



MEETING MINUTES

Planning & Zoning Commission

Thursday, November 7, 2024

CALL TO ORDER

Chair Call called the meeting to order at 6:30 p.m. in Council Chamber and welcomed everyone to the November 7, 2024 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, Jason Deschler, Kathy Harter, Dan Garvin, Jamey Chinnock, Gary Alexander

Commission members absent: Kim Way

Staff members present: Bassem Bitar, Thaddeus Boggs, Sarah Holt, Javon Henderson

ACCEPTANCE OF MEETING DOCUMENTS

Mr. Deschler moved, Mr. Alexander seconded acceptance of the documents into the record and approval of the 10-03-24 and 10-10-24 PZC Minutes.

Vote: Mr. Garvin, yes; Ms. Harter, yes; Mr. Alexander, yes; Mr. Chinnock, yes; Mr. Deschler, yes; Ms. Call, yes.

[Motion carried 6-0.]

Ms. Call stated that the Planning and Zoning Commission (PZC) 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 explained the hearing process that would be followed.

Ms. Call swore in staff and audience members who anticipated providing testimony.

Mr. Deschler recused himself for the following case.

CASE REVIEW

- **24-116AFDP – Wyandotte Woods**

Proposal for an Amended Final Development Plan to Amend the NE Quad Planned Unit Development District Text for Subarea 2. The +/-75.8-Acre Subarea is Zoned PUD, Planned Unit Development District – NE Quad and is Located Northwest of the Intersection of Wyandotte Woods Boulevard and Kelly Drive.

Applicant Presentation

Michael Hutchinson, president, Wyandotte Woods II Homeowners Association (HOA), 4134 Domnall Drive, Dublin, OH stated that this recently formed HOA covers Subarea 2 of the Northeast Quad. He is present on behalf of and at the request of the residents within this area to request a modification to their neighborhood's setback requirements, reducing them from 25% of the overall lot depth up to a maximum of 50 feet to a uniform 20 feet for outdoor patios and living areas specifically. The result would provide residents an additional 13 feet to build a patio on their properties. Wyandotte Woods was initially developed into two sections. Section 1 primarily along or adjacent to Wyandotte Woods Boulevard was constructed 25 years ago. Those lots were initially designed to be approximately 1/2 acre in size with a depth of 200 feet and a backyard depth of 100 feet. This depth allowed residents to construct a reasonably sized patio without concern of breaching zoning restrictions. Section 2 was constructed approximately 10 years ago, and the lots were designed to be smaller than those in Section 1. The average lot size was around 1/3 acre at a depth of approximately 130 feet and back yards ranging from 30 to 50 feet in depth. Despite the smaller lot sizes, the developer copied over the same development text from Section I that includes the 25% setback requirement. This action has had the unintentional result of preventing most homeowners in Section II from being able to build a patio, as the 25% setback equals 33 feet. No resident of Section II was informed or aware of the setback requirement when choosing their lot. Most residents learned of this issue in 2023 after submitting permit applications for approval to the City. While he was able to build a patio due to having a corner lot that calculates the setback requirements differently, his neighbors did not have that ability. This issue was not initially addressed by the developer prior to finalizing this development. The homeowners initially asked the builder to work with the City to change the development text language, as the City recommended; however, the builder was unwilling to spend the resources to do so. Consequently, this effort was pursued by the HOA, after being turned over to the homeowners in August 2024. The setback modification was one of the top issues raised by homeowners at the turnover meeting, so the newly-elected HOA leadership agreed to address the issue as soon as possible. The City of Dublin agreed to co-sponsor this proposal and has been very helpful in guiding the homeowners through this process to ensure their application is thorough. They have been in regular communication with the community on this proposal, as the HOA has created a "What's App" group, dedicated to ongoing HOA communication. He personally invited every resident to join the group, after being elected. He also conducted a poll to confirm that residents were supportive, especially those that could be potentially impacted by having the smallest lots. Those lots are on Domnall Drive, Kelly Drive and Wyandotte Woods Boulevard. This poll received unanimous support from all who voted, which he has provided as a reference to the Commission. He has sought feedback from the City and residents on the appropriate setback distance, based on measuring the smallest lot. The HOA will continue to maintain design standards for any new patios, decks and outdoor spaces to make sure they align with the existing character of the neighborhood. They believe this

request will add value to the neighborhood and allow residents to create outdoor living areas to be enjoyed, enhances property values and makes a positive difference in our community. He asks that the Commission approve their request to modify the setback requirement to 20 feet.

