tonight.

NEW CASES

1. **Neighborhood Design Standards, 22-177ADM, Administrative Request**

Review and recommendation to City Council for new Neighborhood Design Guidelines for residential Planned Unit Developments to accompany the Code Amendment.

2. Neighborhood Design Standards, 23-002ADMC, Administrative Request - Code Amendment

Review and recommendation to City Council for Code Amendments for residential Planned Unit Developments.

Staff Presentation

Ms. Holt provided the presentation for Cases 2 and 3 together, as the two cases are linked. She reviewed the history regarding the Neighborhood Design Standards effort. Due to concerns related to the Hamlet on Jerome and Oak Park developments, City Council referred the need for more specific expectations for PUDs to PZC for study and recommendations. PZC discussed the topic at their August and October 2020 meetings and defined a holistic intent for the City's future residential developments. The needs and intent of the project were discussed further and refined in subsequent Commission meetings and joint work sessions, and a work plan was established for developing the recommendations. The Commission reviewed/provided input on preliminary recommendations in November 2021. Council reviewed/provided input on the preliminary recommendations at their April 18, 2022 work session and referred the topic to the Community Development Committee (CDC) for further consideration. Following CDC review and recommendations, revised guidelines were forwarded to PZC, and on December 8, 2022, the Commission reviewed the draft Neighborhood Design Guidelines and Code Amendments that had been developed to achieve the desired PUD character. Final drafts of the documents have been prepared to include the Commission's input and are presented tonight for the Commission's final review and recommendation to Council.

Ms. Holt stated that Dan Phillabaum, Landplan Studios, LLC has assisted staff in developing these Guidelines and Code amendments. She explained that the Neighborhood Design Guidelines are organized into a three-level hierarchy: the broad macro public realm of open spaces and preservation areas; the micro level public realm of streetscapes as outdoor rooms; and the private realm of individual lots and the functions of various areas within the lots and lot types. She reviewed each of the changes that had been made in the Design Guidelines based on the Commission's input at their December meeting, including: open space; stormwater features; street trees; houses fronting open space and public streets; and location of AC units on narrow lots. Code amendments also are proposed to ensure procedural connection with the new Guidelines in the introduction, the PUD purpose, and in the open space requirements for PUDs regarding stormwater, easements and setbacks.

Mr. Fishman stated that his worry is that the proposed language might permit water to be considered open space.

Ms. Holt responded that it could occur only when the superior and interactive ideals of the Guidelines were met.

Mr. Fishman responded that developers typically want to minimize the open space they provide. Because the Commission has stated that open space should be usable and interactive, developers could try to add a dock or fountain with the argument that they are interactive. The City could lose significant greenspace, if developers are permitted to replace it with water.

In response to Ms. Call's query, Ms. Holt described the review process for a PUD application, including various staff reviews, before it is recommended for PZC consideration. The Commission

may or may not agree with that recommendation. One of the main goals of the Neighborhood Design Guidelines is to ensure that excellent design is not precluded by being too prescriptive.

Ms. Call stated that goal is consistent with the intent of a PUD. The Guidelines are not intended to hinder that, only provide more guidance.

Mr. Fishman stated that he is aware that is the purpose of a PUD, but this Commission will at some point be comprised of different members. Based on his previous experience with earlier Commissions, he is aware that some members can be easily persuaded to make concessions. He likes PUDs but would like to tighten them, rather than making them looser. The trend now is for higher density, which can work only if there is usable open space. Because PUDs are an opportunity for developers to get some things they want, they need to be structured sufficiently tight to ensure the City also obtains what it actually wants.

Ms. Holt continued review of the proposed Code amendments regarding: PUD process steps; general development standards including lot coverage; street tree requirements; and Section 153.90, Residential Appearance Code, which emphasizes the Residential Appearance Code is for standard zonings; PUDs are required to follow the Neighborhood Design Guidelines. Staff recommends the Commission's approval of both the Guidelines and the Code amendments.

