



RECORD OF DISCUSSION

Planning & Zoning Commission

Thursday, July 11, 2019 | 6:30 pm

The Planning and Zoning Commission took the following action at this meeting:

- 1. PUD – Tartan Ridge Subareas D1, E, & F** **PIDs: 3900140580000, 4000140580020, 4000140581010, 3900140580020**
19-049CP **Concept Plan**

Proposal: Potential rezoning of 24 acres within the Tartan Ridge development to accommodate the construction of 56 single-family homes targeted toward empty-nesters and associated site improvements.

Location: On the east side of Hyland-Croy Road, north of the intersection with McKittrick Road

Request: Review and approval of a Concept Plan under the provisions of Zoning Code Section 153.066.

Applicant: Gary Smith, G2 Planning & Design

Planning Contact: Claudia D. Husak, AICP, Senior Planner/Current Planning Manager

Contact Information: (614) 410-4675, chusak@dublin.oh.us

Case Information: www.dublinohiousa.gov/pzc/19-049

RESULT: The Commission reviewed and commented on a Concept Plan application for the potential rezoning of 24 acres in the Tartan Ridge development to convert the currently permitted uses of commercial, townhomes, and single-family lots to small, single-family lots for an empty nester market. Most Commissioners supported the change in use, while others were concerned about losing the option of neighborhood serving commercial services. The Commission commented on the dense layout proposed for the site and the lack of integrated open space. The Commission requested the applicant uphold the architectural character and integrity of the established Tartan Ridge neighborhood.

MEMBERS PRESENT:

Victoria Newell	Yes
Jane Fox	Yes
Warren Fishman	Yes
Kristina Kennedy	Absent
William Wilson	Yes
Mark Supelak	Yes
Rebecca Call	Absent

STAFF CERTIFICATION

Claudia D. Husak, AICP
Senior Planner/ Manager of Current Planning





MEETING MINUTES

Planning & Zoning Commission

Thursday, July 11, 2019

CALL TO ORDER

Chair Newell called the meeting to order at 6:30 p.m.

PLEDGE OF ALLEGIANCE

Ms. Newell led the Pledge of Allegiance.

ROLL CALL

Commission members present: Ms. Newell, Ms. Fox, Mr. Supelak, Mr. Fishman and Mr. Wilson

Commission members absent: Ms. Kennedy and Ms. Call

Staff members present: Ms. Rauch, Ms. Husak and Mr. Hartmann

ACCEPTANCE OF DOCUMENTS

Mr. Fishman moved, Ms. Fox seconded, to accept the documents into the record.

Vote: Ms. Newell, yes; Ms. Fox, yes; Mr. Supelak, yes; Mr. Fishman, yes; Mr. Wilson, yes.

(Motion passed 5-0)

APPROVAL OF MINUTES

Mr. Fishman moved, Mr. Wilson seconded, to approve the June 20, 2019 meeting minutes.

Vote: Mr. Supelak, yes; Mr. Wilson, yes; Mr. Fishman, yes; Ms. Fox, yes; Ms. Newell, yes.

(Motion passed 5-0)

Ms. Newell stated the Planning and Zoning Commission is an advisory board to City Council when rezoning and platting of property is under consideration. For those cases, City Council will receive recommendations from the Commission. For other cases, the Commission has the decision-making responsibility, and anyone who wishes to address the Commission on any of the administrative cases must be sworn in. There are no cases on the consent agenda tonight, and the agenda order is typically determined at the beginning of the meeting by the Chair.

CASES

1. Tartan Ridge, Subareas D1, E, & F, 19-049CP, Concept Plan

Ms. Newell stated that this application is a request for the potential rezoning of 24 acres within the Tartan Ridge development to accommodate the construction of 56 single-family homes targeted toward empty nesters and associated site improvements. The site is on the east side of Hyland-Croy Road, north of the intersection with McKittrick Road.

Case Presentation

Ms. Husak stated that a concept plan is the first step with a rezoning to a planned unit development (PUD). The site is currently zoned PUD and consists of portions of three subareas. The applicant is requesting a rezoning of 24.5 acres to create a new subarea with unique standards that would apply to that subarea only. A concept plan is necessary because the proposed rezoning does not currently meet the Community Plan provisions, which are based on the zoning that was in place when the Community Plan was updated. The second step will be the rezoning, which will include a Preliminary Development Plan. Approval of a rezoning occurs by legislative action of City Council, for which Planning Zoning performs an advisory role. The third and final step is adoption of the Final Development Plan by the Commission.

Site

On the south of the proposed new subarea is McKitrick Road and one of the subareas within Tartan West that includes detached and attached condominiums. To the north is Glacier Ridge Elementary; to the east are Tartan Ridge subareas; immediately adjacent is the alley-loaded area in Subarea D1; on the west, is the Glacier Ridge Metro Park.

The Tartan Ridge development is essentially completed; there are few lots remaining. This particular subarea was included in the overall development for Tartan Ridge. The 2005 Tartan Ridge zoning included 68,000 square feet of commercial use, a fuel station permitted as a conditional use, and restaurant, retail and office. Fourteen years have passed since that zoning, and no application or inquiry has been made for any commercial development within the area. The other use permitted immediately adjacent to the M/I alley-loaded lots was 24 townhouse units. On the northern boundary, the street could be extended with six or more single-family lots permitted. The Community Plan was updated after Tartan Ridge was zoned and reflects the uses that were expected at that time, which includes lower density, mixed residential (3.0 units/acre) with a neighborhood retail center.

Proposal

The applicant is proposing to create a new subarea, taking everything that is remaining out of those three existing subareas and creating a new subarea for maintenance-free, single-family homes for empty nesters desiring to downsize but still preferring a high-end living environment. The site layout includes streets that were part of the original Tartan Ridge Plan as well as an access point on McKitrick Road to the south. The City is working with Union County on a roundabout at McKitrick and Hyland-Croy Roads, which the applicant has incorporated into their plan with the ample setback that is typical of Hyland-Croy Road. There are public street connections throughout the neighborhood. The applicant has provided conceptual drawings of the homes, which will be ranch and 1.5-story homes to provide primarily first floor living.