Staff Presentation

Ms. Holt stated that the site is located west of Sawmill Road and Emerald Fields Park, north of Hawthorn Commons, east of the Northeast Quad Subarea I portion of this PUD, south of the Scioto Estates.

Mr. Henderson stated that the subject area is Subarea II of the Northeast Quad PUD, surrounded by the remaining PUD and R1 zoning.

Ms. Holt stated that Mr. Hutchinson has provided the history on this development. She will provide additional information. The plats for Subarea II were approved starting in 2003. There are 176 lots in this Subarea. Since then, approximately 38 decks or patios have been constructed that are noncompliant. The approvals were granted by the builder/HOA at that time. It is no fault of this newly formed HOA. Tonight's request could allow 29 of those 38 lots to become compliant pending City approval. In 2023, the Neighborhood Design Guidelines were adopted by the City. In June of 2023, two Wyandotte Woods, Subarea I applicants approached the City seeking deck and patio approvals. We realized at that time that many of these lots were not able to have reasonable private open space due to the existing development text. Today, the newly formed HOA is partnering with the City to resolve this issue.

Mr. Henderson provided context for the site conditions. The goal of the City and the HOA is to bring as many properties into compliance as possible and preserve reasonable distance between the rear yards. The HOA has staked a couple of different distances for consideration on the smallest lot, and the best option is being presented to the Commission.

Ms. Holt stated that the Neighborhood Design Guidelines cannot be applied retroactively, but they can be used as a resource and guide for this case. A minimum of 150 square feet area and a width of 10 feet is recommended by those guidelines, both of which are achieved with this proposed rear yard setback modification. She showed diagrams of the current versus proposed condition on one of the smallest lots. The current rear setback requirement is 25% of the lot length. At-grade patios are permitted to encroach 5 feet into that setback area. With that requirement, there often is no room for a usable space. Essentially, the homeowners have room only for a sidewalk area. The proposed change preserves at least 30 feet between the lots with additional room for privacy landscaping, if desired, including the 5-foot permitted encroachment. All other setbacks, easements and no build areas are maintained. This development text change would apply only to accessory structures or private outdoor spaces, such as decks and patios, not building additions. If this were a new subdivision being proposed today, a 20-foot rear setback would be considered reasonable.

Mr. Henderson stated that 29 properties would need City approval, but 9 additional properties would remain noncompliant even with the modified setback. The improvements on those 9 properties would need to be remedied and some might need a building permit. Staff has recommended 60 days for those properties to remedy the situation per the conditions of approval. Staff will send out a reminder letter to the residents, if the Amended Final Development Plan (AFDP) is approved tonight. All Minor Text Modification criteria are met.

Ms. Holt stated that staff recommends approval of the AFDP with 3 conditions of approval.

Commission Questions

Mr. Garvin inquired what prompted the two applicants in June 2023 to apply for approval when so many previously had not.

Ms. Holt responded that staff had been having conversations with the builder and the HOA for approximately 18 months and informing the residents that a Certificate of Zoning Plan Approval (CZPA) was required before any construction could occur.

Mr. Hutchinson stated that for the two homeowners who requested approval, it was actually their contractors who were aware and submitted the applications. He is not aware if any of the other homeowners had the same contractor.

Mr. Garvin inquired if the Board of Zoning Appeals (BZA) potentially could hear these variance requests for the 9 properties that would not be compliant with the Minor Text Modification.

Ms. Holt responded that some, such as those in the no-build zone and easements could submit variance requests to the BZA. However, Planning and Engineering would not be supportive of those variance approvals.

Mr. Garvin inquired if there would be any reason that the other properties within the Subarea would have a need for a retroactive BZA hearing.

Ms. Call responded that the Commission is considering a Minor Text Modification, which if approved, would make those other properties compliant.

Ms. Holt stated that this is an attempt to avoid having the entire neighborhood file variance applications with the BZA.