Commission Questions

Ms. Call stated that clarifying the PUD with guidelines will provide opportunity to implement Council's vision in future PUD projects. More definition and language have been added to the Code to assist applicants. Stormwater features were a concern, as they are not really addressed in the current Code, specifically the coupling of a water feature with a recreational feature or amenity. The proposed language addresses the qualifications of these features for open space. She requested Ms. Holt to respond.

Ms. Holt stated that when this item was discussed at the Commission's December 8 meeting, Mr. Way suggested the opportunity to use a dry basin as a playing field or passive recreational area. Staff then began to think about how new stormwater features also could include constructed wetlands. Individual sites could dictate what kind of stormwater feature might be appropriate.

Ms. Call requested Ms. Holt to comment on three existing examples: in the Glacier Ridge metro park; the dry basin beside the trail to the North Pool; and the landscaped detention area on the north side of the North Pool.

Ms. Holt responded that the first example, which is located on the south end of Glacier Ridge Park, focuses on wildlife. That type of stormwater feature would be an opportunity to preserve/conservate an existing wetland, integrating seamlessly into a residential neighborhood. It would qualify as open space. The second example, a dry basin with only an inlet/outlet, would not qualify as open space; much more would be necessary. It might be possible for a dry basin to be a part of a series of athletic fields or connected topographically to a playground or other features. The third example would merit consideration. However, even if beautified, it will be essential to evaluate dry basins on their merits according to the open space framework plan.

Mr. Fishman stated that he agrees that dry basins can be used recreationally; however, it is important to keep in mind that different Commissioners will one day sit in these seats. The dry basins within the Columbus area, for example, are not attractive. Dry basins also require more maintenance than wet basins, but because HOAs cannot handle that responsibility, the City would

be asked to provide the maintenance. He would not object to a dry basin counting as open space if it is an integrated recreational area. This issue would need to be carefully structured to ensure that the City does not lose usable open space. He understands the tendency of developers to claim hardship and attempt to call ravines and rocky areas as recreational areas.

Mr. Fishman requested clarification of the Residential Appearance Standards.

Mr. Supelak noted that the Neighborhood Design Guidelines would require PUDs to perform better than the standards have required.

Mr. Boggs stated that the original intention of the Residential Appearance Standards was to be applicable to standard zoning. They anticipated the adoption of future guidelines for PUD applications.

Ms. Harter inquired about the potential maintenance costs of retention ponds/detention basins for homeowner associations in these PUDs.

Mr. Boggs responded that item, similar to private streets, is addressed in the platting process. The Preliminary Plat would define the maintenance responsibilities. Cost to the City is not a criterion for this body's consideration, but it would be considered by City Council in adopting the Final Plat.

Ms. Call stated that in the Commission's previous review, undulating, meandering pathways were suggested; however, it appears that the Transportation & Mobility division was not supportive of that suggestion.

Ms. Holt stated that shared use paths are encouraged to meander and take a scenic route. On the other hand, sidewalks are intended to provide direct routes to destinations. The functions of sidewalks and paths are different.

Ms. Call inquired if calculations or standards are employed in defining which it would be, a sidewalk or shared-use path.

Ms. Holt responded affirmatively.

Mr. Way referred to p. 30, Architectural Composition, Diversity and Materials, in the Guidelines, which state that, "*the architectural design of the residential building should have a timeless quality that is based on vernacular forms and clad with exterior materials common to central Ohio.*" Under that definition, would it be possible to build a modern, contemporary building in Dublin?

Ms. Holt responded affirmatively. It does not preclude a modern building. There is a large degree of flexibility; the Guidelines focus more on the quality and form of the materials.

Mr. Way stated that front-facing garages are not prohibited, only required to be 20 feet back from the front property line. Is there a way to limit the number of front-facing garages in a PUD, perhaps using a percentage?

Ms. Holt responded that in the Private Realm, the developer is requested to provide block-by-block layouts of how the neighborhood will appear and how the streetscape will look.