Architecture

There are a majority of front-loaded garages due to the lot sizes and widths, although there are possibilities for some side-loaded/courtyard garages. In the current development text for Tartan Ridge, there are significant architectural requirements and standards, which are not typical for any other development texts within the City.

There is no review criteria for Concept Plan reviews. They are similar to Informal Reviews, and therefore, discussion questions have been provided for the Commission. The applicant is seeking

feedback on the proposal to rezone the site to a new PUD to accommodate the proposed construction of 56 single-family homes and associated site improvements.

Commission Questions

Mr. Fishman inquired the size of the sideyard setback.

Ms. Husak stated that detail is not yet determined. However, in Tartan Ridge, the smallest setback is 6 feet. Tartan Ridge is divided into estate lots, village lots and more compact lots.

Ms. Fox stated that in the Tartan Ridge development text, the importance of setbacks and maintaining a rural character along Hyland-Croy and McKitrick Roads was emphasized. Is the setback approximately 110 feet, in addition to the 60-foot right-of-way from the centerline of the roadway?

Ms. Husak responded that the Community Plan currently requires a setback of approximately 100 feet from the edge of the right-of-way.

Ms. Fox inquired if that right-of-way begins at the centerline of the roadway and extends 60 feet.

Ms. Husak responded that the width of the Hyland-Croy Road right-of-way is 100-120 feet.

Mr. Supelak inquired if this proposed development would make a change in the 2005 master plan for the subareas that were not developed. If so, would the standards for those previous subareas be absorbed into a new subarea and ultimately, a new PUD?

Ms. Husak responded that the standards would not necessarily be absorbed. The standards currently in place for the three subareas that the applicant is asking to combine do not translate to the proposed development. The new subarea would be laid out similarly, however, with standards for setbacks for the rear and side yards and architectural standards.

Mr. Supelak stated that new subarea standards will be written for this new rezoned area. Will the rest of the Tartan Ridge standards remain in place for this development, as well?

Ms. Husak responded affirmatively. In the front of the development text are many standards that apply holistically across the entire Tartan Ridge development. Those standards will need to be updated, because as currently written, technically, they would not apply to this subarea.

Ms. Fox inquired if most of the standards in the original Tartan Ridge development would not apply to this new subarea and, if rezoned, the new subarea would not go before the Tartan Ridge architectural review committee. Many other items that were defined in the original Tartan Ridge PUD, such as setbacks, alley use, posts, etc., would not apply to this new subarea. Is that correct?

Ms. Husak responded that is not necessarily the case. Staff has worked with the applicant to include many of the details that make Tartan Ridge unique; for instance, the individual driveway columns and hedge along the rear of the sidewalk will be included in the new subarea standards. Potentially, setbacks could be different, as well as the standards for the garage location in relation to the front of the homes. The expectation is that the applicant would subject this architecture to the Tartan Ridge review committee. One item required in Tartan Ridge is a symmetry in the design of the homes; for instance, roofs are not allowed to overlap and forms of buildings must be distinct from one another. Staff would work with the applicant to determine if that requirement is feasible in this new area, as well as window and door placements.

Mr. Supelak stated that in the original 2005 master plan for Tartan Ridge, Baronet Boulevard extended through the development and connected to Hyland Croy Road; that roadway is not shown here. Is that determined by the City or the applicant?

Ms. Husak responded that is primarily determined by how the lots are laid out. Engineering had no objections to the road connection not being continued. They did express concerns with the close spacing of this intersection and requested that the intersection not extend all the way through. Washington Township Fire and Engineering had no objections to the proposed roadway layout.

Mr. Wilson stated that the commercial element is being eliminated in this proposed plan. Is there a nearby commercial area that can serve this neighborhood as it grows? If the demand is increased for the current commercial centers, there could be associated traffic issues. Is there any area to the north in the master plan that might alleviate that potential congestion?

Ms. Husak responded that there is no such site currently within the City of Dublin. The applicant can comment on the marketability of a commercial site in this location. Oak Park is experiencing a similar issue, and staff is working with them to convert their commercially zoned area to residential, as well. The closest commercial center to this site is in Dublin Green – Costco's, Aldi's, etc. Jerome Village to the north has commercial use included in their plans, but there are many more homes in that neighborhood.

Mr. Wilson inquired the reason for the different size lots, some narrower and some wider.

Ms. Husak deferred the question to the applicant.

Applicant Presentation

Kevin McCauley, Stavroff Land and Development, 6689 Dublin Center Drive, stated that their firm owns this property and has been involved with the Tartan Ridge development since the beginning. Over the last 10-14 years, they have met with various retailers focusing on what a commercial center in this location would need to survive. They have also been in communication with many residents over the years, whose greatest concern has been the potential retail that was planned for the future. They have worked on different plans, trying to meet everyone's objectives, but in all cases, the residents have strongly objected. There was also a market issue. During the 2009 economic downturn, retailers discontinued plans to expand into green sites, and limited their efforts to infilling current sites. When the market began to improve, the Jerome Village development occurred with plans for a large commercial center at U.S. 42. In addition, the new commercial development with Costco in Jerome Township drew the majority of retailers. The type of retailers they would be able to attract to this development would be limited, and there would be overwhelmingly negative input from residents. After much discussion, they believe the proposed plan will accomplish the best intent for this area.

