



MEETING MINUTES

Planning & Zoning Commission

Thursday, October 12, 2023

CALL TO ORDER

Ms. Call, Chair, called the meeting to order at 6:30 p.m. and welcomed everyone to the October 12, 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: Mark Supelak, Warren Fishman, Lance Schneier, Kathy Harter, Rebecca Call, Jamey Chinnock, Kim Way

Staff members present: Jennifer Rauch, Thaddeus Boggs, Bassem Bitar, Sarah Holt, Tina Wawszkiewicz, Heidi Rose

ACCEPTANCE OF DOCUMENTS/APPROVAL OF MINUTES

Mr. Supelak moved, Mr. Way seconded acceptance of the documents into the record and approval of the 09-21-23 PZC meeting minutes.

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

[Motion carried 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. Individuals who intended to give public testimony were sworn in.

Ms. Call stated that one case has been scheduled on the Consent Agenda – Case 23-083, IGS Pickleball Courts, Amended Final Development Plan, and inquired if any member wished to move the case to the regular agenda for discussion.

No member requested that the case be moved to the regular agenda.

CONSENT CASE

- **Case 23-083 - IGS Pickleball Courts, 6100 Emerald Parkway, Amended Final Development Plan**

A Proposal for construction of two pickleball courts and associated site improvements at the existing IGS Energy campus. The 15.04-acre site is zoned PUD, Planned Unit Development District, Tuttle North - IGS, and is located east of the intersection of Innovation Drive and Emerald Parkway.

Public Comments

There were no public comments on the case.

Mr. Supelak moved, Mr. Way seconded approval of the Amended Final Development Plan with one condition:

- 1) The sample and pattern of the Hanover pavers to be provided at the building permit stage.

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

[Motion carried 7-0]

CASES

- **Case 23-101 - Avery Crossing, PID: 274-000023, 274-000021, 274-000117, and 274000017, Informal Review**

A request for Informal Review and feedback of a proposed mixed residential and commercial development. The approximately 114-acre site is zoned R, Rural District and is located southwest of the intersection of Avery Road and Rings Road.

Mr. Way recused himself from the case and withdrew from the room.

Applicant Presentation

Chris Tumblin, CASTO Communities, 610 Evening Street, Worthington stated that he is representing the applicant. Also with him is Tony Murray, NBBJ and James Peltier, E.P. Ferris & Associates. He is presenting the first iteration of the plan. They are seeking the Commission's feedback on the proposed uses, densities, layout and street network. He presented an aerial view of the site, which is located at the southwest corner of the Avery and Rings Roads intersection. Approximately 24 acres of the 114-acre site includes one single-family house and the 107-unit senior mobile home park known as Ponderosa Mobile Home Park. The balance of the site is undeveloped farmland. The entire project site is located within the Dublin City limits and borders the City of Columbus on its southern and southeastern boundaries; it is inside the Hilliard City School District. The site is zoned Rural, Rural District. The area to the west is undeveloped and zoned Rural, as well; the area to the north across Rings Road includes single-family lots, which are part of the Ballantrae and Cramer Crossing neighborhoods. The area to the east within the City of Dublin is partially developed with uses, including a medical office building, church and single-family residences. The area southeast of the site, which is in the City of Columbus, has been developed over the past 10 years with moderate-density housing, including multi-family, townhouses,

duplexes, high-density single-family and self-storage. There are some pockets of undeveloped land fronting Avery Road that are planned for future retail development. The area immediately south within the City of Columbus includes the Avery Brooke apartment community; the area immediately south within the City of Dublin is part of the Avondale Planned Unit Development (PUD). Avondale includes a mix of different housing types and densities. Mr. Tumblin displayed the planned roadway infrastructure. The City of Dublin is planning to construct a new roundabout at Avery and Rings Road in 2024. The City of Columbus is in the process of designing and expects to begin construction on an Avery Road widening project from Hayden Run Road to the Columbus-Dublin border immediately south of the project in 2025. That project will provide two lanes of traffic in each direction and a 10-foot wide shared-use path on the east side of the road and a sidewalk on the west side. The Dublin Thoroughfare Plan shows Avery Road being widened in a similar manner immediately east of the site and identifies Avery Road as a major arterial. The most significant infrastructure improvement is the Tuttle Boulevard extension. That extension would run perpendicular to Avery Road and would bisect the project site. The timing of these public infrastructure improvements will determine when the northern two thirds of the project site can be developed. We are in the preliminary stages of evaluating sanitary capacity, water capacity, and the overall stormwater management for the site; however, it seems possible for the southern third of the project site to be developed with the existing utilities in place and prior to the Tuttle Boulevard extension. These infrastructure improvements will dramatically change the character of this corridor, which has influenced the way in which this site has been conceptually planned.

Tony Murray, NBBJ, 250 S. High Street, Columbus presented the conceptual site plan. He explained the existing conditions around the site, including its rural character, land use, entry point to the Ponderosa mobile home site and an existing service building on that site. Dublin's Future Land Use Plan and its Southwest Area Plan call for commercial mixed-use along Avery Road and to the west, mixed residential, low density and suburban low-density residential. Their plans align with those City plans and with Dublin's Neighborhood Design Guidelines. Their proposed plan provides two types of single-family lots, one that is 35' x 50' with no sideyard setbacks and an 80' x 100' manor lot. The primary access to their site will be the current Ponderosa entry point. There will also be opportunities for access and connectivity at Tuttle Boulevard and Avery Road. The site is primarily flat and slopes from west to east. The site plan provides park space and pedestrian connections. A mix of housing will be provided consistent with the surrounding and proposed housing, which includes apartments, townhomes and single-family. Mixed-use commercial development will be provided along Avery Road. Manor lots and 0-setback sideyard lots, alleys and apartments will be provided on the south side; manor lots on the north side will face Rings Road. The proposed street grid will provide a connected transportation network, tapping into existing streets and creating connection points to future streets.

Mr. Tumblin stated that their plan would preserve the existing Ponderosa mobile home park. Their plan will provide a diverse type of housing in this corridor and they look forward to working with the Commission on future iterations of this plan.

Staff Presentation

Mr. Will stated that an Informal Review of the development concept is requested, which is an opportunity for the Commission to provide non-binding feedback and guidance regarding land use, density, site layout, transportation, open space and the site's integration with the surrounding area. The PUD process in Dublin would require the applicant to come back for a Concept Plan informal

review, a preliminary development and rezoning, and a final development plan. When considering a rezoning of land, the Commission and City Council reference Future Land Use recommendations from the Community Plan. The Community Plan provides three Future Land Use recommendations for this site: Standard Office/Institutional along Avery Road, Suburban Residential Low Density along portions of Rings Road, and Mixed Residential Low Density for the balance of the site. The applicant is proposing a mix of residential, commercial, and open space uses within the approximately 114-acre site. The residential mix includes single-family homes, townhomes, and four-story apartment buildings with communal amenities. Additionally, the applicant is proposing to preserve the existing 107-lot Ponderosa Mobile Home Park. With each future land use, the Community Plan makes density recommendations. The recommendations for Standard Office Institutional are 12,500 sq. ft. of development per acre. For Mixed Residential, Low Density, the Community Plan recommends 3 dwelling units (du) per acre. With Suburban Residential, Low Density, it is 1-2 du/acre. Overall, for this site, that calculates to approximately 262,000 sq. ft. of Office Institutional and 260 residential dwellings. The applicant's mix of uses proposes 10-15,000 sq. ft. of Mixed Use Commercial; 4.8 du/acre for single-family manor homes; 6.2 du/acre for the 0' sideyard homes; 12-15 du/acre for townhomes and 35 du/acre for apartments. This is approximately 60,000-90,000 sq. ft. of mixed use commercial and 719 residential dwellings, which includes the existing Ponderosa Mobile Home dwelling units. This exceeds the recommendations of the Community Plan's Future Land Use Plan. The provisions of the Future Land Use Plan densities are used by the Thoroughfare Plan and for planning future transportation and utility needs of the community. Those numbers are also used by the surrounding school districts as they plan for future enrollment. Development is generally organized around a gridded street network with setbacks and greenspaces buffering existing and new development.