Mr. Way inquired if the intent of the Guidelines is to require more side or rear-facing garages.

Ms. Holt responded that is the intent. With the larger, manor lots, the emphasis is on side-entry garages with porte cochere/courtyard driveways. On narrow lots, that is not possible.

Mr. Way agreed that a rear-entry garage would be necessary on a narrow lot.

Public Comment

No public comments were received.

Commission Discussion

Commission members discussed whether the proposed Guidelines and Code amendments provided sufficient guidance in certain areas to implement the vision of City Council into future PUDs.

Stormwater Features

Mr. Way stated that he had no objection to the proposed language; interactive is the key word. Ms. Call recommended that images of what would be acceptable and not acceptable be added.

Mr. Fishman reiterated his concern about watering be counted as open space if a dock, for instance, were added.

Ms. Call responded that #6 says "it shall not count unless...;" however, #7 says "it may count...." She would prefer both say, "it shall not count unless."

[Discussion continued re superior and interactive designs.]

The majority of Commission members were supportive of the proposed language.

Mr. Boggs pointed out that right now, there is no guiding language regarding stormwater basins. However, because these are legislative decisions, as long as it is not arbitrary and capricious, the City's decision should stand. Adopting the Guidelines would provide an extra layer, placing the burden on the developer to show the Commission that the proposed stormwater feature has a superior, interactive design. He believes this provides more guidance to applicants, who are willing to accept that guidance. It provides a framework for the Commission to have its discussion, and ultimately, to help in the interactive process with the developer to achieve the PUD text and plat, which will be the governing documents.

Lot Coverage

Ms. Call stated that the proposed language indicates that the lot coverage and setback requirements for residential development should follow the Neighborhood Design principles; language was also added about street tree varieties.

Mr. Fishman stated that the trend is to permit more lot coverage to achieve more density, but it should be necessary to trade something for that additional lot coverage. We have learned from previous experience where individual lots in a subdivision did not have sufficient room for AC units or patios; therefore, the language should be tight enough to ensure there is adequate room on individual lots for those necessities.

Mr. Way stated that there is the opportunity in a PUD to give up individual lot space in order to build more open space, perhaps by clustering units on tighter lots to preserve open space. There is the opportunity for trade-off.

Ms. Call stated that the requirement of a build envelope for every lot should ensure future Commissions have that information before them for their consideration.

Mr. Supelak stated that perhaps, when some developments initially came before the Commission, that item was not addressed.

Mr. Fishman stated that in the situation he recalls, it was discussed by that Commission, but, unfortunately, they approved the development without sufficient room on individual lots for the HVAC units.

Ms. Holt stated that as shown on the Powerpoint, Location K places the HVAC equipment behind the principal structure; it is prohibited in the sideyard, which will prevent that issue occurring. The

applicant will be required to show how their house type will fit on their lot type, meeting the standards in every block. This is intended to avoid an Oak Park or Hamlet-type situation.

Ms. Call stated that the home product in the Oak Park subdivision is nice; however, the developer did not anticipate that homebuyers would choose the largest home on the smaller lots. They anticipated more of a variety, but in that subdivision, many of the lots did not have adequate space for patios.

Section 153.134A(d) - Street Trees

Ms. Call requested clarification of the landscape plan reviews conducted for PUD applications. The goal is to permit areas to emphasize neighborhood individuality, highlight intersections and pedestrian facilities, and complement the size and massing of the surrounding architecture. Those are clues as to what type of landscaping the City is expecting to see, yet allowing creativity.

Ms. Call requested clarification of the staff review process re. acceptable tree species, placement, variety, before or after presentation to the Commission.

Ms. Holt responded that the landscape plan would follow the standard review process. The divisions of Forestry and Zoning review the plans; staff comments are compiled and shared with the applicant.

Ms. Call stated that with that explanation, she has no objection to the proposed language.