Concerning the earlier comment about the lack of connection to Hyland-Croy Road, they have repeatedly heard from the residents that they do not want more cut-through traffic through their neighborhood. There are already three access points into the neighborhood of 225 homes; the residents do not want a fourth. In addition, there is a New Community Authority in place for the Tartan Ridge subdivision that allows them to charge back \$800,000 for infrastructure costs to the residents of Tartan Ridge. The residents in the neighborhood are already absorbing the costs of those three intersection improvements. The New Community Authority allows them to improve two more intersections, which would result in an additional \$800,000 in costs. The residents are not supportive of the additional intersections and are requesting that their New Community Authority costs be reduced. This proposal eliminates a cut-through and a potential of \$400,000 in additional infrastructure costs. It also eliminates the retail to which the residents overwhelmingly objected. They met with the Tartan Ridge HOA president, with a board member and several residents from Subarea 5 (the area that would be most impacted by retail), and conducted an email poll of the

Tartan Ridge neighborhood. They believe they have heard from the community as a whole that a commercial element is not desired. The neighborhood representatives who have seen the alternative proposal have responded positively. They appreciated the removal of the two potentially negative elements and the addition of an alternative single-story product in Tartan Ridge. This product also responds to the City's desire for more custom homebuilding in Dublin. Romanelli & Hughes is one of the best custom homebuilders in the area. The value of this product will meet or exceed the product that exists there today. It also will reduce the impact of the excessive amount of retail in the original plan (68,000 sq. feet) on the Tartan Ridge neighborhood and the surrounding area by replacing it with 56 residential units. The response from the community to their proposal has been overwhelming positive.

Commission Questions for the Applicant

Ms. Fox inquired when the poll of the residents occurred.

Mr. McCauley responded that the online survey was approximately 3 years ago, although there have been group meetings with residents, and most recently, a meeting with the HOA.

Ms. Fox inquired if this proposed plan was presented to the HOA.

Mr. McCauley responded that it was.

Ms. Fox inquired if it was the HOA's annual meeting, a large group of residents, or with only a few residents.

Mr. McCauley responded that they met only with the president of the Tartan Ridge HOA. They also met with the subset Tartan Ridge HOA for Subarea 5.

Ms. Fox inquired if the HOA president has shared this plan at their website.

Mr. McCauley responded that he is not aware of what communication the president has had with the neighborhood.

Gary Smith, G2 Planning and Design, 20 East Broad Street, Columbus, OH, architect for the applicant, stated that an important factor to consider along with the proposed site plan is the buyer profile. The people who are attracted to the Romanelli & Hughes' empty nester product are people from the Dublin area, who have raised their families and want to reduce their home maintenance responsibilities. They are very mobile, however, and often want to close their Dublin homes for six months and spend the remainder of the year in a second home located elsewhere. Consequently, they prefer to own a home in a community that is maintained for them. They are selling homes with significant equity and want to place it in another home that will continue to hold its value. Romanelli & Hughes is building a similar product in a number of locations; it has been very successful for them.

Mr. Smith indicated that this site layout meets the generous setback requirements for Hyland Croy and McKittrick Roads. That will be enhanced with a considerable amount of mounding and landscaping to screen the development and create a more rural appearance. There are a variety of lot sizes to give the community overall variety and to support a variety of Romanelli & Hughes products of different widths and depths. There are many different home layouts popular with their buyers, each of which may require a different lot size or depth. This will provide diversity in the community. Some of the homes have courtyard-style, side-facing garages. They have discussed with staff the potential for incorporating a variety of setbacks throughout the site to achieve the diversity requirements and maintain the overall theme of the Tartan Ridge community. For instance, a side-loading garage could be set closer to the street than a front-loading garage. They are also trying to incorporate many of the landscape cues from the Tartan Ridge community, such

as the hedge along the street and the columns alongside the driveways. They have and will continue to work with staff on the architecture to ensure that it is compatible for their product and with the rest of the Tartan Ridge community. There will also be an outside amenity area with a fireplace, grill and gathering area for the community. They will appreciate the Commission's feedback on the three discussion questions posed by staff.

Mr. Fishman stated these houses are small, and a front-loading garage would be dominant. What percentage of the homes would have courtyard garages?

Mr. Smith responded that no percent has been specified, but they do not envision a high percentage of courtyard garages. The anticipation is that, to some extent, it would be a buyer-driven decision. However, if the Board would prefer a maximum or minimum be defined, they do not object to having that discussion.

Mr. Fishman noted that they indicated there would be a 6-foot setback. With only 12 feet between the homes, that would mean a view of a large number of garage doors. He would like to have as many homes with courtyard garages as possible, as it would make a significant difference in the view from the street.

Mr. Smith agreed that it would help provide variety in the street view, which is the intent of varying the setbacks, lot widths and architectural styles. Diversity requirements are included in the architectural styles, consistent with the Tartan Ridge subdivision.

In response to Mr. Fishman's question, Mr. Smith indicated that there would be a minimum of 12 feet between the homes and the air conditioning units would be located behind the homes.

Mr. Wilson inquired about the open building design that was included in the packet.

Mr. Smith noted that it was a conceptual image of a park amenity.

Mr. Wilson inquired if the entire development would be connected to the surrounding trail system.

Mr. Smith responded that connections would be provided to the trail system along McKittrick and Hyland-Croy Roads.

Mr. Fishman inquired if the homes would have fireplaces, as he does not see those indicated on the conceptual drawings.

Jim Ohlin, Manager, Land Acquisition and Development, Romanelli & Hughes, 7077 Sandimark Place, Westerville, Ohio, stated that Romanelli & Hughes was invited by Kevin McCauley and Matt Stavroff to provide the services of a high-end custom homebuilder. Their design process begins by looking for a theme for the community itself. Their current renderings show a stone and stucco theme throughout the community. As a custom homebuilder, they provide examples of the styles of homes that could be built, but every home will be individually designed. As a result, the homes in this community will be the product of Romanelli & Hughes working with the homebuyers. Fireplaces are an option in the homes. Most of the homes in this empty nester community will be 1,800-2,500 square feet on the first floor, and all of the homes will have basements, most of which will be finished. An upstairs bonus room is an option, as well. Staff emphasized the need for architecture diversity, and they have attempted to provide examples of what they have done. In regard to the number of courtyard garages, approximately 25 courtyard garages could fit within this community, many of which would be 3-car garages.

Ms. Fox stated that the original Tartan Ridge plan called for a village-type setting. This plan departs from the opportunity to create that village-type setting and takes another direction. Was any consideration given to adhering to the original concept?

Mr. Smith responded that this concept does not completely depart from a village-type setting. There will be gridded streets and high-quality architecture consistent with the overall Tartan Ridge community. This product would add to the diversity of the community and attract the empty-nester buyers, who will interact with the other residents and be a part of the village. What will be lost is the commercial element and a couple single-family homes and townhomes. Those townhomes departed as much from the village setting as the proposed homes. This plan does retain the residential use, which is what fits with the rest of the Tartan Ridge community.