The Thoroughfare Plan identifies needed future thoroughfare connections and provides recommendations for future right-of-way based on number of lanes, pedestrian and bicycle facilities, median, and other needed streetscape components. The Thoroughfare Plan designates Avery Road as a Major Arterial, Rings Road as a 2-lane collector with rural character. It recommends the widening of Avery Road and extension of Tuttle Crossing Boulevard from Wilcox Road to Houchard Road across this site. In key areas of the City where substantial development or redevelopment activity is likely, special area plans provide a framework for additional design guidance for development. The Southwest Area Plan provides for the extension of Tuttle Crossing Boulevard to increase regional connectivity, increase housing variety and stock, preserve natural features and create regional greenways. The applicant is proposing an extension of Tuttle Crossing Boulevard from Avery Road to the west property boundary.

As the Community Plan update is developed, City Council has adopted Interim Land Use Principles to guide development during the transition. In addition, the City has adopted Neighborhood Design Guidelines to provide development guidance and ensure the intent of the Code is met in terms of open space, lots and layout, and development theme for new single-family residential planned developments.

Staff has provided the following questions for the Commission's discussion:

- 1) Is the Commission supportive of the proposed land uses and densities?
- 2) Is the Commission supportive of the proposed general layout and arrangement of uses?
- 3) Is the Commission supportive of the proposed plans for the existing Ponderosa Mobile Home Park?

- 4) Is the Commission supportive of the proposed open space framework, including types, location, and sizes of open spaces as well as the treatment of the site and surrounding area's natural features such as tree rows and woodlands?
- 5) Is the Commission supportive of the proposed street network and circulation?
- 6) Is the Commission supportive of the proposed character of the Tuttle Crossing Boulevard extension?

Commission Questions

Mr. Chinnock asked the applicant to share his vision for the site in regard to the mixed-use commercial use, the community center and how the proposed development would be integrated with the existing Ponderosa development and achieve a cohesive area.

Mr. Tumblin stated that the mixed-use commercial is anticipated to be support retail, medical office and restaurant type of uses. The square footage depicted is probably higher than what it will be. Realistically, it will probably be a lower density type of development in that area.

Mr. Murray stated that from a physical design standpoint, the intent is to have centrally located open space and greenspace for future and existing development. Pedestrian pathways will provide site connectivity. The existing setback present a good opportunity for site circulation.

Ms. Harter inquired about the anticipated location and look of the community center.

Mr. Tumblin responded that is undecided at this early stage. In that area, there is currently an industrial-type building historically used for storage. It could be repurposed into a community center or there could be a traditional clubhouse with a pool and/or playground in that area to be used by the community.

Ms. Harter inquired if the applicant had plans to meet with and discuss plans with the Ponderosa neighbors and businesses within the area.

Mr. Tumblin responded that they anticipate meeting with and discussing their plans with the Ponderosa residents. They have contacted the medical office user across the street and will be setting up a meeting with them and the residents to make both aware of their plans as soon as they have a better sense of how the site plan is evolving.

Mr. Supelak stated that mixed-use commercial sometimes implies commercial and residential. Is only mixed commercial planned here?

Mr. Tumblin responded affirmatively, although there will be the potential for a residential component, it is likely that it will be support retail, medical office and restaurant-type uses.

Mr. Supelak requested the intent with the proposed apartments on the south edge of the site.

Mr. Tumblin stated that heading south on Avery Road, the east side of the road has developed with higher density residential. Therefore, on the south side of their site, there is opportunity to include a multi-family use.

Mr. Schneier inquired if the community center, pool and amenity space would be open to all residents of this community including the Ponderosa residents or if the pool and amenity space would be limited to the apartment residents.

Mr. Tumblin responded that the community center would be available to all the residents, including Ponderosa residents and the apartments across the street. The pool amenity space on the southern portion of the site would be limited to the apartment residents.

Mr. Fishman inquired the square footage of the community center. Will it include a workout/fitness room?

Mr. Tumblin responded that the details of the space have not yet been defined.

Ms. Call stated that the number of residential units proposed differs from the Community Plan's Future Land Use Plan for this area. Why does the applicant believe the proposed number is appropriate for this area and the City of Dublin?

Mr. Murray responded that their intent was to provide a variety of housing and in a quantity that fits the current market. They invite the Commission's input on the appropriateness of that number on the site.

Mr. Supelak requested clarification of the 200-foot setback.

Mr. Will responded that the Southwest Special Area Plan provides additional design recommendations for development in the area. Along the future extension of Tuttle Crossing Boulevard, the intent is to create a rural character by using large setbacks, such as those seen on Hyland-Croy Road, programmed with open space to push development away from the roadway.

Mr. Supelak inquires if the proposed plan meets that intent.

Mr. Will responded that the proposed setbacks vary in the conceptual plan; they are between 50 and 140 feet, which is less than the 200 feet provided in the special area plan.

Mr. Chinnock inquired about the timing of the Avery Road and Rings Road improvements in sync with this development.

Ms. Wawzkiewicz responded that the traffic component would be discussed in greater detail as the application advances. The applicant will be required to conduct a Traffic Impact Study, consistent with a proposed rezoning. A City of Columbus project will widen Avery Road south of this site. The City of Dublin has improvement projects planned at the intersection of Avery, Rings and Cara roads. Construction is anticipated in 2024.

Ms. Call requested staff to describe what is included in a road widening capital improvement project, such as sanitary sewer lines.

Ms. Rose stated that the City of Columbus and City of Dublin have worked together on sewer shed areas that have been pre-defined. As the project continues, it will be reevaluated. This area will be included in the Tuttle Crossing Phase 1 extension.

Mr. Supelak inquired about the meandering nature of the Tuttle Crossing extension.

Mr. Will responded that the Special Area Plan provides guidance in design. It is not meant to be interpreted literally always, but provide the spirit and intent, which is for a rural, open space character. The City has conducted preliminary discussions regarding the extension along with utilities; the details are not yet planned.

Ms. Harter inquired if the proposed apartments would be four stories.

Mr. Murray responded affirmatively.

