



MEETING MINUTES

Planning & Zoning Commission

Thursday, February 9, 2023

CALL TO ORDER

Ms. Call, Chair, called the meeting to order at 6:30 p.m. and welcomed everyone to the February 9, 2023 Planning and Zoning Commission meeting. She stated that the meeting also could 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, Jamey Chinnock, Lance Schneier, Kathy Harter, Mark Supelak, Warren Fishman, Kim Way

Staff members present: Tammy Noble, Thaddeus Boggs, Zachary Hounshell, Elizabeth Fields (Consultant)

ACCEPTANCE OF DOCUMENTS

Mr. Supelak moved, Mr. Way seconded acceptance of the documents into the record.

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

[Motion approved 7-0.]

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. Ms. Call swore in meeting attendees intending to provide testimony on the cases on the agenda.

Ms. Call stated that two of tonight's cases are eligible for the Consent Agenda: Valentina's Outdoor Speakers, 22-168CU, Conditional Use, and Valentina's Windscreen, 23-001WR, Waiver Review, and asked if any member wished to move the cases to the regular agenda for discussion. No member requested the cases be moved to the regular agenda.

CONSENT CASES

1. Valentina's Outdoor Speakers at 4595 Bridge Park Avenue, 22-168CU, Conditional Use

Installation of outdoor speakers in an approved patio space for a 6,200-square-foot restaurant. The 1.30-acre site is zoned Bridge Street District, Scioto River Neighborhood and is located southeast of the intersection of Riverside Drive with Bridge Park Avenue.

2. Valentina's Windscreen at 4595 Bridge Park Avenue, 23-001WR, Waiver Review

Installation of a windscreen in an approved patio space for a 6,200-square-foot restaurant. The 1.30-acre site is zoned Bridge Street District, Scioto River Neighborhood and is located southeast of the intersection of Riverside Drive with Bridge Park Avenue.

Mr. Supelak moved, Mr. Schneier seconded approval of the Consent Agenda.

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

[Motion approved 7-0.]

NEW CASES

3. Avondale Woods, Section 2 at 5215 Avery Road, 22-026FDP, Final Development Plan

Development and construction of Avondale Woods Section 2, consisting of 27 single-family lots and two reserves. The 9.09-acre site is zoned Planned Unit Development, Avondale Woods and is located north of the intersection of Langley Drive with Scarlett Lane.

Staff Presentation

Ms. Fields provided an overview of the application for development of Avondale Woods, Section 2 in Subarea C. In October 2014, City Council approved Ordinance 99-14 for the rezoning of approximately 120 acres from R: Rural District to PUD: Planned Unit Development District for a single and multi-family development of a maximum of 360 dwelling units and 37 acres of park space including preserved wooded areas. In August 2016, the Planning and Zoning Commission approved the Final Development Plan for Avondale Woods, Subarea A, Section 1 of Subarea C and Subarea E and recommended Council approval of the Final Plat [approved April 2017]. The approval of Section 1 included 24 single-family lots located south of Section 2. The application under review tonight for Avondale Woods, Section 2, proposes the development and construction of 27 single-family homes on a 9.088-acre site. Section 2 is located in the northern portion of Subarea C. Section 2 is proposed to connect to Section 1 of Subarea C through existing access points on Langley Drive and Scarlett Lane. To enable that access, an additional east-west road connection, Tanseyclose Lane, is proposed and will be the primary frontage for the lots. The site includes three small open space reserves (Reserves D-F). Reserve D is located in the bulb between Tanseyclose Lane and Linnaeus Drive; Reserve E is located to the rear of lots 39 and 40; and Reserve F is located between lots 33 and 32 and includes a bikepath extension. The development text requires

all lots to maintain a lot width of 55 feet at the building line; 65 feet of minimum buildable lot depth; 25 feet for rear yard setbacks; and 6 feet for side yard building setbacks. All proposed lots meet these requirements, with the exception of lot 25. Due to an existing easement located along the front of the property, staff estimates the buildable lot depth is approximately 60 feet, 5 feet short of the requirements. A development text modification is needed to permit the minimum buildable lot depth for lot 25 at 60 feet.

The development will include cluster mailbox units for the 27 lots, proposed to be located on the west side of Langley Drive, adjacent to lot 46. The applicant has provided a tree preservation plan and survey for both the wooded areas on the northern portion of section 2. The tree survey indicates that in this section, approximately 13 trees will be removed, but these trees are not required to be replaced as they have been identified as dead. The remaining wooded area will be protected within the 20-foot Tree Preservation Zone indicated on the plat. Approximately 51 street trees are planned for this section and will continue the look that is currently established on Langley Drive and Scarlett Lane.