Mr. Wilson inquired if the streets and driveways would be concrete.

Mr. Smith responded that the streets would be asphalt with concrete curbs. The driveways would be concrete or pavers, but that item is not yet determined.

Mr. Wilson inquired if there is a hedge and monuments at the front of the lots.

Mr. Smith responded that in the Tartan Ridge community, a hedge lines the back of the sidewalks in front of the homes. That theme will be continued in this development, making it consistent with what already exists in Tartan Ridge.

Mr. Wilson inquired if this feature would be maintained by the association.

Mr. Smith responded that all of the mowing and maintenance of the open spaces will be the responsibility of the homeowner association. The only outdoor maintenance that homeowners would be responsible for would be that of their small garden spaces.

There was no public comment.

Commission Discussion

Ms. Newell requested that the Commissioners respond to the discussion questions posed by staff.

Ms. Fox stated that the Tartan Ridge development was an intensive, well-planned concept. The individuals who purchased homes in this development likely anticipated that it would be completed according to its original design. It would be helpful to know what the majority of the existing homeowners think about the proposed change in that design. She is supportive of the conversion of townhomes in the commercial area into single-family ranch homes for empty nesters. Dublin is looking for a variety of housing. One of the most attractive features in the Tartan Ridge community is the sense of a village. She is within the empty nester age group, and would be interested in moving only to something that provided a walkable, village setting. She would want the view from her front door to be that of a beautiful courtyard or village setting. In this layout, everything is immediately adjacent to the other. It is not unique or different in any particular way; it looks like the trending, empty nester home that is being built everywhere. She believes there is opportunity to offer so much more than this. The layout and design are not harmonious with what was designed in the original Tartan Ridge PUD, which was a unique and attractive design. More seniors would be attracted to houses designed similar to that. She could not support a plan like this, because it would devalue the uniqueness of the rest of the development. Most importantly, the Community Plan states that in every new development, the opportunity for a live, work and play area be considered. Retaining the opportunity for mixed uses in this location could attract some small-scale retail. She has strong hesitation about moving away from the original development plan, because it is becoming increasingly popular to have mixed uses. She understands that some of the residents have expressed concerns, but mixed uses can be achieved in an attractive manner. Even if the applicant is convinced that mixed uses are not appropriate here, she is not sure this is the right design.

Mr. Fishman stated that he agrees with some of Ms. Fox's comments. However, he strongly supports "down zoning," so if it can be verified that the neighbors do not want a commercial element, he would be supportive of eliminating it. Rather than situating the detention pond in a corner of the community, could the plan be redesigned to use the water as a central focus within the community? He has no objection to the proposed architecture, although he also would like to see paver sidewalks and driveways and elements that create a village appearance. This plan appears to have focused on achieving as many houses as possible on the acreage. In essence, he would prefer a more village-style community with the detention pond located more centrally within it. It might be possible to leave a small commercial piece in the plan. Overall, he is supportive of this concept, but with a more creative and attractive layout than the typical vertical/horizontal street grid packed with houses.

Mr. Wilson stated that he appreciates the efforts the applicant has made to acquire the community's initial feedback on the proposal. The plan is currently in the preliminary stage. As it moves forward, will neighbors be notified of the project and their opportunities to provide input? The proposed rezoning seems to be consistent with the input received to date from the neighbors in the surrounding area. He has no objection to rezoning the site to an empty nester residential community. Jerome Village to the north will provide a nearby commercial area in addition to the existing commercial opportunities in the area. The development seems to have been enriched on the perimeter with the lake on one side and a community gathering area on the other. Perhaps it could be enriched within, as well, by adding small gathering spaces with benches, landscaping and interesting features for the residents to stop and enjoy, especially since the HOA will be maintaining the outdoor spaces.

Mr. Supelak stated that although Commissioners agree that having a small retail shop, such as a UDF, on the corner is the right touch, finding the right partner for this location would be very difficult. The originally proposed retail center was substantially larger. With the other developments in the area that will have commercial elements, it would be difficult to attract the right commercial partners in this location. Consequently, he is supportive of rezoning this site to replace the commercial use with residential, especially if that is consistent with the residents' preferences. He can appreciate that from the business perspective, it makes sense to put as many homes as possible on the site; however, the site layout is much too compact. Homeowners are not going to want to concede their entire front yard for a driveway that enters and turns out again. The Tartan Ridge community has standards that limit the number of forward-facing garages. The change between the community proper and this subarea would be noticeable. He concurs with the suggestions to use the detention pond differently, lay out the streets differently, reduce the number of forward-facing garages and concede a few lots. Those changes would ease the cramped impression, and the proposed development would become more consistent with the existing community.

Mr. Fishman stated that the applicant has made a good effort with this concept plan. He believes that the 25 potential courtyard garages should be required, as well as paver driveways and walks, elimination of a few lots, and using the water feature creatively. He is supportive of the type and quality of the housing; however, it needs to look more like Dublin. He encouraged giving it a more village feel; curved streets are much more attractive than parallel streets with packed housing. He urged them to make the community appear unique and special.

Ms. Newell stated that she is supportive of rezoning this area to a PUD. She believes the design is harmonious with Tartan Ridge if the setbacks are staggered within the site, as the applicant has indicated. This architecture character does need to be reflective of what already exists in Tartan Ridge, which is a unique development within the City. The architecture also needs to reflect that uniqueness and individuality. In regard to the size of the lots, these are comparable to other empty nester developments. Having 12 feet between the homes is greater than some of the other empty nester communities that have been approved. In regard to the loss of retail, there are some neighborhoods with a mix of retail that have not proven to be successful long-term. One of those is Indian Run Meadows; the businesses in that commercial area experience frequent turnover. While she understands Ms. Fox's support for retaining a retail use, she also understands the reason residents do not want that mix within their neighborhood. Where retail uses have existed, they have struggled and, ultimately, some have become offices rather than retail establishments.

[Ms. Newell noted that Ms. Fox expressed her apologies for departing the meeting early to attend a Special City Council meeting.]