Public Comment

[shared during meeting]

Lorrie Blosser, 5477 Cartwright Lane E., stated that this is a 55+ community. There are no sidewalks, so residents who are 85-90 years old will be walking in the streets in their community. The developer is proposing to increase the traffic volume in this community. The property owner

is already proposing to increase their lot rents for the residents who are on Social Security. Half of their monthly income is going towards their lot rent. The developer is proposing to add families with children in this area. The Ponderosa residents live in a 55+ community on purpose; they do not want that to change. Are the developers aware of the impact on the Ponderosa community? Their intent is to squeeze out their community, and where can they go since they cannot afford \$300,000-\$400,000 homes? The Ponderosa residents are scared that they will lose their homes. The developer is proposing to bring other people in the community to the community center. What about the Ponderosa community's privacy? Although there are other neighborhoods nearby, those children are not coming to the Ponderosa community. The increased traffic will prevent their ability to walk their dogs near their homes. She has been a property manager and is aware that when apartment communities come in, the crime increases and the typical targets are the elderly. There is a 98-year old resident in the Ponderosa community, who would not be able to quickly get out of the path of a car speeding into their community. She asked the Commission to consider the impact of this proposed development on the Ponderosa community.

Barb Robertson, 7000 Inchcape Lane, stated that she is president of the Cottages at Ballantrae Woods Homeowners Association. Their community is located where the roundabout at Rings Road separates into Churchman Road, which is close to this site. Their community is concerned about the utilities. She has lived at the Cottages for three years, and every year the water pressure diminishes. That will likely become a bigger problem if for residential units are added here. They also are concerned about the traffic level. The morning and evening traffic on Rings Road is a current disaster. They are also concerned about safety. They do not want more people in this neighborhood.

Barbara Wright, 6244 Cartwright Lane N., inquired what a manor lot is. A manor home, as described on the web, is a huge home. Her home backs up to the proposed lot. There is no greenspace separating her home from those lots. Will there be anything to separate those homes with their children and dogs out of her yard? She searched for her home for some time to escape previous neighborhood issues and traffic. She loves the Ponderosa community because it consists only of 55+ residents and is quiet. She can walk the streets in this community without concern. What separation is intended between her home and the proposed lots?

Martin Lynch, 5509 Tayside Circle, Ballantrae Woods, stated that they moved to their community 15 years ago to ensure that they were not in an area with apartments. They are very concerned about the clientele that apartments will bring into the area and the type of children being added to the school system that their children attend. Washington Elementary through Davidson High School is a good school system. Adding children with a different set of values will impact the children within their community and the surrounding neighborhoods. The quality of their school system will deteriorate. In addition, the main entry to Ballantrae is Royal Dublin Road. What will be located there? There is no discussion about widening Rings Road, which is currently difficult to enter. Even though a traffic circle is proposed at Avery Road, this will be a very congested area. The developer has referred to the existence of other apartments within the greater area, but those are in the Columbus jurisdiction, not the City of Dublin, and those children attend a different school district than Ballantrae and surrounding neighborhoods attend. This will bring a significant change into their environment. He is concerned about his home value plummeting due to the introduction of apartments and introduction of a different type of residents nearby.

Patty Marlin, Cottages at Ballantrae Woods, inquired within which Police jurisdiction the proposed development would lie. If the apartments would be within the City of Columbus Police jurisdiction, that would be a concern, due to the slower response time. Since the zoning for this area is Rural, wouldn't cottage-type homes be more appropriate than apartments? There are existing cottage homes on the other side of Avery Road. In Ballantrae Woods, the water pressure is insufficient for sprinkler systems. There is also a traffic speeding issue on Churchman Road and a traffic volume issue on Rings and Avery roads. Traffic backs up daily during peak hours. Adding 713 additional homes in this area will create a disaster.

Gloria Power, 5489 Cartwright Lane, E., stated that her family has lived in the Ponderosa Mobile Homes Estates for 50 years. Near the intersection of Avery and Hayden Run Road, there already are a large number of apartments and more are under construction. Additionally, the proposed community center in the development is currently their mailroom – what will happen to that? She is also concerned about the water. Ponderosa Mobile Homes Estates has their own water system. Will they be forced to connect to the City of Dublin water system? If so, at what cost? If this development is approved, it is important that Avery Road be widened beforehand. Currently, it is often impossible to turn from Rings Road to Avery Road without sitting through numerous traffic light cycles, and this has been the traffic situation since all the recent development in this area.

Gregory Mason, 5490 Cartwright Lane, E., stated that he has worked in the construction business since he was 19. He knows that these type of investments are not made without a vision. What the developer is sharing about their intent with the Ponderosa Mobile Homes Estates is very vague, but he knows they have a vision concerning this area. He would like for them to share their long-range plans. Will the mobile home estates be allowed to remain as they are in the midst of all this new development? That is the most significant question to answer, before anything else is considered. The intent to displace people from their homes is a significant issue.

Donna Carter, 5475 Cartwright Lane E., stated that she would like to reiterate the longevity of the existence of this mobile home park. Most of its residents have no other homes for a home. She would ask the City of Dublin to obtain a longevity commitment from Casto Development, so the residents can be assured of their future, whether they are 55 or 95 years old.

Fred Still, 6250 Cartwright Lane N., stated he would quote from the October 5, 2023 edition of the *Columbus Dispatch* Business section: "A Casto representative said the company did not have more details on its proposal now, but he did say the project will maintain the existing Ponderosa Mobile Home Park, a 107-space community that offers a unique affordable housing option for the area." Everything he has heard so far, however, is an attempt to eliminate this affordable housing for senior citizens. They want to extend through streets through the mobile home park, which would destroy the community for the seniors. They want to replace the senior citizens' mailroom with a community center. The Ponderosa community residents would rather keep the mailroom, placing the community center elsewhere within the development. They are also concerned about the water system and central septic system that currently exists for their community. The concept refers to stormwater retention ponds, which means there will be stormsewers. That added cost will result in higher lot rents for their community. There currently is only one main entrance off Rings Road and no through streets through the Ponderosa mobile home park to the areas that Casto proposes to develop. Casto wants to change that to through streets, which will ruin the Ponderosa Mobile Home Park. The proposed density is too much for this area in view of the already high level of

traffic congestion. He is hopeful that the Commission will support their request to keep the Ponderosa Mobile Home Park as it is.

Molly Sin, 6236 Rings Road, stated that her home is directly in front of a proposed sidewalk or road. She echoes the concerns of the Ponderosa community. She has a 3 year old and a 10-year old who attends a nearby school. She has a PhD in Education and is concerned about the impact on the school system. Washington Elementary School is already crowded and the class sizes are too large to enable ease of learning. Choosing to introduce more students with no plan will impact the school system significantly. The traffic level on the roads is already difficult. She chose this area because she has retired parents, who live in the Ponderosa community, a quiet area with older residents where they are able to have a garden. She is not supportive of the addition of undefined commercial and retail space in this particular area. Nor does she want opportunistic crime introduced to her family due to the addition of mixed-use commercial. Community crime apps indicate an increase in crime in some areas, but currently, this area has very little crime. She would like to see more detail with this plan, as there is little clarity, and she would encourage a reduction in the proposed number of dwelling units.