The Final Plat consists of 9.088 acres subdivided into 27 single-family lots, 3 open space reserves, and 3 public rights-of-way. The plat includes the expansion of Langley Drive, Tanseyclose Lane, and Linnaeus Drive, and the creation of Reserves D-F. All reserves will be owned by the City of Dublin and maintained by a homeowners association. The plat indicates a number of new and existing easements throughout the development section. A 20-foot Tree Preservation Zone is provided along the north property line of lots 25-39. A 15-foot building line is provided along the front property line of lots 38-39/41-53. Due to an existing 30-foot easement located along the front property line of lots 25-37, the building line is deeper into the lot and set back 5 feet behind the northern edge of the easement. All lots, with the exception of lot 25, meet the minimum lot requirements of the development text. Staff has reviewed the application against the Final Development Plan criteria and recommends approval of a development text modification to reduce the buildable area for Lot 25 to 60 feet; approval of the Final Development Plan with six (6) conditions; and a recommendation to City Council for approval of the Final Plat with two (2) conditions.

Applicant Presentation

Linda Menery, EMH&T, 5500 New Albany Road, New Albany, OH stated that Homewood Corporation is interested in moving the rest of this development forward. They have worked through most of the conditions with staff; however, she believes there has been some misunderstanding regarding Lots 25 – 29, all of which have a buildable lot depth limitation. This is due to the fact that with the early engineering of Avondale Woods, the stormwater/sanitary easement was not surveyed with the level of detail that it now has today. There is an angle within that easement and in the tree preservation zone at the rear of the lots. The drainage easement cannot be within the tree preservation zone. As a result, the buildable depth of Lots 25 – 29 is impacted. She requests that the text modification apply to all five lots. In regard to the mailboxes, the cluster box installed in the Lakeside area of development has been approved by the U.S. Postal Service. The applicant is proposing to install the same type of cluster mailbox unit in this Section.

Commission Questions

Mr. Fishman stated that the proposed location of the mailbox unit is on the main entrance drive. Residents will need to stop their vehicles near the entrance into the development to get their mail. Is there any flexibility in the location?

Ms. Menery responded that Homewood Homes submitted their proposed mailbox locations to the USPS a few years earlier, and the USPS had no objection to the proposed locations. If the Commission has an issue with this location, however, they can identify another location. They can work with staff on the location.

Mr. Fishman clarified that he mentions it only as a suggestion. He asked if all the heavily wooded area is the reserve.

Ms. Menery responded affirmatively.

Ms. Call inquired if the applicant owned the reserve parcel.

Ms. Menery responded that she believes it was transferred to the City during the first phase.

Mr. Hounshell stated that he would check into that during this discussion.

Ms. Harter stated that in regard to the cluster mailboxes, she believes there may be a couple more interesting options, one with a cap, for instance. Other colors are available, as well. Additionally, residents wanting to park their vehicles to the side of the mailbox to get their mail need sufficient area in which to do so; ADA accessibility is also needed.

Ms. Menery responded that the USPS standards do not require an ADA ramp from the mailbox to the street. Typically, they do not provide pull-off areas for the mailboxes, but they will ensure there is onstreet parking available next to the mailboxes. Concerning a color change and cap – is a different color than the one already there being requested?

Mr. Fishman stated that it is his understanding that is the approved USPS mailbox.

Ms. Harter responded that a choice of four colors is possible, as well as a cap.

Ms. Menery responded that the applicant has no objection to the addition of a cap. They would like to keep the tan color, however, as that is what has been used in the first section of single-family development in Avondale Woods.

Ms. Call inquired if the applicant would be willing to have the word "design" added to Condition #6.

Ms. Menery indicated the applicant had no objection.

Mr. Way requested clarification of the easement at Lot 27.

Kyle Shreves, EMH&T, 5500 New Albany Road, New Albany, OH stated that the easement that extends down to Lot 27, then turns to the east is an AT&T communication line.

Mr. Chinnock inquired if the 60-foot depth is equal on all five lots in question.

Ms. Menery responded that it is slightly different on each of the lots; they are requesting a minimum of 60 feet, as it would address them all.

Ms. Call clarified that the lots in that area will maintain a depth of 155 feet; what is being discussed is the buildable area. Those lots will have just as much open space as the surrounding parcels.

Ms. Fields clarified that the only factor changing is the buildable area length from 65 feet to 60 feet.

Ms. Harter inquired about the Traffic Impact Study that was done for the development.

