

# RECORD OF ACTION

## Planning and Zoning Commission

Thursday, April 17, 2025 | 6:30 p.m.

**4. Liu Trail  
24-128PP**

**Preliminary Plat**

Proposal: Request for review and recommendation of approval for a Preliminary Plat for 7 single-family lots and a reserve. The 12.78-acre site is zoned R-1, Restricted Suburban Residential District.

Location: 7192 Dublin Road

Planning Contact: Taylor Mullinax, AICP, Planner I

Contact Information: 614.410.4632, tmullinax@dublin.oh.us

Case Information: www.dublinohiousa.gov/pzc/24-128

**MOTION:** Mr. Deschler moved, Mr. Alexander seconded to table the application per the applicant’s request to address the cited Code sections.

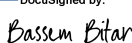
**VOTE:** 6-0

**RESULT:** The Preliminary Plat was tabled.

**RECORDED VOTES:**

Rebecca Call	Yes
Kim Way	Absent
Kathy Harter	Yes
Jamey Chinnock	Yes
Gary Alexander	Yes
Jason Deschler	Yes
Dan Garvin	Yes

**STAFF CERTIFICATION**

DocuSigned by:  
  
Taylor Mullinax, AICP  
Planner I

**(Signing for Taylor)**

The Commission needs to make sure there is proper structure in the site plan to allow that future development. The City can be patient as it waits on the right development. There are areas of the City that have been green for many years that are now developing, i.e., the hospital next to Sawmill Road. In regard to the theme, in her opinion, the last thing we need in this area is more Bridge Park type of block housing. This is a suburban area; it is primarily residential, trying to transition gradually between single-family homes inside Dublin to the multi-family homes outside our City limits. We need to be sensitive to that, but we are not the City of Columbus and do not want to be. We want to look like Dublin; it doesn't matter if we are in 43016 or 43017.

She inquired if the applicant needed any additional clarification in the Commission's feedback. Mr. Turnock stated that they needed no additional clarification.

- **Case #24-128PP - Liu Trail – Preliminary Plat**

Request for review and recommendation of approval of a Preliminary Plat for 7 single-family lots and a reserve. The 12.78-acre site is zoned R-1, Restricted Suburban Residential District, and is located at 7192 Dublin Road.

### **Applicant Presentation**

Ben Schilling, 122 South Otterbein Avenue, Westerville, stated that the developer is Mr. Jason Liu, who has been a Dublin resident since 2003, and is the owner and founder of J Liu Restaurant with both Dublin and Worthington locations. Mr. Liu has been involved with a number of City events. He has been a sponsor of the Dublin Irish Festival since 2004 and has hosted the lunch following the St. Patrick's Day parade since 2005. He is with American Structurepoint, as is Matt Lily and Landscape Architect Kyle Adams, who are present this evening.

Mr. Schilling stated that 7192 Dublin Road is located just north of I-270 and Emerald Parkway, and south of Brand Road on the east side. Currently, there is a single-family home on the site and many mature trees adjacent to the Scioto River. This site is over 12 acres. To the west of the site is Coventry Woods. In the proposed development, the smallest lot is .92 acres and the average lot is 1.51; the largest lot, the existing residence, is 3.0 acres. He described the site plan. Liu Trail is a public cul de sac road. There are 7 proposed lots. 79% of the site is greenspace. Their plan proposes no impact to the floodplain along the Scioto River, even with the stormwater outlet. There is a City-required left turn only lane onto Dublin Road. They are also proposing a 10-foot right-of-way dedication along the east side of Dublin Road. Along with the 40-foot setback along Dublin Road, that totals 50 feet from the east right-of-way line of Dublin Road. They are also proposing a 20-foot landscape easement along Dublin Road. There is 58-foot right-of-way for Liu Trail, 24 feet of which is paved, 6-foot sidewalks and 8-foot tree lawn. The stormwater outlet is along the south side of Lot 5. The existing residence would not be occupied during construction. Their proposal is aligned with the Envision Dublin Community Plan. The Dublin Road corridor has a FLU in this area of residential, low density. They are proposing .56 du/acre, consistent with that land use. Dublin Road is also designated as a river character area and commuter boulevard. Multiuse paths along both sides of Dublin Road are indicated. There is currently a multiuse path on the west side of Dublin Road. They are proposing a fee in lieu for the future multiuse path on the east side. The reason primarily is because the extension of that path along the east side of Dublin Road probably is several years in the future. It makes the most sense aesthetically to defer that installation in this location to later when the whole network would be built. A path installed now