Laura Bonai, 6306 Cartwright Lane, stated that she lives in the first home at the front of the Ponderosa community, so her lot will back up to the manor homes. No buffer is shown between her home and the manor lots. It is a large space; will there be a road there? She is concerned about the stormwater. Currently, the stormwater retention ponds fill up and ducks appear there. The field along Rings Road floods and the stormwater flows over the road. The traffic level on these roads is already too high and needs addressed. Currently, the building with the mailroom is in their neighborhood. She does not want it replaced with a community center, which would result in all of the neighborhood entering the Ponderosa community. They do not want their main street to be made a thoroughfare. They are concerned about the increase in crime with all of the apartment buildings being added to this area. Although the property will be developed, she is hopeful that it is with fewer dwelling units.

John Pittman, 6449 Rings Road, stated that the traffic in this area is definitely a problem. The homes are very close to the intersection, and busses dropping off students is a concern, due to the volume of traffic. At night, the road resembles a racetrack. In addition, there is a stormwater flooding issue here. He has a landscape business that he runs from his home, so he is concerned about his property security. He is on a septic system. Is there a plan for the properties to be connected to City water and sewer?

Public Comment

[emails received before meeting]

Edward Ostrowski, Village of Balgriffin condominiums, stated that he is president of the Village of Balgriffin Condominium Association, which is located at the northeast corner of Rings and Avery roads. Their Board has not taken any position regarding the proposed development, but their homes will be impacted by the development of these parcels. The extension of Tuttle Crossing from Wilcox Road to Avery Road should be completed before this project is commenced. The Avery Crossing project notes stated that access to the new development would be from Tuttle Crossing Blvd and Rings Road. However, access in Dublin from the east, i.e. from I-270, as of now, will necessarily require the use of Woerner-Temple and Rings Road. Neighborhoods adjoining these two streets will be called on to exclusively carry any increased east-west traffic in Dublin to and

from I-270 to the proposed development and points south and west. Rings Road is a two-lane residential road in no way equipped to handle additional traffic from this development. I note that the general land use project drawing has arrows showing project traffic to be directed east on Cara Road east of Avery and east on Tuttle Crossing. This drawing is deceptive since Tuttle Crossing does not currently exist between Avery and Wilcox roads, and Cara Road east is a 400-foot dead-end into Dublin's Kaltenbach Park. The project drawings submitted do not show Rings Road just north of Cara, which winds from Avery to Emerald Parkway and I-270. This section of Rings Road has about 20 single-family homes with curbcut driveways, two large City parks and multiple crosswalks to accommodate neighborhood residents. Without the Tuttle Crossing Blvd. in place as the shortest route from I-270, traffic from the project will necessarily use Rings Road."

Fred Still, 6250 Cartwright Lane, stated that Casto states that they plan to leave the Ponderosa Mobile Homes Estates as is in their request for a rezoning of vacant property on the four sides of the Ponderosa Mobile Homes Estates. However, the map that Casto provides reveals that their intentions are far different from leaving the Ponderosa estates as is. Their map shows through streets within the Ponderosa community, which would allow drivers to speed through the quiet, senior citizen community. He believes there will be an uptick in crime by allowing the through streets. Another negative of this development could be an impact on the well fields that supply water to the Ponderosa community, impacting their central septic system. Many areas where Casto wanted to build on vacant land are now similar to retention ponds during incidents of heavy rainfall. He is sure there is a remedy for the stormwater, but he fears an increase in water and sewer because of the rezoning, if approved. He believes the end game for Casto is to price the senior citizens out of their now affordable housing. This intent is evident due to their recent \$50 increase to the residents' monthly lot rent. Please stand up for your senior citizens and deny this rezoning.

Jim Bloom, 6167 Turvey Loop W., Dublin stated that as someone locally impacted by this, he is reaching out to share his thoughts regarding Casto's Avery Crossing application. He will also be submitting a similar letter to the Public Comment section for this review. His concerns are the density and the infrastructure of the proposed application. The Avery Crossing density of 484 apartments and 154 homes/townhomes will strain an already stretched infrastructure for both roads and schools in this area. This development would be in addition to the proposed Amlin Crossing application, which will include another 425 units. These two projects combine to add almost 1,500 new housing units in this already dense area of land. As the Commission is aware, the City of Columbus has previously allowed numerous apartment complexes to be built between Hayden Run and the Rings Road intersection. While Dublin had no control over this, it has impacted the transportation and service infrastructure of Dublin and Washington Township. From a transportation standpoint, it has directly impacted the vehicle count increase on Avery Road, and it has resulted in an increase of accidents at intersections in this corridor along with a pedestrian death. In their application, Casto acknowledges that the only transportation project scheduled is a roundabout at Rings and Avery roads. He does not believe the current road infrastructure can safely support any additional growth. It has significantly increased the volume of students in Washington Elementary and other feeder schools. The fact is that the City of Dublin does have control over this proposed growth within its boundaries. For the sake of the existing schools and the transportation infrastructure, these issues need to be addressed concurrently or prior to the increase in the area population.

Ms. Call provided the following response to questions posed in public comments:

1. Should this application go forward, a traffic impact study would be required for this proposed development;
2. Manor lots are an accepted property type in certain areas, as defined by City Code.
3. Greenspace is addressed with the Preliminary Development Plan (PDP) and fences are addressed in the Final Development Plan (FDP). City Code guides that development.
4. Conceptual roadways are provided in the Concept Plan and addressed in more detail with the PDP.
5. Public services and stormwater management are addressed with the Preliminary Development Plan, discussions occurring in advance of the plan.
6. Police, fire, water and sewer services are all evaluated and ensured in the planning process.
7. The City would not be responsible for existence of the mobile home park in perpetuity, schools and the community center and associated costs to the residents.

Commission Discussion

Ms. Call requested the commissioners to provide feedback to the discussion questions provided by staff.

Mr. Supelak thanked the residents who offered their public comments. In regard to the discussion questions, he has no objection to the residential development in this area, which is consistent with the Community Plan. However, there is a significant variation from the density recommended in the Community Plan. In regard to the general layout and arrangement of those uses, in large part, they are aligned with the Community Plan. While there is an attempt for a sensitive transition to the adjacent neighborhood, adding through streets in that neighborhood would be a focus for debate. The suggested office use has been replaced with commercial use, which also could be a matter for debate in this location. Additionally, the residential density throughout the proposed development is an issue, particularly with the apartments on the south side. While some buffers have been provided around the Ponderosa community, the circulation and connections will have significant ramifications on the Ponderosa community. There is significant work to be done with this plan to produce a win-win solution. In regard to the proposed open space, there are concerns about the ramification of usurping space away from the Ponderosa community to be used in a different manner. Fundamentally, the developer is attempting to lace them through the site effectively; that is not entirely disagreeable, but there is still work to do. The proposed street network and circulation in particular give him major concerns. They have leveraged Tuttle Crossing Blvd. as the barrier to the area to the south, i.e. the apartments. The current and preferred rural character has been replaced with buffers on each side of the proposed development and creating space on the south side for the apartments. He believes that is unfortunate. He believes the Tuttle Crossing component should abide more closely to the Community Plan, which ultimately, would alleviate some of the discomfort everyone is having in regard to the proposed density and circulation. In regard to the proposed street grid, there is an existing community to acknowledge and honor more significantly; there is currently discomfort with the proposed plan to run streets through it. There are three additional connection points on the backside, and Bonanza Lane becomes the centerpiece of the entire community, which will by default invite a significant level of traffic to it. Once the density has been revised, the street grid should take on a very different nature. There is, however, much work to do. He is uncomfortable with the current proposal.