Mr. Smith stated that they have received beneficial feedback from the Commission. They will review and consider the suggestions made and return with a responsive application that is mutually acceptable.

VII. ADMINISTRATIVE UPDATES

1. Historic Dublin – ARB Code Amendments & Historic Dublin Design Guidelines

Ms. Rauch stated that over a year ago, City Council directed staff to remove the historic districts from the Bridge Street District, making the historic districts stand-alone districts with their own standards. Staff has undertaken an amendment to the Code to achieve that, as well as an update to the Historic District Design Guidelines. This has resulted in some modifications to the boundaries of the Historic District. The intent is to retain the existing standards to the extent possible. ARB conducted its first review of the amendments at a Special Meeting on July 10, and staff is preparing responses to their comments. Public input sessions are being scheduled during the next couple of weeks. If desired, links to the draft documents can be shared with Commissioners. Tentatively in August, PZC will see the proposed amendments in a formal review capacity and, ultimately, make a recommendation to Council for adoption.

2. Bridge Street District – Code Amendment & Design Guidelines

Ms. Rauch stated that in 2016, City Council and PZC held a joint work session to identify desired changes to the Bridge Street Code. Those identified were to the Historic South District, existing commercial signage, and an overall update to the Bridge Street Code. An extensive review process has occurred including the consultant and stakeholders within the District, and a Bridge Street Code update and accompanying guidelines have been drafted. A final document accompanied with graphics will be prepared, public input sessions will follow, and ultimately, the Commission's review and recommendation to Council.

Mr. Fishman inquired the northern boundary of the Bridge Street District.
Ms. Rauch responded that it is I-270.

Mr. Fishman inquired if that would be the boundary on both sides of the river.

Mr. Rauch responded affirmatively.

Ms. Husak noted that the Bridge Street District is comprised of 1,100 acres, approximately 6 percent of the City.

3. 2019 Council Goal – Upgrade of Building Materials

Ms. Rauch stated that at Council's 2018 Goal Setting Retreat, Council identified the need to obtain input on its Residential Appearance Code from other communities regarding their process and material preferences. Staff has conducted that research and provided information to Council outlining Dublin's requirements versus that of other communities. That information was discussed at this year's Goal Setting Retreat. Council directed that it be provided to the Commission to determine if it meets the City's standard or if it should be updated and, if so, what items should be considered. The City's current Residential Appearance Code was provided in this meeting packet along with a summary of how it is applied. Much of the City's newer development texts supersede the Appearance Code, which provides minimum standards for development.

Ms. Husak stated that examples of single-family homes that have been built per the City's Residential Appearance Code also could be provided to the Commissioners. One example exists on Brand Road and another on the previous Maurer property at 7451 Dublin Road. While the Residential Appearance Code provides baseline standards, the Tartan Ridge development text has the most detailed development standards. If desired, illustrations and photos could be provided to assist the Commission in its review.

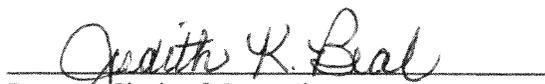
Ms. Newell responded that having illustrations and photos is always helpful, which is why they should be included in PUD texts. Words alone do not always convey the desired message. The Residential Appearance Code is not included in her OneDrive packet. She and Mr. Wilson have had issues with their OneDrive information not updating appropriately.

Mr. Wilson suggested that it would be helpful to have examples of the neighborhoods in which the Residential Appearance Code has been applied. Commissioners could visit those neighborhoods to view them.

Ms. Newell suggested that the Residential Appearance Code could be scheduled as an agenda topic for the next PZC meeting.

The meeting was adjourned at 7:50 p.m.


Chair, Planning and Zoning Commission


Deputy Clerk of Council

RECORD OF PROCEEDINGS

Minutes of

Dublin City Council

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

March 19, 2007

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Held

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Vote on the motion: Vice Mayor Lecklider, yes; Mr. Reiner, yes; Mr. Keenan, yes; Mayor Chinnici-Zuercher, yes; Mr. McCash, yes; Mrs. Boring, yes.

Vote on the Ordinance: Mr. McCash, yes; Vice Mayor Lecklider, yes; Mr. Reiner, yes; Mrs. Boring, yes; Mayor Chinnici-Zuercher, yes; Mr. Keenan, yes.

Ordinance 14-07

Requesting Approval to Change the Name of Scherers Place to Laser Lane in the City of Dublin, Ohio.

Ms. Brautigam stated that staff is requesting Council postpone this ordinance. Staff had devised a name, but in checking with Franklin County, it was already in use. Staff will bring a proposal back on April 9.

Mr. McCash moved to postpone this item until April 9.

Mr. Reiner seconded the motion.

Vote on the motion: Mrs. Boring, yes; Mr. Keenan, yes; Mr. Reiner, yes; Mayor Chinnici-Zuercher, yes; Vice Mayor Lecklider, yes; Mr. McCash, yes.

Ordinance 15-07

Accepting the Updated Estimated Average Per Acre Value of Land for Park Fees in Lieu of Land Dedication.

Mr. Hahn stated there are no changes subsequent to the first reading.

Wallace Maurer, 7451 Dublin Road stated that in Exhibit B, page 2, paragraph 2, line 5, the word "principals" should be "principles."

Vote on the Ordinance: Mayor Chinnici-Zuercher, yes; Mr. Keenan, yes; Mr. Reiner, yes; Mr. McCash, yes; Vice Mayor Lecklider, yes; Mrs. Boring, yes.

Ordinance 16-07

Rezoning Approximately 189.57 Acres Located North of the Intersection of Hyland-Croy and McKitrick Roads, Bordered to the East by Jerome Road and to the North by Brock Road, From R, Rural, To PUD, Planned Unit Development District. (Tartan Ridge - 9756 Hyland-Croy Road - Case No. 05-183Z)

Ms. Husak stated that this ordinance was introduced at the March 5th Council meeting. This presentation will focus on the changes the applicant has made in response to the discussion at the prior meeting. The plan for this development includes various housing types, large open spaces and a limited commercial area in the southwest corner of the site. The housing consists of seven different single-family home types and 24 townhouse units in four buildings. Active parks are proposed throughout the site and passive open spaces are primarily located along the scenic road setbacks. The neighborhood commercial area proposed consists of 68,500 square feet of space that could be utilized for office, retail and restaurant space. In discussion of the commercial area, Council identified the following issues: (1) the importance of this area to be pedestrian oriented and accessible to bicycles; (2) the proposed location of the gas station; and (3) development text language requiring night sky preservation. Council also discussed the potential viability of the neighborhood commercial area.