would deteriorate over time and look much older than future portions of the path. They conducted a tree survey. Any tree over 6 inches in diameter was evaluated for need for preservation. Of the 216 trees surveyed, 31 were identified to be in poor condition; 17 of those are identified as preserved. 185 trees were in fair or good condition, and 125 will be preserved. They are looking at the tree canopy area and the critical root zone. The intent is to preserve any mature trees that should be kept. There are heavily wooded areas along the Scioto River and denser vegetation on the north, south and northeast corner of the site. They will try to protect those trees. Street trees are proposed along Liu Trail and in the landscape buffer along the east side of Dublin Road. They are proposing a private reserve area (Reserve A), maintained by the HOA, along the Scioto River, essentially a riverside park for the residents. They are envisioning a gravel path with stone steps, due to the steep topography, and a landscaped area with a retaining wall and benches.

### **Staff Presentation**

Ms. Mullinax stated that a preliminary plat is required for the subdivision of land including right-of-way dedication and the recording of easements. Approval is a two-step process where the Commission makes a recommendation to City Council and City Council provides approval of the plat. Subsequently, the final plat would follow the same process, before any building permits are submitted. Ms. Mullinax reviewed the existing site conditions. A private residence currently exists on the site along Dublin Road. The site is zoned R1, Restricted Suburban Residential, which is a standard zoning district. The R1 development standards and the Subdivision Regulations apply to this application. The proposed minimum lot sizes are met, although minor administrative errors need corrected. To access the subdivision, a new left turn lane on Dublin Road and a new public street are required. An 11-foot shared use path is required along the east side of Dublin Road. The applicant is requesting a fee in lieu of constructing the path. Engineering will determine if this option is acceptable, otherwise, the applicant is required to construct the path. Depending on which option occurs, an associated easement will be required for the width of that path. Additional minor adjustments regarding the proposed street name, location of driveways and measurements still need to be addressed. Water and sanitary sewer utilities are available on site. Water quality control is provided through a proposed underground detention system that is beneath the cul de sac. Stormwater quantity control is not required. The applicant is proposing to design lots around the sanitary sewer. Staff has concerns regarding Lot #2's limited developable area, once those easements are shown on the plat. The applicant will need to show driveway locations to demonstrate that their slopes do not exceed the maximum allowable slope, and house locations on Lots #2 and #6 will need to be relocated to be out of the sanitary sewer easement. These issues are reflected in the Conditions of Approval. Required open space is being provided between Lots #4 and #5 and street trees along Liu Trail and Dublin Road. The applicant has provided a tree survey and tree preservation plan. The tree replacements are required to be provided within the landscape easement along Dublin Road. Staff recommends evergreen trees be used to create a more immediate and effective landscape buffer. The applicant is requesting a tree waiver, which will be reviewed and approved by City Council. All the preliminary plat criteria are met or met with conditions, therefore, staff recommends the Commission recommend approval of the Preliminary Plat to City Council with 13 conditions.

### **Commission Questions**

Mr. Garvin inquired what necessitates the left turn lane – the number of units or the side street? Ms. Mullinax responded that it is required because it allows traffic to slow, navigate and turn left safely; it is a safety precaution.

Mr. Garvin inquired if there were a second home on the road that would also require a left turn lane.

Heidi Rose, Engineer, indicated that whenever a private development application is submitted with a proposed access point, for safety purposes, Transportation & Mobility requires a left turn lane, regardless of the circumstances.

Mr. Garvin inquired if the fee in lieu request considers the future or current cost of the multiuse trail.

Ms. Rose responded that those details have not been determined at this point. Typically, it would consider a future date and the prevailing wage rate. Essentially, whatever it would cost the City to construct the path would be the fee, which would be established via an agreement with the applicant.

Mr. Garvin inquired if the stone gatehouse would remain.

Mr. Schilling responded that it would be removed. Initially, they attempted to keep it because it is a nice feature, but were not permitted to do so.

Mr. Garvin inquired the square footage of the current residence.

Mr. Schilling responded that it is 13,500 SF.