Mr. Alexander stated that in looking at the Neighborhood Design Guidelines, it seems that the lot coverage requirement is such that having 150 square feet (SF) of open space would not be difficult. Is it the 10-foot width at the rear that is not compliant?

Ms. Holt stated that currently, many lots have sufficient room for only a 5-foot strip of concrete patio behind their homes.

Mr. Chinnock inquired if the property owners were not made aware of the setback requirements when they purchased the lots.

Mr. Hutchinson responded that the builder never notified them of the setback requirement, nor did the builder construct patios for the homeowners. The homebuyers were advised that after closing, they could obtain a qualified contractor to add a deck or patio, but they were not informed that there was a setback requirement. That was his experience, as well; he learned what a setback requirement was after applying for a City permit to build his patio.

Ms. Call inquired if it would be typical for builders to notify homebuyers of setback requirements.

Ms. Holt responded that, typically, the information is not provided.

Mr. Chinnock inquired if the homebuyer would have needed to contact the City to be informed of the setback restrictions.

Ms. Holt responded affirmatively.

Mr. Boggs stated that a contractor could have informed the homeowner.

Mr. Chinnock stated that it would require due diligence on the part of the homeowner when considering purchase of a property. The information was available to them, if they had contacted the City.

Ms. Call inquired if the City typically is willing to provide setback requirement information for any improvements being considered, i.e. a driveway, accessory structure or patio.

Ms. Holt responded that the City would be happy to disclose that information.

Mr. Chinnock inquired if that would apply to potential homebuyers.

Ms. Holt responded affirmatively.

Ms. Call inquired if a potential homebuyer could similarly seek zoning information, such as the type of development that might be permitted on adjacent property.

Ms. Holt responded affirmatively.

Ms. Harter stated that the minutes should reflect that there are two separate homeowner associations for Wyandotte Woods I and Wyandotte Woods II. She inquired how Mr. Hutchinson conducted the resident survey to which he referred.

Mr. Hutchinson responded that the survey was conducted through the HOA's recently established "What's App" group. Respondents were asked whether they were supportive of the proposed development text modification and their address. The latter information was significant, as the interior lots are smaller than the exterior lots. The exterior lots tend to be adjacent to wooded area. The interior lots are the ones primarily impacted, and they comprised the majority of the respondents. They received over 42 survey responses.

Ms. Harter inquired about the fence requirements.

Ms. Holt responded that the setback modification potentially could affect fencing, as well.

Ms. Harter inquired if it is typical for the developer to make no attempt to work out the issue with the City, particularly as they are finishing the development.

Ms. Holt responded that the developer met with the City twice specifically on this issue, but there is no requirement for a "close-out meeting" with City Planning.

Ms. Harter inquired if there are some items that they are required to confirm as completed per requirements, such as tree replacements.

Ms. Holt indicated that would be addressed with Engineering and Zoning inspection.

Ms. Harter stated that it is her understanding that the developer did not want to invest the additional financial resources to address the setback issue.

Mr. Hutchinson responded that the developer met with the City multiple times to discuss the idea, but they told the new HOA that it was a matter that the HOA could address after closing. They did not want to expend the resources on doing so. They also were concerned about liability risks if they were to change the setback requirements. That was their rationale for not seeking the development text modification while they remained in the development phase.

Ms. Harter inquired if the development text would change the requirements pertaining to hot tubs and swimming spas.

Ms. Holt responded that staff would need to look into that matter more specifically.

Ms. Harter stated that hot tubs and swimming spas could increase the noise level to which an adjacent neighbor is subjected. Could the HOA impose appropriate limitations?

Mr. Hutchinson responded that the HOA is in the process of developing those requirements. When they had the HOA turnover meeting, there were no established design review rules. They have obtained some information through a "Q&A" with the prior HOA manager, but no limitations were recorded. It is something they will address, but they will primarily defer to the City's requirements.

Ms. Call inquired what was the underlying zoning for this Subarea prior to the PUD adoption.

Ms. Holt responded that she does not have that answer at hand but would look into it.

Ms. Call stated that the staff report indicated that since 2023, 29 patios/decks would potentially be brought into conformance with the text modification.