Mr. Fishman agreed that the density should abide more closely to the Community Plan. Residential use, however, is appropriate. The mixed-use commercial may eventually be something the residents would appreciate.

[Residents present expressed disagreement.]

He stated that the proposed apartments on the south side are a concern. The greenspace layout is agreeable; it provides buffer for the Ponderosa community. He believes making the Ponderosa community entry the main entrance for the proposed development should be eliminated.

Mr. Schneier expressed thanks to the residents who participated. He agrees that the proposed residential use would be appropriate here, as would be a commercial use to support that residential development. The proposed density, however, is a significant deviation from the Community Plan. While he is in favor of increased density generally - and this would be a good place for increased density due to the complementary nature of what would be developed - this is too much. In regard to the plans for the existing Ponderosa community, the Commission is sensitive to the residents' concerns regarding increased lot rents; however, that is not a matter on which the Commission can comment. He is generally supportive of the proposed open space. In regard to the street network and circulation, providing the main north-south access through the Ponderosa community would impact the character of that community. There needs to be another entry solution. A wider buffer needs to be provided along the Tuttle Crossing Blvd. Having less density here would solve or minimize many of the other concerns. Some great planning has been invested in this plan, and with significant fine-tuning, he could be supportive of the project.

Mr. Chinnock thanked the public for their comments. The Commission receives the application information from staff and reviews the proposed plan in depth in preparation for discussion at the meetings. When he reviewed the plan earlier, he thought the community spaces and the manner in which the Ponderosa mobile home community had been integrated into the plans was good. The information shared by the residents has changed his perspective. He believes the Ponderosa community needs to be more insulated from the proposed development. He believes the message to the applicant is clear that they need to meet with the Ponderosa community, discuss their plans, and figure out what the residents want. That would help significantly. He is generally supportive of the proposed mixed-use. The density level is a concern and needs to be reconsidered. The proposed Tuttle Crossing Blvd. connection should be more organic, fewer through streets, mitigate traffic more effectively and be more pedestrian-friendly. He is generally supportive with some necessary refinement.

Ms. Harter stated that the proposed land use is appropriate, but the proposed density is too high. She is concerned about the look of and impact of the proposed 4-story apartment buildings on the nearby Ballantrae community. The Ballantrae community incorporated art into their community design well. She would encourage them to do the same with art, trees, etc. The buffer is important and the streets should be evaluated. She would encourage them to meet and discuss their plans with the Ponderosa community and discuss safety concerns with the Dublin Police. She is looking forward to seeing greater detail with the next iteration, particularly with the proposed community center.

Ms. Call stated that while many of us would like to pause development in our community, that is the world in which we live. The Commission is given certain tools for evaluating proposed development including the Community Plan, the Thoroughfare Plan and the Future Land Use Plan, all of which have a vision for this particular area to be a rural community. The proposed land use

and densities are the lynch pin. If the density issue is eliminated, then the layout issue also is eliminated. The plans for the Ponderosa community and the immediately surrounding areas would also change. The open space framework would also change. The density the Commission is looking at is 2-3 du/acre. What the applicant is proposing in the least dense area is 4.8 du/acre.; the most dense area is 35 du/acre. She is not at all supportive of that level of density. Dublin is a great community, and the City does not want to look like Columbus. Buffering apartments on the end of the City because it complements something that the City does want to be is contrary to the Community Plan and Future Land Use Plan. She appreciates the amount of work invested in the proposed plan, the effort for a well-laid out parcel and the amenities planned for the residents. However, the City has its own vision for this area of the City and none of the items in the proposed plan fit with that vision. The City wants Casto as a partner in Dublin, but it is necessary for the applicant to embrace the vision. If Casto believes the City's vision is incorrect, then staff and the Commission are open to having that discussion. However, this currently proposed application is not one that she could support.

She inquired if the applicant requested additional clarity on any of its input.

Mr. Tumblin thanked the Commission for their feedback. They have some work to do and hope to see them in the future with a revised plan.

[10-minute recess.]

Mr. Way returned to the meeting.

- **Case 23-066 - Amlin Crossing, 5274 Cosgray Road, Rezoning/Preliminary Development Plan**

Rezoning ±105.02 acres from Rural to Planned Unit Development District for the construction of 101 single-family detached and 270 single-family attached units. The site is located east of Cosgray Road, ±1,300 feet south of the intersection with Rings Road.

Applicant Presentation

Aaron Underhill, Underhill & Hodge, 8000 Walton Parkway, New Albany stated that he is present on behalf of the applicant. His presentation tonight will be unorthodox, blunt and may make him persona non grata in Dublin, but after 20 years, he hopes he has earned enough credibility to share his opinion on what has happened and the wrongs that have been placed on Schottenstein Homes with the staff report. This has been over a 2-year process and many changes have been made in their plan. The staff report reflects many negative comments and does not make reference to the history of the case or all the hard work invested and comments received previously from the Planning and Zoning Commission. He is hopeful that after sharing his thoughts, this Commission considers their plight and provides them direction to continue moving forward this plan with clear direction to staff to work with them. He does not anticipate a vote to approve tonight; however, he would like to receive some direction and identify the positives of the plan. He acknowledges more work is necessary. He has been coming before the Commission for 20 years and has never experienced a perfect staff report. The staff report for this application states that 15 of the 16 criteria were not met by their plan. Schottenstein principals have over 60 years of experience in the business. They have had to revise their application five times due to different development guideline changes by the City and/or previous application reviews by the Commission, including: 1st Concept Plan – December 2021; 2nd Concept Plan – August 2022; Neighborhood Design Guideline Principles – March 2023; Interim Land Use Principles – June 2023. They cannot meet all

the expectations, but due to all the work that has been done, they cannot scrap their plan again and start over. Page 4 of the staff report states that staff recommended the applicant submit an additional Concept Plan. Schottenstein chose instead to file a rezoning and Preliminary Development Plan. They do not want to be in the Concept Stage any longer; it is time to start moving the application in a direction where it can develop further. What is not pointed out in the report is that staff's recommendation now is that the new Concept Plan be based on conservation design. This is in reference to Section 2B of the Neighborhood Design Guidelines that requires a site layout based on conservation design practices at the Concept Plan stage. These guidelines did not exist when they submitted their Concept Plan. The text also indicates that as part of the Concept Plan application, an open space framework plan must be provided, and after its evaluation, it would be determined whether the proposal should adhere to the conservation design development requirements. Their team was surprised to see references to conservation design requirements, as they had not heard about them until recently. If they had been provided information regarding this at the outset of their application process, they could have planned accordingly; at this point, they are unable to do so. He noted conflicts between the staff report findings and City Code, adding that the vagueness of the Interim Land Use Principles further increases the difficulty in interpretation. It is impossible for anyone to define what is "Distinctly Dublin." In summary, this application needs to be evaluated in the context of all of the reviews and changes that have happened throughout the 2-year process. At this point, they have a staff report that says their application meets none of the criteria established by Code or the City's governing documents for planning. The applicant has spent over \$400,000 to date to reach this point. The previous application reviews indicated their plan had merit until the recent ever-changing planning documents and principles. If the plan previously has merit, it should still have merit. The staff report would seem to indicate their plan should be entirely scrapped. However, they ask the Commission to recognize the history of their application, the unique circumstances, and the myriad of items that have affected this plan including the change in the Tuttle Road Crossing Blvd. location. Perhaps they could have requested their application to be tabled and another Concept Plan designed, but they are appealing for the Commission to consider the money already spent and provide them helpful direction.