Mr. Garvin inquired the anticipated square footage of the Lot #2 home.

Mr. Schilling responded that it is not yet defined, but a 3,000 SF home would fit on the building pad.

Mr. Garvin inquired if the existing home would remain significantly larger than the proposed homes.

Mr. Schilling responded affirmatively.

Mr. Garvin inquired which direction the homes on Lots #1 and #7 would front along Dublin Road.

Mr. Schilling responded that there was discussion about their fronting Liu Trail, but it remains a discussion point.

Mr. Garvin stated that per the staff report, 28% of the existing trees on the site would be removed. Would all of those be replaced? Does the evergreen buffer count toward that replacement?

Ms. Mullinax stated that the 14 trees within the landscape buffer would count as tree replacements, and a condition of approval requires additional replacement trees. The applicant is pursuing a tree waiver. If they were to replace all the inches that are proposed for removal, it would cause tree overcrowding on site. However, they cannot replace them on the single-family lots, as the future homeowners potentially could remove the trees, inconsistent with the tree replacement requirements. The tree waiver would proceed to City Council for consideration.

Mr. Deschler inquired clarification of the PZC's scope of evaluation with this case. Is the Commission approving only the lot lines, or the house and driveway locations? He does not see the latter provided in the materials. He was trying to look for the associated Code sections.

Mr. Boggs responded that this application is simply for the Preliminary Plat review. This is a straight zoned property, and the Code does not establish specific criteria for the Preliminary Plat.

Ms. Call added that the Commission is providing a recommendation to City Council, which is the deciding body for platting of property.

Mr. Boggs stated that the Commission is looking at the layout of the streets and lots, not the more finely grained zoning details that are governed by the Code.

Mr. Deschler requested clarification that the Commission is looking only at the street and the lot lines. He does not want to provide a recommendation to City Council, if he believes he does not have all the information necessary to make that determination.

Mr. Boggs responded that the question for the Commission is if the plan's arrangement of streets and lots is consistent with the Subdivision Regulations.

Mr. Deschler asked if the plan indicates lot lines or proposed locations of the buildings.

Mr. Boggs responded it indicates only the lot lines.

Ms. Call stated that we understand that something will go on the lots. If that something can't be constructed according to Code, then that factor needs to be considered for the platting of property.

Mr. Boggs concurred. If the proposal was for a 40-foot lot and the zoning requirement was for a 60-foot frontage, that would be an element to consider with the Preliminary Plat review. This is unlike a Preliminary Development Plan review of a planned district, where the Commission would look at setbacks and neighborhood design guidelines to ensure the building pad configuration is adequate to accommodate outdoor hardscape, etc. That level of fine-grained review does not occur with a straight zoning district, such as this.

Mr. Deschler stated that if he has questions about the proposed location, he cannot see a proposed driveway that might indicate that.

Ms. Call stated that it is warranted to ask questions about driveways, because it does affect the build envelope.

Mr. Deschler stated that they are not shown on the proposed plan.

Mr. Boggs stated that this is the Preliminary Plat. The Final Plat will have more fine-grained details that would be dictated by the Preliminary Plat.

Ms. Call stated that at the Preliminary Plat review, the Commission could state that with the Final Plat review, it will be essential to have the driveway orientation and any other details that the Commission will need for that review.

Mr. Alexander stated that if there is information in this packet that leads a Commissioner not to support the way in which the site is divided, it can be pointed out. He assumes at this stage we can evaluate everything provided in the meeting materials and indicate that based on that information, we can or cannot support this.

Ms. Call stated that the response could be made a condition(s) for Final Plat approval.

Mr. Boggs noted that Code Section 152.021 requires that for disapproval of a Preliminary Plat, the Commission must specifically cite the Code section or rule that leads to that result.

Mr. Alexander stated that these questions impact whether he can support the way in which the property is subdivided. He inquired if the barn on the property that is intended to be razed has any historical significance.

Ms. Mullinax stated that she does not believe so. The intent is that the detached structures and tennis courts will be demolished. The single-family house will remain.

Mr. Alexander inquired the reason for the large amount of gravel currently on the site.