The applicant has submitted a revised development text that addresses the issues.

1. The conditional use language on page 46 has been revised to include language stating that the gas station/convenience store will be located in the area depicted in the preliminary development plan, which is located along Hyland-Croy Road with a 200-foot setback.
2. The text has also been revised to require a minimum number of bicycle parking spaces, based on the number of parking spaces provided for vehicles.
3. The language regarding lighting requirements was also changed, deleting a reference to the Dublin Lighting Guidelines to state that night sky preservation is required. Planning will continue to work with the applicant to devise a lighting plan for this location, which is near homes and the Metro Park. That will be finalized during the final development plan phase.

The applicant is prepared tonight to address the viability of the neighborhood commercial proposal. At their February 1 meeting, the Planning and Zoning Commission voted to recommend approval of the rezoning with 11 conditions, which are noted in the Record of Action for that meeting.

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Ben Hale, Jr., representative for the applicant stated that Charlie Driscoll, Edwards Land Company, is present to respond to Council's questions. Also present is Robin Lorms, a commercial consultant hired by the applicant to ensure that the proposed commercial area is a viable commercial development. One of the factors Mr. Lorms considered is the amount of available commercial area west of the river. As part of that, he reviewed vacancy rates. Out of 1,300,000 plus square feet, he found 2,000 square feet of vacant space, which translates into an occupancy rate of 99.973%. Essentially, there is 100 percent occupancy of commercial space. Mr. Lorms has accumulated some statistics, which should help Council to understand that this would be a very viable and successful commercial development.

Robin Lorms, principal with Integrity Resources, Crown Park Court stated that he has been asked to render an opinion regarding the potential viability of a proposed retail development at Hyland-Croy and McKitrick Road. Their practice specializes in retail development, market analysis and market research. One of the first steps they took was to review the occupancy levels of shopping centers west of the Scioto River to determine the supply/demand relationship. They focused on community and neighborhood type of developments, including: Avery Square with Kroger, Perimeter Square with Giant Eagle, the Shoppes at Athenry, Shawnee Square, Northbridge Village Square and Karric Square. During the first round of analysis, all the space was occupied except one store. Subsequently, a bigger space became available in the Perimeter Square and another in Avery Square. The overall market is 98 percent occupied, which is very good. A healthy ratio would be 93-94 percent occupied. They then reviewed some demographic studies within the following polygon: Post Road on the south, Hyland-Croy Road to the west, Brock Road to the north and the Scioto River to the east. Within those borders, there are approximately 26,000 people. A healthy ratio of retail space is around 28 square feet per capita. That calculates to a need for approximately 800,000 square feet of retail space. They then evaluated the content of the shopping centers and discovered that Dublin is far below the recommended commercial space. He described several existing examples of 800,000 square feet of retail. In the western section of the City, there was no retail planned between the existing retail at Avery Road and Post Road and that planned for Jerome Village. That area is experiencing tremendous population growth, and additional growth is planned. His conclusions were that this site is not only viable, it would also enhance the quality of life for the existing developments and those proposed.

Mr. Reiner inquired if Mr. Lorms made any observations in regard to the east side of the river.

Mr. Lorms responded that he has looked at different submarkets in Franklin county --one is the east side of the river and the Sawmill Corridor. That area has a vacancy rate of 13 percent. However, the Dublin Village Center is included in that database and is a center that is no longer viable. The Village Square is also at risk, maybe a couple of others. When those are eliminated from the equation, the occupancy is in the low 90th percentile. Some of those developments should be subjected to an adaptive re-use study at some point in time.

Mr. Keenan stated that although reviewing that particular area may not have been the initial charge to Mr. Lorms, it is interesting to hear his opinion regarding Dublin Village Center. This situation is part of the reason for Council's reticence to approve additional retail development.

Mr. Lorms stated that Dublin is a beautiful community; it is well-planned. People in the retail business, especially those from out of town, notice immediately the visibility and signage that H.H. Gregg and Whole Foods have. Those are the necessary fundamentals for retail. The problem with Dublin Village Center is that, although aesthetically it is pleasing, there is no visibility.

Mrs. Boring stated that when Michael's was forced to leave that center, they did not want to leave that location.

Mr. Keenan responded that he was interested in hearing the views of someone who is well known for their expertise in the area of retail development.

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Vice Mayor Lecklider inquired his views about Perimeter Center, which is virtually full, although it is situated behind gas stations, banks and fast food restaurants. In addition, there is no signage for it on Avery-Muirfield Road. Why is this so successful?

Mr. Lorms responded that it is due to the issue pointed out tonight – there is pent-up demand for retail on the western side of the river.

Vice Mayor Lecklider stated that it is not then entirely a signage-related issue.

Mr. Lorms responded that it is part of it. There is an anchor tenant, Giant Eagle, which is a draw to the center. There is also a regular, sustainable patronage of customers who live in that area and shop in that area. The Sawmill Corridor is a regional location, with customers coming from Upper Arlington, Worthington and beyond. Anchor tenants in the Sawmill Corridor demand and receive a lot of visibility and signage. The retail at Avery Road and Post Road is a community center.

Mrs. Boring stated that there are many communities that do not have extensive signage, yet they have a draw to regional centers. For example, in Raleigh, North Carolina, the Lowe's store has poor visibility, yet good business volume.