Mr. Supelak inquired if there is merit to having a standard for street tree heights. Trees of less height do not achieve the desired street character/ambience.

Mr. Way responded that as long as there is a plan or concept that defines what kind of trees and effect is desired, there is no need for more detail. The PUD design should have a concept for the street landscape.

Mr. Supelak stated that his concern is that the City might end up with trees that never achieve a perception of maturity. The focus should be the appearance of the mature tree.

Ms. Call inquired if the mature height of trees is addressed in the landscape review process.

Ms. Holt responded affirmatively.

Mr. Supelak stated that the proposed language addresses alternate block arrangements. The language in the Guidelines state, "where blocks of dwelling units are arranged to front onto public open space with garages located at the back of the lot, the distance from the front door to the public street must be carefully considered to maintain a sense of connectedness to the public realm and the surrounding community of neighbors." Is the Commission satisfied with that language?

Mr. Schneier stated that he would object if it were the Code language, but the Guidelines language provides guidance in developing the PUD development text.

Commissioners had no objection to the language.

1. Neighborhood Design Standards, 22-177ADM, Administrative Request

Mr. Supelak moved, Mr. Way seconded a recommendation for Council approval of the proposed Neighborhood Design Guidelines.

Vote: Mr. Way, yes; Ms. Harter, yes; Ms. Call, yes; Mr. Supelak, yes; Mr. Fishman, yes; Mr. Schneier, yes.

[Motion approved 6-0.]

2. Neighborhood Design Standards, 23-002ADMC, Administrative Request - Code Amendment

Mr. Schneier moved, Mr. Way seconded to revise the word “*per*” to “*pursuant to*” in #7 of Section 153.052(B)(3)(d) - Open space, and recommend City Council approval of the following Code Amendments:

§152.002 PLANNED UNIT DEVELOPMENT. An area of land, zoned under § 153.056, in which a variety of housing types and/or related commercial and industrial facilities are clustered in an imaginative preplanned fashion to permit the development of the land in an orderly, coordinated and comprehensive manner by preserving the natural quality and beauty of the land and providing a more livable housing environment. To foster creative planning, more flexible standards for streets, drainage, setbacks, lot sizes, etc. are provided within these subdivision regulations that are designed to meet the kinds of design conditions that exist within PUDs and which are examined and reviewed with §§ 153.050 through 153.058. The Planned Unit Development is for the purpose of conserving land through more efficient allocation of private lots, multi-family dwelling units, common grounds and nonresidential uses, promoting greater efficiency in providing public and utility services, and securing the benefits of new techniques of community development and renewal. Within a residential Planned Unit Development district or zone, the Zoning Ordinance regulations need not be uniform, but may vary in order to promote the public health, safety and morals, and the other purposes, as specifically identified in the Neighborhood Design Guidelines and other related documents. Adopted regulations may require developers to obtain conditional or final certification of compliance with the zoning ordinance at specified stages of development. As used herein, Planned Unit Development means a development which is planned to integrate residential use with collateral uses, and in which lot size, set-back lines, yard areas and dwelling types may be varied and modified to achieve particular design objectives and make provision for open spaces, common areas, utilities, public improvements and collateral nonresidential uses.

152.086 Open Space Requirements. (A) *Land dedication.* The basic land dedication requirement shall be that 2% of the total gross site area, plus .03 acres per dwelling unit proposed, shall be set aside as open space except that in no case shall the open space requirement exceed 25% of total gross site area. Such area shall constitute ground suitable for public parks and playground facilities as reviewed and approved by the Planning and Zoning Commission. For residential PUDs, location and quality of open space is addressed in the Neighborhood Design Guidelines.

153.050(A) Purpose. The Planned Unit District (PUD) regulations are based on the premise that the ultimate quality of a built environment or development proposal is determined not only by the type, character and allocation of land uses but also by the way in which such land uses are executed. In many cases, the subdivision regulations and standard zoning district regulations and procedures do not adequately regulate the design of buildings or enable the range of uses in a single zoning district that are appropriate in the City. The City has adopted Neighborhood Design Guidelines to ensure that these higher standards are met.