Jason Liu, 10279 Worthington Boulevard, Powell, stated that the reason he stockpiled gravel reserves on the site is for another land development project he has south of Bloomfield. Available gravel for that project is limited. He was hoping the project would start this time of the year. A truck entering a wet area would tear up the ground, so he took advantage of the winter season and frozen ground to stockpile the gravel and have it ready for construction.

Ms. Rauch stated that City Code Enforcement has received some complaints about the gravel stockpiles, and they are working through that Code violation process at this point. The gravel is not permitted on the site, as there is not an active building permit, which would permit the storage of building materials on the site.

Mr. Alexander inquired how the applicant established the proposed number of homes on the site. Mr. Liu stated that if he could have done a Bridge Park development, a 5-story condensed development; that would have been better for him. However, they are attempting to meet the criteria of the zoning on this land. Originally, they were interested in having a private, gated community, similar to Deer Run two miles north. City staff indicated that would not be permitted. They are attempting to maintain the private setting and keep most of the trees on the site.

Mr. Alexander inquired how the proposed plan responds to the existing house and size of the current parcel.

Mr. Liu stated that for this particular location, a 2,000 SF home would not make sense. He is interested in having a high-end, minimum of 5,000-6,000 SF house.

Mr. Alexander stated that there is significant manipulation of the contours of this property. Why is there the need to create walk-out basements in these housing units? They are raising the grade 10 feet in most of the houses. He has looked at the grading plan, the existing grades, and the existing build pad grades. On Lot #2, there is 10 feet difference between the grade currently at the front of the house. At the back of the house, the grades drop dramatically. In Lot #3, there is a 9-foot difference and the difference from the road below and to the right is 14 feet. That is just the building pad; the first floor will be elevated another 1.5 feet. On Lot #5, they are proposing to raise the grade 13 feet from what it is currently, and that is to the platform, not the first floor. When you look at the way the grades change on the site, and the difference from the build pad to the rear elevation, it is clear the desire is to create walkouts or have full exposure. However, what they are doing to the site is highly questionable. Why do they need to do that to the natural contours of the earth just to create walk-out basements?

Mr. Turnock stated that it is due in part to the public road extension; the transition downward is too quick.

Mr. Alexander stated that there is a 9-foot drop on that driveway to the house. That is what is created by the new grading plan. From the top of the new driveway to the existing roundabout is 9 feet. If you were not creating walk-out basements, you would not need to bring in all of this fill onto the property.

Mr. Turnock stated that the creation of the walk-outs is in response to the fact that there is such severe topography; not the other way around.

Mr. Alexander responded that is not the case. Comparing the current topographic survey and the distance between the contours on the front of the lot compared to the rear of the lot, the spacing between the contours is radically different. That suggests that the slope is more gradual in the front than it is in the back.

Mr. Turnock stated that it is due to the public road extension. With the existing grade, they can't extend from the existing road at same that slope. That public road extension is dictating the need for so much fill on the site. Because there is so much fill, the houses have to be much higher. They have proposed walk-out basements to break up that elevation.

Mr. Alexander stated that he understands his reasoning. However, what is the reason they are proposing seven houses on the site? If they had fewer houses, they would need less fill and they

could work more with the existing topography of the site. Mr. Alexander stated that the footprint of the proposed build pad is approximately 3,000 SF; the footprint of the existing house is 13,000 SF. It doesn't appear that the character of that house has much impact on the proposed development.

Mr. Turnock responded that his estimate of 3,000 SF was to give an idea of the size house that could comfortably fit on the build pads. They could be much bigger, and that is the desire.

Mr. Alexander inquired how they determined the siting of house #6.

Mr. Turnock stated that to the right is a sanitary easement; they placed the site up against that. In addition, staff requested that they increase the buffer between Dublin Road and the proposed pad as much as possible. Finally, there are some mature trees in that corner that they are attempting to preserve.

Mr. Alexander inquired if the proposed plan is subject to the Neighborhood Design Guidelines.

Ms. Rauch responded that it has to meet the Residential Appearance Standards; it does not need to meet the Neighborhood Design Guidelines.

Mr. Alexander inquired if those standards address how homes address the streets, i.e. the setbacks from the street aligning the home frontages.

Ms. Rauch responded that she believes in the Subdivision Regulations there are requirements about staggering the setbacks. She would check into that.