Ms. Holt responded that there potentially could be with some additional steps required, such as Certificate of Zoning Plan Approval (CZPAs) or building permits.

Ms. Call inquired if any of the existing patios or decks were installed by the builder or if they all were added by homeowners after their home purchases.

Mr. Hutchinson responded that he moved into the neighborhood in early 2023, and most of them were in place before then. The builder completed those homes between 2014 and 2019.

Ms. Harter stated that most of the patios are constructed to the rear of the homes. Are the homeowners not required to locate them where it would be necessary to add a door, which would be an additional expense? Is where the homeowner would like their patio or deck to be located typically the best place for it?

Ms. Holt responded that the proposed setback modification would give the homeowners more options. They could locate the patio or deck where they believe it makes the most sense.

Mr. Hutchinson stated that the vast majority of decks/patios have been at the rear of the homes. There are only a few instances where a side patio would make sense.

Ms. Call stated that she believes the accessory uses/structures requirements, Code section 153.074, is important in regard to the hot tub question.

Ms. Holt referred to Ms. Call's earlier question concerning the previous zoning on this site. In response, it was R1-Rural.

Ms. Call inquired if the setbacks proposed in this application are consistent with an R1 zoning.

Ms. Holt stated that she does not believe they are, because the zonings are very different. A PUD with these lot sizes is consistent with what is expected today.

Ms. Call noted that the PUD requirements become the Code for the underlying zoning. She inquired if the Law Director's reading of the Code section to which she referred indicates that the hot tub uses/structures would be treated as accessory structures.

Mr. Boggs responded that is correct.

Ms. Call inquired if regardless of whether the hot tub has a roof or not, that improvement is treated differently than a patio.

Mr. Boggs responded that is also correct.

Ms. Call inquired if a homeowner should want to install a hot tub at the minimum setback from their neighbors, what process would they pursue to achieve that?

Mr. Boggs responded that while an at-grade patio is permitted to extend 5 feet into the rear yard setback, a hot tub is not permitted to extend 5 feet into the rear yard setback.

Ms. Call inquired if two adjacent neighbors were to choose to install hot tubs, the distance between the hot tubs could not be less than 40 feet.

Mr. Boggs stated that is also correct.

Mr. Garvin inquired if the homeowner could build them within the current setback requirements.

Mr. Boggs responded if the needed physical space exists, they are permitted to install an accessory structure, such as a hot tub, in the existing rear yard.

Mr. Alexander stated that the language in the staff report states “for accessory uses, such as decks and patios.” What other accessory uses are permitted?

Ms. Call stated that accessory structures include garages and carports, attached and detached sheds, swimming pools, hot tubs, sports courts, similar facilities, gazebos, porches, sunrooms, patios, decks, pergolas, awnings, canopies, greenhouses or similar facilities and other similar structures as determined by the administrative approval...” which would be required. Additionally, there are exclusions in Item D of the same section, which include “landscape features including but not limited to planting beds, fountains and other similar features and play structures shall not be considered accessory structures, and are therefore not subject to the regulations of this section.”

Mr. Alexander stated that per that language, for anything other than a deck or patio, it would be necessary for the homeowner to talk to staff for their interpretation of the desired structure.

Mr. Boggs noted that Ms. Call was reading Code Section 153.074 relative to accessory uses and structures in the general Zoning Code. The Wyandotte Woods text does not address accessory structures in any way, so Section 153.074 is what applies. For someone to put in any kind of accessory structure, inclusive of a hot tub, the homeowner would need to contact staff at least for a Certificate of Zoning Plan Approval (CZPA).

Ms. Harter inquired about the installation of privacy landscaping.

Ms. Call stated that she believes that is an exclusion.

Mr. Boggs responded that is correct, because landscaping would not be a structure. It then would be a question of whether the landscaping interferes with any easement rights. It is an easement issue, not a zoning issue.

Ms. Holt stated that is correct, unless there is an easement, which is at the rear of some of the lots and/or a no build zone, it would not be an issue.

Board Discussion

Mr. Garvin stated that he believes Ms. Harter’s concerns are valid, but, for him, they have been allayed.