§153.052(B)(3)(d): Open space. Adequate open spaces shall be integrated throughout the development to meet the objectives of the Community Plan and shall comply with the open space

requirements set forth in Chapter 152, Subdivision Regulations. PUDs that include residential uses shall include open space that is located and designed as follows:

1. Open space shall be sufficiently aggregated to create large useable areas of planned open space.
2. Open space shall conserve significant natural features within the PUD to the extent practicable.
3. Open space shall provide a scenic natural environment along existing public streets characterized by large building setbacks that enable the preservation of natural features.
4. All open space shall be easily accessible to residents of the PUD.
5. Where possible, open space areas shall be connected with open space areas on abutting parcels, and wherever possible, by open space corridors
6. Stormwater features shall not count as open space, unless they achieve a superior, interactive design as outlined in the Neighborhood Design Guidelines.
7. Unbuildable easements and required setbacks may count toward open space when they are integrated into the overall Open Space Framework pursuant to the Neighborhood Design Guidelines.

§153.054(A): Contents of concept plan application. It is the intent of these regulations that the concept plan shall generally indicate overall design of the proposed project, including conformance with the Neighborhood Design Guidelines for residential projects. Information submitted should be comprehensive enough to enable the staff to understand the existing site and concept for the proposed development. The applicant shall submit a number of copies as determined by the Director of Planning. The information submitted should include the following:

§153.054(B): Contents of preliminary development plan application. The application shall include the maps, plans, and supplementary documentation itemized below and as indicated in the Neighborhood Design Guidelines for residential projects. The applicant shall submit a number of copies as determined by the Director of Planning. The information submitted should include the following:

§153.054(C): Contents of final development plan application. The application shall include the maps, plans, designs and supplementary documents itemized below, and as indicated in the Neighborhood Design Guidelines for residential projects. Copies of the maps, plans, designs and supplementary documents shall be submitted. Final development plans are intended to be detailed refinements for development and, as such, shall be accurate, detailed representations of the total aspects of the approved preliminary development plan. The applicant shall submit a number of copies as determined by the Director of Planning. The information submitted shall include the following:

§153.071(4)(e): Unless otherwise required in an approved Planned Unit Development, structures, parking, driveways, vehicular use areas, service areas, pedestrian areas, and other hard-surfaces or paved areas may cover more than 45% of the total lot area within a residential PUD District with design following the Neighborhood Design Guidelines.

§153.134(A)(1)(a-g): Requirements. It shall be required that all subdividers or developers plant trees along public streets of their developments in such a manner, type, quantity and location as approved by the Planning and Zoning Commission and as defined by the following conditions,

and that any undeveloped street or existing street with undeveloped frontage shall conform to these requirements at the time of the development. Final tree locations may be adjusted by the City as unusual conditions may warrant.

(a) The tree to be planted shall be an approved street tree as listed in Appendix E (Approved Street Trees for Dublin, Ohio).

(b) The minimum spacing between this and other trees shall be 40 feet for large trees, 30 feet for medium trees and 20 feet for small trees. See definition below.

(c) The maximum spacing between trees shall be 45 feet for large trees, 35 feet for medium trees, and 25 feet for small trees. Spacing may be adjusted for columnar trees, as approved by City Forestry Division.

(d) Size and spacing of street trees shall be designed to emphasize neighborhood individuality, highlight the importance of intersections and pedestrian facilities, and compliment the size and massing of surrounding architecture as noted in the Neighborhood Design Guidelines.

(e) The minimum distance between the tree and the edge of the street shall be two and one-half feet for a large tree, two feet for a medium tree and one and one-half feet for a small tree. In areas where a sidewalk exists or is proposed, the minimum distance between the tree trunk and both the edge of the street and the sidewalks shall be two feet for a large tree, two feet for a medium tree and one and one-half feet for a small tree.