Mr. Deschler stated that he has reviewed the Code section Mr. Boggs identified earlier. He indicated that if the Commission were to disapprove the Preliminary Plat, they would need to identify the criteria that the proposed plat does not meet.

Mr. Boggs responded affirmatively. For example, one of the criteria is that if it is a subdivision with more than eight lots, no more than six lots in a row may have the same lot width. If the lots did not meet that requirement, Section 152.019 (B)(8), that could be cited as the reason for disapproval.

Ms. Harter inquired how large the private park near the river would be. Could it accommodate a group?

Mr. Turnock responded that it would be 15-20 feet in diameter, sufficient for a family gathering.

Ms. Harter inquired if the park is closer to the house or the treeline.

Mr. Turnock responded that it is right up against the trees.

Ms. Harter inquired if the intent is that someone will be residing in the existing house. Are any other uses of the home foreseen?

Mr. Turnock stated that it would remain a private home. It is on its own parcel.

Ms. Harter referred to the tree replacement waiver. She inquired if the tree replacement requirements could be met by the individual homebuilders with the associated landscaping.

Ms. Mullinax responded that the tree replacement requirements cannot be met by trees planted on single-family lots, because of the potential for a homeowner to remove the trees. A homeowner cannot be prevented from removing a tree on their lot.

Ms. Harter inquired if there is potential for replacing the trees in some way, so that a tree replacement waiver is not needed.

Ms. Mullinax responded that the applicant would need to replace the trees by placing them in the landscape buffer along Dublin Road; however, it would not be possible for them to replace 1,210

inches of tree caliper within that landscape buffer. A waiver is needed to reduce the amount of the requirement.

Ms. Harter inquired how often the City receives similar tree replacement waivers.

Ms. Rauch responded that it is rare, and there is criteria that Council considers, such as whether the applicant is demonstrating that they are trying to build on their site and preserve as many trees as possible. In the last year or two, the City has had one other request. The tree waiver replacement is strictly Council's purview, so the Commission does not evaluate the associated criteria.

Mr. Chinnock stated that this home site is an iconic site and an integral part of that area of Dublin Road. The site has significant impact on the character of Dublin Road. How does this plan enhance that area and help the character of Dublin Road by developing the site in this manner?

Mr. Turnock stated that he believes the proposed development is consistent with the rest of the lots within the area. It stands out, as it is now. The addition of the turn lane will add a safety feature to that area of Dublin Road.

Mr. Liu stated that there is a beautiful modern home located south of this site and a very traditional, larger house on the site, so they will be sensitive to the character of the neighboring homes when they build the house. The intent is to use stone, brick and wood building materials. He is confident Dublin will be proud of the result.

Ms. Call inquired if the meeting materials delineate the dimensions of the existing home.

Mr. Turnock responded that the dimensions are not shown on the plans.

Mr. Deschler stated that he believes the left turn lane here is not a good idea, as he does not see the safety aspects of it. There are numerous large subdivisions along Dublin Road where there are no turn lanes, such as Donegal Cliffs and Woods of Dublin, so why is it required here?

Ms. Rose responded that she would attempt to represent Transportation and Mobility, as no one from that department was able to attend this evening. She believes that after a fatal accident occurred at Glick Road, the City has pursued left turn lanes for safety purposes.

Mr. Deschler stated that widening that area and slowing traffic there might make the area less safe. He stated that he believes this proposal is premature.

Mr. Deschler stated that he does not believe the Commission has sufficient information to be able to make a recommendation for City Council. The addition of numerous conditions is placing City Council in a position in which they should not be placed. The Commission should ensure the issues are settled at this stage before passing it on to Council. If he needs to state, line by line, everything he believes is not satisfactorily met by the plat, he would attempt to do that. However, based on Mr. Alexander's questions and some of the homes being positioned without driveways and dimensions identified, he believes the Commission would not be exercising due diligence in recommending a preliminary plat with missing information.

Mr. Alexander inquired if staff dictated to the applicant where the entry point and curbcut to the development should be.

Ms. Mullinax responded affirmatively.

Mr. Alexander inquired if staff advised the applicant to move it from the current location.

Ms. Mullinax responded that staff had advised the applicant that the existing private drive could not remain a private drive; it would need to be replaced with a public street. She does not believe staff provided a specific location for that curbcut. She invited Engineering to respond.