Mr. Alexander stated that he works on many projects on small lots, such as these, in some of the older districts in central Ohio. Usually, when there is a 25% rear yard setback, many variances are requested for lots this size. In many of those districts, they allow encroachments, such as decks and patios, to extend even further into the setbacks. This situation happens because many deck and patio builders do not apply for permits. The proposed text modification is logical, given the existing conditions. The lots are very small, and the development text requirement is 25% or 50 feet; that is unacceptable. He is supportive of the proposed text change.

Mr. Chinnock stated that he agrees that the proposal makes sense; these are challenging lots. However, the “ask for forgiveness approach” also is challenging. He is generally in favor of the development text change, but he is concerned about setting a precedent. This information is available to potential homebuyers; we do not need to change the rules to apply to homebuyers who have not conducted due diligence. However, he understands the challenge posed by the existing development text; the proposed change makes sense.

Ms. Harter stated that she appreciates that staff has facilitated this application coming forward so quickly. She lives in the first section of Wyandotte Woods. Over the past 10 years, residents of their neighborhood attended many City meetings related to the continued development of Wyandotte Woods. There has been significant concern about the closeness of the homes and the lack of yards in Section II. The park within the development was intended to provide a neighborhood gathering place instead. She would like to see this section of the development grow and prosper with the residents having the ability to add enhancements to their homes. The intent of this request is to enable the homeowners in this section to have the needed space to do so.

Ms. Call stated that her concerns are similar to those of Mr. Chinnock. This area is in a PUD. The benefit of a PUD is that the developer can cluster the density. It is possible to have increased density in one area by the trade-off of an amenity in another. That is how Wyandotte Woods Subarea II was developed. There are 38 of 55 homes in Section 9 of Subarea II that have site improvements, 9 of which the Commission cannot bring into compliance. This Amended Final Development Plan draws attention to those 9 lots and imposes a very limited remedy time for them. As a fellow citizen, she is empathetic of their situation. She also is concerned about adjacent neighbors outside this subdivision, who anticipated the neighborhood looking one way, per the developer's development text and Final Development Plan (FDP) for the neighborhood. Should this request be approved tonight, the City will appear to have "changed its mind." That is not a common practice of the Commission, as the intent is that our citizens "trust the process," that what is approved is what will be built. A component of the process is the opportunity to request something else; however, there is the challenge of setting precedents in granting such requests. She stated that 29 homeowners would be immediately affected by this change, and potentially others, who could subsequently build patios. She noted that staff has indicated that today, this proposal would be considered reasonable because today, we are not seeing lots the same size as in the past. Developers are submitting proposals for smaller lots with 6-foot side yard setbacks and very small rear yards. The current practice is not the same as it was 10-20 years ago.

Mr. Garvin stated that he understands the impetus for this was the earlier application of two homeowners for patio approvals. Despite the fact that we do not want to enable homeowners to do what they want and ask for forgiveness later, Planning's point that they would have approved this layout on a new development is relevant to him. It would be very frustrating, however, to be one of the 9 lots that even with this change would remain noncompliant. There is no option for addressing those lots. He does not like the current situation, but Planning is offering an appropriate solution by updating the development text to align with what would be approved today.

Mr. Boggs stated the application before the Commission this evening is an FDP application, for which there are criteria for a modification to the development text. The Minor Text Modification should be evaluated against that criteria. One of the distinctions between the criteria that are applicable to this application and the criteria for a variance application is the question, "is this a condition to which the property owner contributed?" That is not a criterion for the AFDP application or a sub criterion for the proposed text modification. If these homeowners were to seek a BZA variance to allow the encroachment of their patios, one of BZA's variance criteria is whether their circumstance would be better addressed by a text amendment. This situation falls into that category. Different criteria apply to different classes of applications, and the concern about "asking for forgiveness" does not fit squarely within the criteria we have for AFDPs.

Ms. Call referred to the list provided relating to the impacted lots. The column that is "Approximate Patio/Deck Distance from the Property Line," has a note referring to Dubscovery. What is Dubscovery?

Ms. Holt responded that Dubscovery is the City's online GIS mapping tool. Because City staff cannot trespass on homeowners' properties, staff has obtained these approximate measurements using that GIS tool.