(f) The tree location shall be at least 20 feet from street intersections and ten feet from fire hydrants or utility poles.

(g) A small tree shall be used when planting under or within ten lateral feet of overhead utility wires. A small or medium tree shall be used when planting within ten to 20 lateral feet of overhead utility wires.

§153.190(A): Residential appearance. The following findings warrant the need for exterior appearance requirements for residential development for standard zone districts. PUDs are required to use the Neighborhood Design Guidelines.

§153.190(B)(2): Residential appearance in Planned Unit Development Districts shall be evaluated according to the Neighborhood Design Guidelines.

§153.190(C)(3): Houses in districts described below are exempt or must comply with these requirements as follows:

(a) Houses located within a residential Planned Unit Development district approved after the effective date of this section shall be evaluated according to the Neighborhood Design Guidelines.

Vote: Mr. Way, yes; Ms. Harter, yes; Mr. Schneier, yes; Ms. Call, yes; Mr. Supelak, yes; Mr. Fishman, yes.

[Motion approved 6-0.]

DISCUSSION ITEM

- **Architectural Consulting Services**

Introduction of Mark Ford, Ford and Associates Architects, 500 W. 1st Avenue - #3425, Columbus, OH 43212, architectural consulting services.

Staff Presentation

Mr. Will stated that at their 08-31-2022 joint work session, City Council and the Commission and board members identified the need for additional architectural resources and support. Planning staff already provides a similar resource to the Architectural Review Board, but to meet the increasing needs of Planning staff and boards and commissions, staff has contracted with Ford and Associate Architects to provide on-call professional architectural services. Mr. Ford has nearly 30 years of experience, including past consultant work for the City of Dublin.

Mark Ford, Ford and Associates Architects, Grandview, Ohio stated that he established his Columbus-based firm in 1993, and has presented before the Planning and Zoning Commission numerous times, primarily on commercial projects. He looks forward to working with the City on future projects.

COMMUNICATIONS

- **Future Proposed Code Amendment re. open and uncovered structures.**

Ms. Holt stated that in February 2022, the BZA heard an administrative appeal regarding the encroachment of a pergola into a setback. Although the Board did not approve the encroachment, they directed staff to work on a Code definition for open and uncovered structures. If the Commission has suggestions/comments to share, she would be happy to provide them to staff for consideration, as they work on this Code amendment.

Ms. Call suggested that if appropriate, solar accessory structures should be included in this Code amendment, as well.

Mr. Schneier stated that it would be helpful to have photos provided as examples of what might/might not be acceptable.

Mr. Way stated that he has concerns about permitting some encroachments, but not others.

Ms. Call requested that with the presentation of the Code amendment, staff provide the history regarding what encroachments the City has permitted.

Ms. Harter stated that often, amenities, such as fans or hot tubs, are placed in pergolas, and they can cause distraction or noise issues for the neighbors. These structures could cause issues, as well, for HOAs, which might have rules that prohibit them.

Mr. Boggs responded that the intent of the proposed Code amendment is to clarify the ambiguity over open and uncovered structures versus a pergola, etc. The City will decide what its standards will be. Ultimately, it is up to the HOA to enforce their own restrictions, whatever they may be.

- **Community Plan Update Kick-off event - March 28-30, 2023.**

Mr. Will stated that much has changed in the City since its last Community Plan update in 2007. Staff has contracted with Houseal Lavigne, a Chicago-based urban planning and design firm to facilitate the anticipated 18-month update process. The City will host the consultant team for a kick-off event March 28-30, 2023. He inquired if Commission members had any conflicts with the dates.

Commission members indicated they had no date conflicts.

- The next regular meeting of PZC is scheduled for 6:30 pm, Thursday, February 2, 2023.

ADJOURNMENT

The meeting was adjourned at 8:13 p.m.



Chair, Planning and Zoning Commission



Assistant Clerk of Council