Mr. Rose confirmed Ms. Mullinax's response.



## **Public Comments**

Rochelle Wagner, 7199 Dublin Road, Dublin stated that her property is diagonal to the target site. Mr. Liu has shared his plan with the neighbors. She would much rather have big houses than 10 smaller homes. She does not believe the neighbors have any objection to the proposed plan. It is a beautiful property. She is hopeful that as many of the trees be preserved as possible, perhaps some could be placed near the river. She believes the proposed building materials indicate beautiful homes will be built.

Douglas Sladoge, 7118 Dublin Road, Dublin stated that his property is adjacent to the south. Mr. Liu has kept the neighbors informed of his plan. There are a couple of things on which he disagrees with him, however. As Mr. Alexander pointed out, the elevation of the houses, particularly that on Lot #5, the one that would be next to his property, suggests it will be a 3-story house. With regard to the trees, there is a telephone easement on the east side of Dublin Road and an electrical easement on the west side of Dublin Road. Those prohibit extension of a walking path beyond this site. He believes a left-turn lane into Mr. Liu's property is needed, even if there are only seven homes on the site. During AM and PM peak hours, the traffic becomes quite difficult. He also is concerned about the 24-inch stormsewer that runs between the south side of Mr. Liu's property and the north edge of his property. That will create a significant problem running downhill. Mr. Liu has committed to working with him on that element. That area sits approximately 60 feet above the river. Finally, there are two cul de sacs in front of the house, the one in front of the existing house and the additional cul de sac that would be constructed. That will result in two parking lots in front of four houses. He believes Liu Trail should be shortened and moved up; that would result in a better watershed at that point. In summary, he believes there are some of the items that should be considered for the Final Plat.

Naethan Eagles, 49 Browning Ct., Dublin stated that his property is located north and adjacent to Lot #2. The meeting documents discuss moving the existing northern stormwater drainage up 30 feet toward the northern property line, which is his property. That entire area floods during heavy rains, particularly the area of Lot #2.

There were no additional public comments.

Ms. Call requested staff to respond to the north stormsewer drainage issue referenced in the last public comment.

Josh Reinicke, Engineer, stated that the applicant has indicated a desire to move the existing stormwater sewer on the north side of the property further north, because it would enable them to have larger building pads on Lots #1, #2 and #3. That is typically permitted with appropriate considerations given to impacts to adjacent properties, as well as impacts to the property being developed.

Ms. Call inquired what evaluation process is followed to ensure that moving the stormwater sewer would not negatively impact adjacent property owners. At what stage in the process does that occur?

Mr. Reinicke stated that would be addressed as the plat moves forward. Staff will continue to look at the grading plan. The applicant will provide engineering calculations that show what the current volume and impact of stormwater is with the proposed stormwater drainage and impact.

Mr. Garvin inquired where the liability lies if there is a mistake in those calculations, and one of the adjacent properties began to regularly flood as a result of this change. What would the recourse be?

Mr. Boggs responded that the liability would not lie with the City.

### **Commission Discussion**

Ms. Call stated that the Commission is asked to recommend approval of the Preliminary Plat with 13 conditions as proposed by staff. Commission members have expressed some concerns. She asked the applicant if they would like the Commission's deliberations to move forward, or if they would like to table the application for refinement and future consideration.

The applicant indicated they wished to move forward.

Mr. Garvin stated that Mr. Deschler's points about missing details on the lots is accurate. It is difficult for him to look at Lot #2 and envision exactly how that lot fits. While it may meet the criteria for lot lines, there are concerns about moving the stormwater drainage and the amount of land fill needed to raise the height of the building sites. The neighbor to the south has mentioned that he will effectively have a 3-story home next to him. There are rules regarding the size of the homes. It is difficult to approve the parcels if we don't know exactly how they will be used. He acknowledged that may be intended to be a future, Final Plat discussion. He would be inclined to recommend approval with the conditions as stated, but he would intend to take a much deeper look at the details in the next phase. He would expect the Commission to be very thorough at that point, which is where we look at the impact on the neighbors.

Mr. Deschler stated that if it is the City's determination that the left turn lane is warranted, then he has no objection. He understands there are obligations either determined by ordinance or the current City policy. He has no objection to the development of the property. However, currently, he does not have enough information to be able to make a recommendation to City Council. Without delineating the specific Code requirements not met, he would point out that the applicant has not provided the location and approximate dimension of all existing buildings. In addition, there are lots where there is lack of clarity. For those reasons, he would not vote to recommend approval of the Preliminary Plat.