Mayor Chinnici-Zuercher inquired if Mr. Lorms' formula takes into account the type of commercial development. Presumably, it is not based entirely on square footage and population but dependent upon a business that is of sufficient interest to the residents. Mr. Lorms responded that is absolutely true. It is analogous to the hotel industry. For example, a healthy occupancy rate for hotels is 70 percent. If an interchange study is conducted and the results indicate that the hotels have a 60 percent occupancy, the conclusion could be that there is not enough demand for another hotel. However, if all of those hotels are an older format hotel, three to four newer format hotels could come in and achieve a 90 percent occupancy. It is the same with a retail business. The right retail, right configuration and right mix of tenants can achieve great success in an area with 15 percent vacancy. It is possible to build a new center and achieve 100 percent occupancy because the other retail is not meeting the market demand.

Mayor Chinnici-Zuercher stated that Council's concern is with having another center with issues such as the Dublin Village Center.

Mr. Hale stated that is a legitimate concern. If this Tartan Ridge center is built, will it take tenants from another center and leave that center empty?

Mr. Lorms stated that is a valid concern. If there is a market with 500,000 square feet of space of which 100,000 square feet is vacant, and the trade area can be defined concisely, the vacancy is probably due to over supply. Adding more generic space could present a problem, unless it was for a very unique product or a missing niche. In the subject case, there is no space and everything is full. The simple formula is if the supply is full and the demand is growing, if the space is well done, well designed, and well located in the midst of existing population, then from whom would the new retail extract business? In this case, there is no other retail in the area.

Mrs. Boring stated that she does not understand how the Sawmill Road regional retail relates to this discussion. Aside from that, she does not want to see any retail drawn away from the community retail area located at Post and Avery Roads, even though some customers may need to drive more than a few minutes to access it. If three additional retail centers are added to the equation -- Jerome Village, Oak Park and Tartan Ridge -- how do the numbers compare?

Mr. Lorms stated that even with three additional retail centers added to the database, with the population growth anticipated, the City will continue to be under-supplied.

He clarified that with the Sawmill Road example, he was attempting to respond to the distance factor – the distance between Henderson and Reed roads to Powell retail would equate to the distance between Jerome Village and the Avery/Post Road retail.

Mr. Hale stated that the applicant has been working with staff on a final development plan for a portion of this site; that should be completed within a few days. The first phase will be built around the park because it is exceptionally important to the development and extends to the school. A road will be constructed and extended to the school.

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Kimberly Clavin, 7667 Brock Road, Dublin stated that most of her points are recorded in the public comments section of the Planning and Zoning Commission minutes.

However, she would like to emphasize the following points:

- (1) The entryway. It would make more sense to line up the Tartan Ridge entryway to make it fully aligned with Jerome Village. The present location isn't feasible, as there is only 530 feet between the two -- not enough for two left turn lanes. Vehicles will be at risk for a collision. They requested that the plan be revised to address that, but it remains unchanged in the plan before Council.
- (2) Water. There are drainage tiles throughout the field where they plan to build upon. When they presented their concerns at the Planning and Zoning Commission meeting, the developer indicated that they were aware of the issue and had some plans to address the issue. However, the residents have not seen any plans and are concerned. The developer did indicate that if any of the neighboring properties were impacted in the future with water problems, they would remedy those situations. But the neighbors are not comfortable with that statement. How long would it take before evidence of a problem is seen, and then how much longer to address it? Presently, following a rain, there is a lot of standing water in that field. In addition, part of that water is septic. There are 15 neighboring homes on septic systems and wells, and some of the systems are leaking. There will be some water purification needs. She had heard that the stormwater drain-off is intended to drain into the pond, but it would not be wise to have septic water draining into the ponds.
- (3) Utilities. No utilities have been planned for the 15 homes in that vicinity, which currently have well and septic systems. They would be interested in tapping into City water/sewer lines.
- (4) Retail. At the Commission meeting, the residents inquired why the retail is being planned for the southwest corner, rather than the southeast. The neighbors want to preserve the look of Glacier Ridge Metro Park, which is one of natural beauty. Coming over the crest of the road on Hyland-Croy in front of Glacier Ridge, one sees Glacier Ridge on the left and now will see retail on the right. It would be more appropriate to place the retail on Jerome Road. The plans are to widen both Hyland-Croy and Jerome Roads to 80 feet, so they would be able to handle a similar amount of traffic volume.
- (5) Convenience store. Surely, the Tartan Ridge people are not happy about the proposed convenience store immediately across the street from large, expensive single-family homes. In addition, two other retail centers are already planned for this area. Jerome Village has an entire city planned, with a significant amount of retail. There is no need for retail on this corner immediately across from the Metro Park. The residents want to preserve the natural look of the area.
- (6) What are the plans to eliminate the "eye sores" -- the water towers, construction dumpsters, etc.

She noted that the revisions to the retail area seem to indicate that the parking has been changed to make it more parking friendly. That is much appreciated.

Mr. Reiner inquired about the leech fields and septic systems. Did the applicant purchase the back portions of the properties? Is that why the leech fields are protruding into the applicant's property?

Ms. Clavin responded that her neighbor would be able to respond to that.

Greg Theodore, 7651 Brock Road stated that all the stormwater run-off in that area flows to Brock Road, and most of it across his back field. The proposed entry to this development from Brock Road is along the edge of his back yard. The developer plans to take part of his yard for that entryway. Unfortunately, this land is part of the flow path. There are two major retention sites for all of that area along Hyland-Croy Road. Last week, the field was a river. All the leech beds in that area drain into the water flow and into that field -- right into the proposed entryway from Brock Road.

Mr. Reiner stated that, hopefully, the ground is absorbing it.

Mr. Theodore responded that it typically does, but when the ground is frozen, the water coming from the leech beds flows across the ground.

Mayor Chinnici-Zuercher stated that it is her understanding the issues were addressed at the Planning and Zoning Commission meeting, but she would like Mr. Hale to respond, as they seem to be significant.

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Mr. Hale stated that they had a private meeting with the residents, which their engineer attended. They also had meetings with the Union County Engineer. As a result, the plans for the access road have been lined up with the Jerome Village entryway. Also, they have evaluated the site carefully in context with the surrounding area, and their engineer has identified two inlets that are bringing in the water. He has also calculated the volume of water flow, and the pipes are being sized sufficiently to pick the water up and transport it into the pond system at the same rate as occurs today. The neighborhood meeting was very beneficial. The residents were able to sensitize the developer to some things they believed were occurring on their properties. Their engineer has preliminarily reviewed that drainage and has assured the developer and the residents that the pipes will be sized sufficiently to remove the water at a reasonable rate. In compliance with the Dublin Code, they will also clean the stormwater before it is released from their site.