Mr. Boggs referred to Mr. Underhill's comments. He would like to clarify for the Commission and audience members, the Concept Stage of the PUD process is for the intent of receiving Commission feedback based on what is before them. The Code makes very clear that no discussions in the Concept Plan review are binding on either the applicant or the Commission or should be taken as an indicator of subsequent approval or disapproval. While the steps in the PUD review process appear sequentially, the first point at which a binding response from the Commission for a plan is given is at the Preliminary Development Plan and Rezoning stage. According to the timeline that was presented, the last Concept Plan review was in August 2022. They were made aware of the proposed Neighborhood Design Guidelines in December 2022, which were developed a couple of months later. During that interim period, anyone could provide commentary on the merits or lack thereof of the guidelines. The Guidelines were adopted prior to this application being filed. The purpose of the Guidelines to provide a framework with which applicants can work. Applicants are not "left guessing," but can make a case to the Commission for recommending approval of their rezoning request.

Staff Presentation

[From staff report: “The site is generally trapezoidal with three remnant parcels, each with single-family residences, in the middle fronting Cosgray Road. The site has approximately 1,660 feet of total frontage along Cosgray Road in two segments and approximately 2,800 feet of frontage along the CSX Railroad. On the north side, the site is adjacent to the Village of Amlin, and on the south side, it is adjacent to single-family residential located within the City of Columbus (Hayden Farms). The site is bisected by the future extension of Tuttle Crossing Boulevard.”]

Ms. Holt stated that this is a rezoning request, prior to which the applicant is recommended to have a neighborhood meeting. Staff recommended this meeting to the applicant, but although there was significant neighborhood interest at the previous Concept Plan reviews, staff does not believe a neighborhood meeting has occurred.

Ms. Holt reviewed the site conditions. The site is flat with minimal grade change. There are significant tree stands, primarily along the eastern edge, and large tree rows run north-south on the northern portion of the property, between existing fields. There are two landmark trees in the middle of the fields, one each on the north and south sides of the property. Wetlands have been confirmed along the east side of the site, within the woods. The site has been historically farmed, and does not contain any historic structures. The Southwest Special Area Plan was completed in 2013 and is a refinement of the Community Plan in this specific area. At that time, Tuttle Crossing Boulevard was anticipated to take a different route through the property, with a wide sweep to the northwest, and Cosgray Road had an offset intersection at Tuttle Crossing Boulevard. With the completion of the Feasibility Study: Tuttle Crossing Boulevard Extension, Phase II in 2020, Tuttle Crossing Blvd. now takes a more direct route west through the property and Cosgray Road remains in its current configuration. While the anticipated organization of the site has changed based on the Tuttle Crossing Boulevard alignment, a number of goals from the Southwest Special Area Plan are applicable to this site. The Commission’s last Concept Plan discussion reflected the following regarding some of those items:

- Some Commissioners were supportive of retaining the gateway feature and mixed-use area for the Village of Amlin;
- It was acceptable to reduce the railroad and Tuttle Crossing buffers;
- It was acceptable to increase the density of the originally intended low-density area on the south end of the site and decrease the 200-foot setback along the railroad (east boundary of project site).

Ms. Holt stated that an incomplete Traffic Impact Study (TIS) was provided by the applicant, so staff was unable to review traffic and transportation issues. She noted that while the City’s Community Plan update is in process, City Council has adopted Interim Land Use Principles to guide development during the transition period. The staff report provided reflects which of the 12 principles the proposed application meets and those on which it needs more work. She reviewed the differences between the previous Concept Plan the Commission reviewed and the current Preliminary Development Plan proposal, including the following:

- The acreage in the center has been added back into the plan;
- Wetlands are confirmed along the railroad on the east side;
- The setbacks along Cosgray Road have been reduced;
- The number of proposed dwelling units has been decreased from 425 to 371;
- The greenspace/open space has been reduced in number, size and quality;
- The east side connectivity is now inconsistent with the City’s bikeway plan;
- There are now 7 dry stormwater retention basins and 2 wet stormwater basins.

The current development proposal is a single-family residential neighborhood with five development subareas:

- Subarea A: 18.03 acres, 90 attached single family units, 5.0 du/ac
- Subarea B: 20.66 acres, 58 single family detached units, 2.81 du/ac
- Subarea C: Open Space and Tuttle Crossing Boulevard right-of-way
- Subarea D: 12.68 units, 43 single family detached units (empty nester), 3.39 du/ac
- Subarea E: 28.45 acres, 180 single family attached units, 6.33 du/ac, 3-6 units/building

The proposal shows Tuttle Crossing Blvd. per the transportation plan and 2020 study. Bike lanes and shared use paths are provided. Cosgray Road is shown as widened on the south end along with a shared-use path. An additional road connection to the north is not provided, as was requested. Ms. Holt reviewed the concerns with the proposed plan specific to each subarea (as detailed in the staff report). Per the Neighborhood Design Guidelines (NDG), staff determined that this site is appropriate for Conservation Design Resolution (CDR). Key tenants CDR are described in the staff report, especially important is the edge of Dublin and the avoidance of appearance of continuous development between cities; protection of the rural character in outlying areas; preservation of natural features and open space. Of concern is the fact that the plan provides less than 50% open space, less than 75% of the lots are adjacent to open space; the setbacks along Cosgray have been significantly reduced; no information has been provided on programming of open spaces; the open spaces are generally less than the required minimums and ratios; no gateway information for the project or for the Village of Amlin has been provided; special corridor buffering is inadequate due to the dry basins; the master bikeway plan is not met. Ms. Holt reviewed the Code criteria and Interim Land Use Principles that were not met.

Ms. Holt summarized that staff has reviewed the application against the applicable Code criteria, NDG and Interim Land Use Principles and recommends disapproval for the following reasons:

- 1) The Southwest Area Plan's (Avery West Detail) anticipated mixed-use village center is not incorporated in the northwest corner of this proposal, nor is there an Amlin gateway feature.
- 2) The proposal should use the conservation design approach, and the project does not meet the requirements of the conservation design requirements nor the Neighborhood Design Guidelines (NDG) regarding open space quantity and quality.
- 3) The provided open space framework analysis repeats the already developed project patterns, rather than demonstrating that the preservation areas are of highest priority as anticipated.
- 4) Other fundamental sections of the NDG are not met, such as (but not limited to) community theme, individual lot analyses, streetscape hierarchy, garage door mitigation, and adequate private open space.
- 5) The TIS is incomplete and previously requested road connections have not been provided.
- 6) The number of dry stormwater basins is not supported due to design, maintenance and aesthetics.
- 7) Detailed information regarding the water and sanitary sewer mains and services and the water line extension along Cosgray Road have not been provided.
- 8) The setbacks along Cosgray Road have shrunk significantly since the Concept Plan, and when combined with dry stormwater basins, adequate buffering to homes is not provided here nor at Tuttle Crossing Boulevard.