Mr. Alexander stated that we have identified language in the Code that would support those Commissioners who are unable to support approval of the Preliminary Plat. He is not supportive of the plat, as proposed. He does not agree with the application of planning standards for this site with an existing home on the site that is nowhere close to those homes across the street, which do meet the planning standards that we want to apply. If this house did not exist on the site, the conversation would be very different, although he would still have issues with the topography. When we compare the building footprint and frontage of the existing home and the footprints and frontage of the potential homes, the scenario is that of creating a manor house and serf homes. The estates in Muirfield have addressed the issue correctly, where large houses, such as this, are set apart by themselves. In Muirfield, the larger estates are on one side of the fairway; the smaller homes are on the other side. The estates have a separate entry; the parcels are bigger and all the homes there are similar. He believes the applicant is creating a very awkward condition here by having one huge house and much smaller homes. It would be better for the site to add one or two other larger homes more consistent with the existing home. The applicant has also created a

problem with the proposed grading. They have indicated a need to build up the site to where the new road will be. The applicant chose to move the road and place the entry point at the proposed location. However, if they had left the entry point at its current location, they would not have the same issue. The proposed grading is insensitive, and the property owners to the north may really pay a price for what is proposed. There is Code language that clarifies his reasons for not being supportive of a recommendation of approval.

Ms. Harter stated that this proposal does not provide what the Commission needs to be supportive of recommending its approval. There are 13 conditions and a tree waiver needed with this proposal. Very few developments are approved if not meeting the tree replacement requirements. She would not be supportive of a recommendation for Council approval.

Mr. Chinnock stated that we need to take a look at what is happening further south on Riverside Drive, where they are taking large home sites like this and re-developing the sites. It has had a very negative impact on that environment. He does not believe this type of development is necessary here. If you are familiar with this area, you understand what is going on. These sites have so much character. This is a very nice piece of property. There are adjacent parcels for which we do not want to set a precedent to continue in the entire area. That area could not handle it. We can discuss road improvements, but what is proposed is too much for that area. When we look at what is right for the space, this isn't right, in his opinion. He would not be supportive of a recommendation of approval.

Ms. Call stated that she would echo most of her fellow commissioners' points. Ms. Harter has pointed out the tree waiver request. While that is not in the Commission's purview, we do look at sites in totality, and that sets the tone. When an application must have 13 conditions to make the proposal fit, it feels like forcing square pegs in round holes. According to the realtor's listing, the existing house on the site is 13,556 SF. The applicant has indicated that 3,000 SF homes could fit on the proposed building envelopes. City Code 152.018C(2) requires that the dimensions of the existing buildings must be identified for a Preliminary Plat. The Commission is not opposed to subdividing. We could look at this Preliminary Plat proposal again, but we will be sensitive to details. We will want to see the vision for how this property is treated to a more precise degree than what we can see right now. It is very hard to recommend approval of the plat for a property that has major existing trees, significant sewer easements in different alignments, some that must be moved; significant impact to street lanes; waiver requests for multiuse paths. She walks Dublin Road and it is not very pleasant when you have to cross the street a couple of times to access the walking path. While we would wish the City were financially able to install the complete trail system, we achieve that goal by doing sections of it over time. She also is not supportive of recommending approval of the Preliminary Plat at this time.

Mr. Chinnock stated that for the record, he is not supportive of the subdivision of this property.

She asked the applicant if he would like the Commission to vote or would like to table the application.

Mr. Boggs pointed out that if there is a vote, the Commission will need to provide Code citations. Ms. Call stated that the Commission would cite accordingly.

Mr. Deschler suggested that clarification be provided to the applicant about the differences, if any, in tabling and disapproval, including if there is a waiting period to re-apply and if a new application would engender new fees.

Ms. Rauch stated that if the Preliminary Plat application is not approved, the applicant would need to re-submit a new Preliminary Plat application. It would be starting over, so there would be new fees, but there is no wait period to re-submit. If the applicant should choose to table the application, however, there would be no fee to bring back a revised Preliminary Plat. It would continue to be an active application with no timeframe for submission of revisions.