Ms. Call stated that there are a few on the list, such as 7718 Kelly Drive, which has a 21.35-foot distance from the property line (PL) width, with a note added, "Does not appear to meet." Another home, 4112 Wyandotte Woods, has a lot width of 19.38 feet, and a note is added, "Appears to meet."

She requested clarification of the criteria.

Mr. Bitar clarified that the data is currently relying on GIS. If the amendment is approved tonight, all these homeowners will be asked to apply for a Certificate of Zoning Plan Approval (CZPA) and to provide accurate information.

Ms. Call stated that it does not look as though that many homeowners would be impacted if instead, the 20 feet were made 25 feet.

Ms. Holt stated that staff looked at that distance in tandem with the HOA, which actually staked various distances between the houses. As a result, 20 feet was determined to be the best distance. The intent is to leave sufficient room between adjacent properties and allow room for privacy plantings, without encroaching into the easement or the no-build zone. Without making measurements on individual properties, we cannot determine at this point the reason the measurements are different on the lots.

Ms. Holt stated that because there is some discomfort among the Commission members with the proposed setback change, she was attempting to see if there could be an alternative option.

Mr. Hutchinson stated that when they were studying the issue, they were thinking less about the 38 homes that are already in violation of the requirements and more about the 20+ homes that are awaiting the outcome of this meeting to build their patios. Two of those have already submitted applications, and one submitted a variance request in an attempt to identify a way to be permitted a patio. Those are the homes that would be impacted by the proposed setback change. The lots on Kelly Court are much deeper than those on Domnall Drive. There are less than two scenarios in which there would be two patios that are within 30 feet of each other.

Ms. Call stated that with the text modification, the Commission has limited purview. There is existing Code for the side setbacks. Where the structures are already built, we cannot pick winners and losers.

Mr. Bitar pointed out that one of the factors that was considered when staff was evaluating the setback options of 20 feet versus 25 or 30 feet, was how this situation fits within the Neighborhood Design Guidelines.

Ms. Call stated that we also have heard from our residents on the east side of the City that the rural feel that was codified and originally built is now being lost.

Mr. Henderson clarified that concerning the two addresses about which Ms. Call inquired earlier, 4412 Wyandotte Woods and 7718 Kelly Drive, the second home was listed as "does not appear to meet" the standards because it encroaches into the No Build Zone (NBZ).

Ms. Call thanked him for the explanation.

Ms. Call stated the request is to allow a 20-foot setback, which with the permitted encroachment of 5 feet, would be 15 feet from the property line. Of the list of 38 homes provided by staff, only one indicated as “appears to meet” is currently less than 20 feet from the property line. With the 5-foot permitted encroachment, if the setback amendment were to be made 25 feet rather than 20 feet, only one home would not meet the 20-foot threshold.

Mr. Boggs stated that the extra 5 feet is only for at-grade patios. Making the setback 25 feet rather than 20 feet, there may be structures that are not patios, such as seated walls, that would be impacted.

Mr. Hutchinson stated that there are several patios that are on a grade, and they have a second-story deck and a patio below.

Ms. Call inquired if he was aware of any improvements that are closer to the property line that are above grade, similar to a second-story deck.

Mr. Hutchinson responded that he is not aware of any. The decks are all attached to the homes and extend approximately 10 feet. The patios below would extend a little further.

Ms. Holt stated that one of the reasons staff supports the 20-foot setback is it provides opportunity to address this particular situation, which is typical of the lots in the center of Subarea 2. Making the permitted setback 25 feet would only gain 1.25 feet. That would not improve the rear deck narrow sidewalk effect. It would not provide room for even a set of stairs to extend down to grade. Only adding 1.25 feet does not seem very useful.

Ms. Call stated that she appreciates staff’s effort to allow every home a patio, but she does not believe it is a requirement. Ms. Call inquired if the Commission was generally supportive of the AFDP with the proposed text modification recommended by staff.

Mr. Garvin and Ms. Harter indicated support. Mr. Chinnock indicated he was not supportive. Mr. Alexander stated that the process used to build decks and patios without obtaining permits is flawed; however, he believes the existing development text is incorrect in its setbacks and guidelines. If the homeowners should want to add additions to their homes, the variance requests will significantly increase. Staff’s recommendation will correct that situation; therefore, he is supportive of staff’s proposal.