- 9) The shared use path network is not per the Bikeway Plan along the east side; the Cosgray Road path is diminished to a path adjacent to the road without space for meandering, buffering, or landscaping.
- 10) The development text is inadequate regarding open space and has other omissions, inclusions, and references that appear unachievable or do not meet the vision of the NDG.
- 11) The applicant has not conducted public information meetings as previously requested.

- **Case 23-064 - Amlin Crossing, 5274 Cosgray Road, Preliminary Plat**

A Preliminary Plat for a residential development on a 105.02-acre site zoned Rural for 101 single-family detached and 270 single-family attached units. The site is located east of Cosgray Road, ±1,300 feet south of the intersection with Rings Road.

Staff Presentation

Ms. Holt stated that this is a request for review and recommendation of approval for a Preliminary Plat (PP) to facilitate development of a +/-105-acre site establishing 371 single-family lots, open spaces, the creation of Tuttle Crossing Boulevard right-of-way, and other public rights-of-way. This project is concurrently submitted with a Rezoning and Preliminary Development Plan (PDP) request (Case 23-066 Z – PDP). Should that request not be approved, this PP would be moot. All of the concerns identified for the Rezoning and PDP apply to this submittal. She described the specific areas of concerns with the proposed plat.

Staff has reviewed the proposed PDP and recommends disapproval for the following reasons:

- 1) If the Rezoning and PDP is not recommended for approval, this PP is moot, although that may be overridden by a final determination from City Council.
- 2) Lot setback and easement conflicts exist in numerous locations, and the applicant has not provided information on how the lots could function given these conflicts.
- 3) The requested street connections are not provided, and the proposed shared-use path system does not comply with the Bikeway Plan.
- 4) Stormwater ownership and management is not defined, as required; the design does not meet the intent of the NDG.
- 5) Detailed information regarding the water and sanitary sewer mains and services has not been provided to the City for review, and the water line extension along Cosgray Road has not been provided.

Commission Questions

Mr. Schneier stated that in the proposed development text, there is reference to the exterior materials, including urethane, foam, vinyl, stucco, etc. However, in the proposed materials, there is no reference to them.

Greg Chillog, Landscape architect and land planner, Edge Group, 330 W. Spring Street – Suite 350, Columbus stated that the development text provides a palette of materials, whereas the materials in their conceptual building plan are simply those that are chosen from that palette at that point in time. It does not prohibit the use of any of the other materials in the future.

Mr. Schneier stated that he would comment on Mr. Underhill's previous comments later during the Commission Discussion section; however, Mr. Underhill spoke at length about the process, not the substance. It appears that many of staff's comments are objective. He is unsure if Mr. Underhill was saying that the applicant could address those concerns, if the target did not move further. He requested clarification of the applicant's position regarding the specific concerns raised by staff.

Mr. Chillog responded that the issue is a math problem. When they consider all the directives -- large setbacks; tree and wetland preservation; railroad setback; Tuttle Crossing Blvd. right-of-way and 200-foot setbacks; Cosgray Road 200-foot setbacks; stormwater wet basins -- all of which for the 105-acre site would leave only 35 acres for development. At the low end of the recommended density of 3.0 du/acre, they would be able to have 315 dwelling units on the site, and 315 units on 35 acres would be 9.5 du/acre, which would be all townhomes. Using the higher recommended density for the site of 5.0 du/acre would result in 525 units on 35 acres. That is 16 du/acre, which would be a 2 – 3-story apartment product. Their plan proposes 20 additional developable acres, sacrificing some elements only where necessary to achieve those acres. While they could meet the requirements, it would result in a product that the Commission has made clear they do not want. The Commission has requested a unique, diverse product at a village scale. To produce that, they need to be granted relief from some requirements, including the large setbacks. Even with that relief, the result would be only 50 developable acres. They met numerous times with staff and realized they did not have their support; however, at the last Concept Plan hearing, they believed they had some support of the Commission. If the Commission indicates tonight, however, that they are not supportive, they will pursue this effort no further, as the current plan is the best they can provide. They do not want to propose a multi-family or all-townhome project, as that is not what the Commission wants. In an attempt to meet the City's development requirements, they have proposed a project that balances some of the goals of the Community Plan and incorporates many of the Neighborhood Design Guidelines, but not all. They have attempted to find a common ground.

Mr. Way referred to the Tuttle Crossing Blvd. and the provision for the overpass and the embankments to transition down to the townhomes on the southern portion of the site. Because the road has not yet been engineered, we do not know exactly where it will be. The road extension will be an important east-west connector, but there appears to be little room to absorb any error. Is the City comfortable that this plan addresses that concern?

Mr. Chillog responded that the City has provided them with a final location of the road extension. Although this is the PDP phase, they have attempted to plan ahead for embankments and crossings further south. They are 90% certain where those will be.

Ms. Wawszkiewicz stated that the road engineering has advanced from the conceptual road alignment depicted in the Thoroughfare Plan to a more preliminary engineering alignment. However, there are many details to be worked out in collaboration with the applicant.

Mr. Way inquired if a 50-foot road setback is proposed.

Ms. Holt responded that the setback along Tuttle Crossing Blvd varies, but it does reduce to 50 feet.

Mr. Way responded that is a concern, as it leaves little room for error.

Ms. Harter inquired what was the reason they did not meet with the neighborhood.

Mr. Underhill stated that this is an iterative development process. Their intent was to meet with the neighborhood when certain variables had been solved and they had addressed approximately two-thirds of the items that would impact the neighborhood. After some of those components have

been determined would be a more appropriate time to meet with the residents. As long as the plan is uncertain, it is too early for such a meeting, and if it has no traction from staff or the Commission, a neighborhood meeting would be pointless.

Public Comments

Patty Marlin, Cottages at Ballantrae Woods, Dublin stated that one of her daughters lives on Myrick Road, and currently, there are problems with sewer and water in that area. If a new sewer system were proposed, that could be helpful. They are also concerned about safety. Much of that area lies within the Columbus police jurisdiction, and response times are slow. Would this area lie within the Dublin police jurisdiction? A dog park, bikepaths and walking paths are needed in this area. Adding a bike lane along Cosgray Road, however, would be extremely risky. The beautiful lakes and trees on this site need to remain. There are beautiful wetlands on this site, which she has walked and enjoyed many times. The traffic volume and speeds on Cosgray Road are a serious issue. She hopes there is a plan that will resolve that situation.

Mr. Boggs stated that there have been a couple of public comments about police coverage. All of the lots along Myrick Road are within the City of Columbus. The northern edge of those lots borders the property under discussion tonight, which is the corporate boundary line for the City of Dublin. Any development that occurs on this property will be served by the City of Dublin City services, including police. All of the area south of this site, including Myrick Road and Hayden Run Road, is served by the City of Columbus; therefore, Dublin Police would not respond unless it was for a mutual aid situation. City of Dublin Police or Fire can lend assistance to a mutual aid need within the City of Columbus.