Mr. Boggs read aloud the following Code requirement: "The disapproval of a Preliminary Plat by the Planning and Zoning Commission: If the PZC disapproves such preliminary plat, it shall enter in its minutes the reason for such disapproval, including citation of a reference to the rule or regulation violated by such plat. The subdivider may thereafter make such changes as necessary to conform the plat to the rules and regulations and re-submit the same as revised to the Commission for approval or disapproval, which revised plat shall processed within the times and in the manner provided in this section." That does not reflect a maximum time for the applicant but a minimum time for the Commission to prepare to have it on its agenda.

Ms. Call repeated the difference between tabling the current application versus receiving a vote for disapproval and needing to re-submit a new application.

Mr. Liu stated he acquired this property 2.5 years ago. Since then, he has worked with City engineering to meet the requirements, such as the need to change the name, which in turn was reversed, and a traffic study. He has worked with Engineering on every detail of the plat. If the Commission is opposed, he asks that they explain their reasons for denial. Originally, he attempted to develop the site with the original entrance, as there would be less disturbance to the site, including stormwater runoff and less impact on the trees on the site. However, City staff directed otherwise. He wants to be treated similarly to Deer Run, but he feels that he is being discriminated against. He has spent so much time and resources on this project. He asks that the Commission consider his record. All the property he touches ends up looking better. Some examples are J.Liu Dublin, Fox in the Snow and J.Liu Worthington. He extends effort to ensure the buildings are beautiful. If he builds something, he wants to leave a positive mark on the community. His interest in naming Liu Trail was to leave his mark on the Dublin community. Since he came to Dublin, he has always been supportive and a good Dublin citizen. He expects to be treated fairly, as well. He asks the Commission to reconsider and approve the project so it can move forward.

Mr. Turnock inquired if it is only through a vote that they can learn the citation for disapproval. If we table the application, could we also hear that reason?

Ms. Call stated that the Commission would cite Code for the reason for disapproval. She would highly encourage the applicant to provide more detail for the next phase. It is one thing to say the site can be platted; it is another thing to actually be able to build on the site. Even though this is the Preliminary Plat phase, the Commission is concerned about the build phase.

Mr. Turnock stated that they have done more than create a Preliminary Plat with this project. They have completed 80% construction documents, working extensively with the Engineering Department. They have held grading and stormwater discussions with Engineering staff. The level of coordination has been extensive, one that he would expect more in the final engineering stage. In regard to the resident's question about the stormwater swale on the north side of the property, as a professional engineer, he can say that they would be improving that situation. The existing

swale is shallow; they would improve the situation by deepening it and accommodating the level of drainage needed. This is just one example of the amount of engineering that has been invested to date.

Mr. Liu indicated that he would like to table the application with provision of the citations related to disapproval, so they can be addressed.

Mr. Boggs responded that would have been his recommendation, as well.

Ms. Call provided the following Code citations:

Section 152.018C(2) – requires providing of approximate dimensions of all existing buildings on the site.

Section 152.019C(3) – asks for the sidelines of all lots to be right angles to straight streets or radial to curb street lines. With the proposed plat, those are difficult to envision.

Section 152.09C(6) – requires varied setbacks. With the vagueness of building locations, we cannot see enough detail to see if this plat will work for a future building.

Potentially, Section 152.019C(5) – define corner lots, due to access for maintenance. If driveways are narrow, they cannot accommodate certain types of vehicles.

Mr. Alexander added:

Section 152.018C(7) – regards the contours and the slopes. Make sure the revised plan conforms to that Code section.

Section 152.019C(5) – lot width. Be sure that Lot #2 meets that requirement.

Mr. Deschler moved, Mr. Alexander seconded to table the application per the applicant's request with the provision of the Code sections as cited.

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

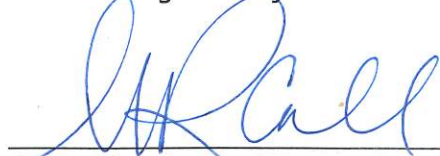
[Motion carried 6-0.]

## COMMUNICATIONS

There were no communications.

## ADJOURNMENT

The meeting was adjourned at 10:40 p.m.



Chair, Planning and Zoning Commission



Assistant Clerk of Council