Public Comments

There were no public comments.

Mr. Garvin moved, Ms. Harter seconded approval of the Amended Final Development Plan (AFDP) with a text amendment to the Northeast Quad, Subarea 2 (single-family detached residential uses only) PUD Development Text to reduce rear setbacks for accessory structures to 20 feet, with the following conditions:

- 1) The HOA shall record the Text Modification within 30 days of approval and supply a certified copy of the same to Planning.
- 2) The HOA will, within 30 days of approval, prepare and record an instrument referencing the existing plats providing notice of the Development Text update in the chain of title for affected plats.
- 3) Owners within Subarea 2 who have unapproved improvements or improvements within easements or no-build zones shall remedy these within 60 days of this approval. Those who have unapproved improvements shall apply for City approvals, and those who have items within easements/no-build zones shall remove them from those areas.

Vote: Mr. Alexander, yes; Mr. Chinnock, no; Ms. Harter, yes; Mr. Garvin, yes; Ms. Call, yes.
[Motion carried 4-1 with one recusal.]

Ms. Call clarified that her vote is reflective of the Neighborhood Design Guidelines that were recently passed.

Ms. Call encouraged homeowners, for safety purposes, to obtain building permits for any existing above-grade accessory structures.

INFORMATIONAL ITEM

- **Metro Center Revitalization Update**

Mr. Will provided an overview of the Metro Center Revitalization efforts on which the City has been working for the past year. In 2022, City Council established a goal of revitalizing the Metro Center through a revitalization vision. To advance this goal, the City engaged a team of consultants led by the Sasaki firm to develop and design an implementation framework plan. After stakeholder meetings and due diligence phases, the team explored design scenarios, which were vetted by City Council. We are now at the end of the plan development stage and in the process of finalizing the plan. The Metro Center Revitalization Plan contains four sections: context, vision, design framework and guidelines, and implementation. The purpose of the plan is to establish and articulate the vision for Metro Center; communicate that vision to community stakeholders and future developers; and provide a tool for staff, the Commission and City Council to evaluate future development along with other tools for the City. Mr. Will provided an overview of each of the four sections of the Plan. City Council is anticipated to review the draft plan at their November 18 meeting and adopt the final plan at its December 9, 2024 meeting. The intent is that this plan will serve as a tool for the Commission's review of future development applications. There is a physical model of the area displayed in the Council Chamber lobby.

Mr. Chinnock stated that the Metro North section is not included in this Plan. Will it eventually be included in the revitalization effort?

Mr. Will responded the area just north of the area delineated in the Plan is included in the Bridge Street District and subject to the Bridge Street District Code. Although it appears to be a transition area, it is actually part of the Bridge Street District.

Mr. Deschler inquired after this Plan is approved if the City would begin to work with private development to structure some of the improvements.

Mr. Will responded that it would be used as a way in which to communicate with potential partners for public-private partnership development opportunities.

Ms. Call stated that there is desire for residential development in the City of Dublin, but there is not a significant amount of land where that can occur. How do we maintain the character of a blend of development? The site may meet the horizontal mixed-use requirements, but the developer wants to develop only residential.

Mr. Will stated that the urban design development framework does distinguish and reserve some areas that are not permitted for residential development, such as highway frontage areas. However, mixed-use is what is intended here, and residential is one of the uses. This is a tool to enable the layered development, but there are some areas where residential is not permitted. Before development, these properties would need to be rezoned.

Ms. Call noted that the same tool available to the Commission would also be available to developers for consideration of future projects.

COMMUNICATIONS

- **Proposed 2025-2026 PZC Meeting Schedule**

Mr. Bitar requested the Commission members to review the proposed 2025-2026 meeting schedule that was provided in the meeting packet and be prepared to discuss and adopt the proposed schedule at the December 12 meeting.

- The next regular PZC meeting is scheduled for Thursday, November 14, 2024.

ADJOURNMENT

The meeting was adjourned at 8:10 pm.



Chair, Planning and Zoning Commission



Assistant Clerk of Council