Mr. Chillog referred to the earlier public comment about wetlands. Their intent is to incorporate dry retention ponds, but they would also attempt to extend the character already established with the existing wetlands on the site out to Cosgray Road. Some design considerations would be necessary, but the details can be addressed. With dry retention ponds, they would be able to have 3.5 du/acre; with all wet retention ponds, it would be only 3 du/acre.

Commission Discussion

Mr. Chinnock stated that he believes there are too many issues with the proposed plan. He appreciates the applicant's frustration with the longevity of the process, but at the same time, it appears that some small items, such as bikepaths and 90-degree parking have been ignored. It appears that the development on the site has been maximized with no effort to appreciate what the City wants to accomplish with this site. Without a TIS, the Commission has no information concerning the traffic impact on the area, so it would be impossible to make a recommendation.

Ms. Harter stated that she appreciates the amount of time the applicant has spent with both staff and the Commission on this plan. However, she does not understand the reason some of the more significant issues continue not to be addressed. For that reason, she is not comfortable with supporting this plan tonight.

Mr. Way stated that when he compared the last iteration of the Concept Plan and the proposed Preliminary Development Plan (PDP), he saw a change in direction. The Commission's comments with the previous Concept Plan review were that the plan appeared to be heading in the right direction, but when he viewed the PDP, he was concerned that it was no longer heading in the

right direction. Previously, the applicant was interested in a unique, urbanist style product with units fronting streets and parking access to the rear. The NDG provides a vision of what he was looking for and he had hoped to see those incorporated in this plan. The proposed plan has units facing outward and parking on the inside; a public street would now have public garages on it. It defeats the purpose of having a clean streetscape without garages and parking hidden behind the units. The conservation design guidelines have been taken out of the equation, and the result is the type of plan proposed tonight. He supports an approach that is consistent with the NDG and conservation design. One of the intended elements, mixed-use development for Amlin Village, has been lost in the process. He noted that there is an aesthetic element to using wet basins versus dry basins, and if there is a solution wherein dry basins would create something new and different that would tie together the development, it would be worth considering. He does not see that addressed in the narrative, however. What is lacking is a stormwater management strategy.

Mr. Schneier stated that he is sympathetic and empathetic with the applicant. However, with his legal experience, Mr. Underhill should recognize that this is a quasi-judicial body, and the Commission is acting in a legislative capacity, not an administrative capacity with this case. There is an inherent subjectivity to this process, which can be frustrating. However, that has been the pattern for over 100 years. While there is subjectivity in the criteria for approval, the expectation is that the body not be arbitrary or capricious. He does not believe the Commission has evidenced that. He does not believe conflating subjectivity with objectivity is fair to the Commission or staff. With respect to the facts of this case, he believes that there are a number of binary or objective elements in the staff report with which the applicant has chosen not to concur. While we may be making judgments with respect to land use, and we can agree or disagree as to whether the judgment is appropriate, it does not mean the Commission is being arbitrary in doing so. Whether the applicant has a neighborhood meeting before or after this hearing does not matter to him. There are a number of other issues of substance, however, on which he concurs with staff, and he is hopeful there will be some meeting of the minds.

Mr. Fishman stated that he believes staff has done an excellent job. He believes the issue is that there is too much development on too small of a site. Ultimately, the City's standards must be met.

Mr. Supelak stated that there is the potential for this to be a lovely anchor site for Amlin. Planned unit developments (PUDs) have a set of unique custom rules, on which there is flexibility to negotiate for the purpose of achieving a desired result. Significant work has been done on this project, but the design is not yet ready or agreeable. Currently, there are several disagreeable elements in the design. At this time he is not supportive of casting a binding vote, but he is very supportive of the plan. It is a large project, and big projects take time. To offer something more specific about architecture, he is concerned about the monopoly buildings that result in awkward corners and transitions. In the south area, there are a number of places where the greenspace to unit relationship needs to be reconsidered. The applicant is trying to provide something different, and at times, the design is very interesting. There are some successful moments where the front door abuts generous greenspace, but there are many other places where the design is not mature and remains awkward. That comment about the plan has been consistent throughout the reviews with this Commission. The plan, however, has potential.

Ms. Call stated that she knows of no other parcel in the City of Dublin that is a major gateway site, has two major corridors, a railroad crossing, an overpass, significant tree stands and a large amount

of wetland. The resulting development process considering all those elements has been long. The current situation is not due to lack of work, collaboration, communication or listening. There is a vision for that area, and how those regulations are implemented result in only 35 buildable acres. That is unfortunate, but that is the field. There are other fields that do not have all these requirements -- some within the City of Dublin. With this proposal, too many exceptions are being requested. The negative staff report is not due to the applicant but because of the land with which they are dealing. While she is not supportive of either of the applications under discussion, she is supportive of all the work that has been invested. She inquired if the applicant wanted to move forward on a vote tonight.

Mr. Underhill requested that the Commission table Case 23-066, the Rezoning and Preliminary Development Plan and Case 23-064, the Preliminary Plat for the site. He noted that he agrees with Mr. Boggs on all the points he made and respects every Commission member and staff member. He was hopeful the Commission would recognize their unique circumstances and the changing rules and would like the staff to feel empowered to assist them in finding a balanced give and take with the plan.

Mr. Supelak moved, Mr. Fishman seconded a motion to table Cases 23-066 and Case 23-064.

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

COMMUNICATIONS

- **Proposed 2024-2025 PZC meeting calendar**

Ms. Rauch stated a proposed meeting calendar for 2024 and the first two months of 2025 has been provided for the Commission's consideration. Members are asked to advise staff of any date conflicts before their next meeting. The proposed meeting calendar with any revisions necessary will be scheduled for adoption at the November 9, 2023 meeting.

Ms. Call noted that the Commission has previously discussed the need to take another look at the calendar at the 6-month point and determine if there was any need to make meeting date changes for the remainder of the year.

Mr. Supelak drew attention to the seven meetings proposed for the two months of August and September. Some Commissioners have school age children. He recommended that those meetings be spaced differently.

Ms. Rauch stated that it might be possible to schedule the site tours in the spring. The joint work session in August cannot be changed, as Council has approved its 2024 meeting schedule. She will review the proposed calendar and look for any opportunities to alleviate the schedule.

- **Commission Attendance and Training**

Ms. Rauch referred to the training and attendance memo from City Council, which was included in the packet. All Board and Commission members are required not to have absences totaling more than 20% of the number of meetings, which for the Commission would be four absences.

Mr. Chinnock noted that his meeting attendance has not been good over the last several months. There is a significant amount of travel associated with his work, but he has been able to make

some changes in his work schedule. He has addressed that situation and is fully committed to his service on this board.

Ms. Rauch reminded Commission members that they need to complete any outstanding required training. Staff is available to provide assistance, if needed.

- The next regular meeting is scheduled for Thursday, November 9, 2023.

ADJOURNMENT

The meeting was adjourned at 10:06 p.m.



Chair, Planning and Zoning Commission



Assistant Clerk of Council