Mr. Hounshell responded that when this development was originally approved, there was an agreement between the City of Dublin, the developer and the City of Columbus regarding

improvements to the intersection with Avery Road. The developer agreed to different financial contributions based on the section being developed. With this section, the agreement was renegotiated because the City of Columbus has changed their vision. 10-12 years ago, a lighted intersection was anticipated here; a roundabout is now contemplated. The Traffic Impact Study (TIS) was completed with the Preliminary Development Plan for the entire development; no TIS was performed later for this section.

Ms. Menery stated that the projected traffic volume today would be similar to that at the time of the TIS or possibly less due to the number of people now working from home.

Mr. Hounshell stated that the number of single-family homes shown in this plan is the same as originally contemplated, so nothing would have changed.

Mr. Fishman inquired if there was a way to provide information to the buyers when these lots are sold informing them that building within the no build zones is prohibited.

Ms. Menery responded that the tree protection zone is designated on the plat along with language regarding prohibition of building within that zone.

Tom Tolbert, V. President, Land Development, Homewood Corporation, 2700 East Dublin Granville Road, Columbus, OH stated that their deed restrictions prohibit placement of sheds within that zone. That information is also on the plat and grading plans, which are provided to and approved by the City of Dublin for building permits.

Ms. Menery stated that the buyer receives that information in their home purchase closing documents.

Commission Discussion

Ms. Call referred to the mailbox discussion and suggested that the applicant request statistics from the US Postal Service, if available, regarding the percentage of residents picking up their mail going to their homes versus leaving their homes. It would be preferable to orient the mailboxes accordingly.

Mr. Supelak moved, Mr. Fishman seconded approval of the following Development Text Modification:

Reduce the buildable area for Lots 25 - 29 to 60 feet

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

[Motion approved 7-0.]

Mr. Supelak moved, Mr. Fishman seconded approval of the Final Development Plan with the following six (6) conditions:

1. The applicant update the reserve names to match the Preliminary Development Plan and development text, subject to staff approval;
2. The applicant work with staff to finalize the location, color and design of the cluster mailbox units within Section 2, subject to staff approval;
3. The applicant update the development text to state the minimum buildable lot depth for lots 25 - 29 is 60 feet;
4. The applicant work with staff to finalize the location of tree replacements within the development, subject to staff approval;

5. The applicant continue to work with Engineering to provide additional sanitary sewer calculations to the satisfaction of the City Engineer; and
6. The applicant continue to work with Engineering to demonstrate stormwater management compliance to the satisfaction of the City Engineer in accordance with Chapter 53 of the City of Dublin Code of Ordinances.

Vote: Mr. Way, yes; Mr. Supelak, yes; Ms. Call, yes; Mr. Schneier, yes; Mr. Fishman, yes; Mr. Chinnock, yes; Ms. Harter, yes.
[Motion approved 7-0.]

Mr. Supelak moved, Mr. Fishman seconded a recommendation to City Council for approval of the Final Plat with the following two (2) conditions:

1. The applicant update the plat and development plan to accurately represent existing and proposed easements on the site;
2. The applicant ensures that any minor technical adjustments to the plat are made prior to City Council submittal.

Vote: Mr. Chinnock, yes; Mr. Fishman, yes; Mr. Schneier, yes; Mr. Supelak, yes; Ms. Call, yes; Ms. Harter, yes; Mr. Way, yes.
[Motion approved 7-0.]

Public Comment

No public comments were received on the case.

DISCUSSION

Legal and Procedural Refresher

Assistant Law Director Thad Boggs presented a refresher of meeting protocols and legal procedures and answered Commissioners' questions regarding the following:

- Ex Parte Communications - Communication between a member and an applicant or other interested party about the substance of an application for *administrative action* by the Commission. Ex parte communication can create vulnerability on appeal, open up the record, lead to negative perceptions
- Planning and Zoning in Context
 - Project economics
 - General public safety
 - School impacts
- Application Process in Context
- Communications from the dais

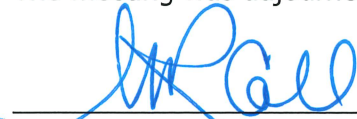
COMMUNICATIONS

The Commission requested staff to provide members information regarding the U.S. Postal Service guidelines related to mailboxes in new developments, including any flexibility in selections the applicant and the Commission may have.

- The next regular meeting of PZC is scheduled for 6:30 p.m., Thursday, March 2, 2023.

ADJOURNMENT

The meeting was adjourned at 8:45 p.m.



Chair, Planning and Zoning Commission



Assistant Clerk of Council