Mr. Reiner stated that this is a tiled farm field, which appears to have functioned well for the farmers. Does the developer intend to intercept that water along the property line with a swale system?

Mr. Hale responded that their engineers have identified two inlets that are the source of the problem, and according to the topography maps, they appear to be the only cause. However, the neighbors have stated that they believe the water is coming from more than those two inlets. Therefore, the developer has agreed to investigate that question further. Regardless, there will be sufficient storage on the site to hold that water, and they believe they have sized the pipes sufficiently to remove the water. If not, they will increase their size. Although their preliminary development plan indicates that they will be able to handle the water runoff, they are required to complete a full stormwater review in conjunction with the final development plan.

Mayor Chinnici-Zuercher referred to the neighbors' request to tap in to the City water and sewer lines. Will this be set up so that they can tap in, if they so choose?

Mr. Hale responded that with the water tank located in this area, there is sufficient capacity. They have informed the neighbors that the first step for them would be to annex to the City of Dublin. They have offered to facilitate that for the residents at no cost. If all the neighbors would agree to the annexation, the developer will take care of the costs of the annexation application on a one-time only basis. If annexed, they would be able to tap into the City's water and sewer lines.

Mr. Reiner inquired if the developer has addressed the effluent issue. The water is "sheeting" toward this new subdivision and it is carrying effluent. How would the City's water purification requirements address the effluent?

Mr. Hale stated that there are some water issues on the individual properties. They anticipate the problems will improve with the over-sized pipes. Presently, some of the water is being blocked from draining. Sheet flowing is a sign of a back-up. Hopefully, their septic systems are functioning, but the residents would be welcome to tap in upon annexation. However, their studies do not indicate that they are receiving much effluent. Most of the houses are set far back from their property lines. In addition, there are intervening ponds that help to clean it.

Mr. Reiner stated that the stormwater management of this plan is extremely important. When these houses are constructed, the developer should pay particular attention to the plans. Council does not want to have the residents coming to the City in 5-7 years with complaints of water ponding in their yards.

Mr. Hale agreed. However, there are clearly broken tiles on the site that appear to have been broken for some period of time.

Mayor Chinnici-Zuercher clarified that the Oak Park retail will be comprised of small shops, similar to the plans for this development. She is not aware of any big box type retail planned in Jerome Village. Perhaps that is located on a site much further south, where a property owner is interested in pursuing zoning for big box retail through Jerome Township.

Mr. Hale responded that another big box retail development has been zoned to the west of US 33, north of Post Road on the Skilken property. Jerome Village has a portion of big box retail in addition to the neighborhood retail, but it is a long distance from the Tartan Ridge development.

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Mayor Chinnici-Zuercher stated that she did not have the map in her materials that shows the driveway realignment.

Ms. Husak stated that Council received the same packet that was provided to the Planning and Zoning Commission in regard to the preliminary development plan. The plan that Mr. Hale referred to was shared with Planning staff in conjunction with the final development plan that they have been working on. It is not part of these materials. Ms. Husak added that the realignment was addressed by Condition #7 in the Record of Action, regarding "access coordination."

Mr. McCash requested clarification regarding the phasing of Subarea F. The intention is to create some sort of architectural edge for Subarea E, the other townhome component. However, as it reads, the gas station and the coffee shop could be built there and it would create the necessary architectural edge. Or is the intent actually to develop the two buildings that are closer to the entry?

Mr. Hale stated that it is the intent. It would be unusual to build it all at one time, unless there were tenants, but most of the infrastructure would be constructed up front.

Mr. McCash stated that he recognizes that, but the text reads that the gas station, coffee shop and other components on the northeast corner would be built, but the adjoining Subarea E retail may not be built for several years down the road. At that point in time, there could be issues with the property owners when that is submitted for final development plan approval. The intention was to build the retail along with the residential structures, but that is not reflected in the text on page 50, paragraph M. The coffee shop and car wash have no direct connection to any of the residential components there from a buffering standpoint,

Mr. Hale stated that what they were trying to convey is that by committing to 32,500 square feet, they were making a substantial commitment for the first phase. The question is in regard to how much architecture is necessary to make it a reality for the residents; 32,500 square feet of building development should be sufficient.

Mr. McCash noted they could then have a CVS and a gas station.

He noted that the concern is to avoid having the retail back up against the residential area, such as the "Shoppes at Athenry" situation.

Mr. Hale responded that he discussed that situation with Mr. Driscoll, and he has indicated that he would be willing to agree that the townhomes would not be constructed until the first phase of the commercial component has been built.

Mrs. Boring inquired about the square footage of the Shoppes at River Ridge.

Ms. Husak responded that it is 105,000 square feet.

Mrs. Boring inquired the square footage of the Mary Kelley's area.

Ms. Husak responded that it is approximately 40,000 square feet, which includes the UDF and the daycare center.

Mrs. Boring inquired the number of miles between the Jerome Village shopping center and the proposed retail center.

Ms. Husak responded that they are approximately five miles apart.

Mr. Hale noted that the Union County Engineer has indicated that the first step for them is to build a roundabout at Brock Road and Hyland Croy and they will build Jerome Road to the north. They will initiate the development on the south end.

Mrs. Boring inquired the distance between this shopping center and Oak Park.

Ms. Husak responded that it is approximately one mile apart.

Mr. Reiner inquired if this development is essentially what Council observed in the field trip to Franklin, Tennessee.

Ms. Husak responded that much of the development standards for the Westhaven development in Franklin were developer driven. Staff consulted the Westhaven booklets to determine what they did to achieve those architectural results, but the booklets did not include much detail. These development standards, on the other hand, have been meticulously created to require architectural detail to a level not previously seen. It should achieve the same results that were observed in Franklin.

Mrs. Boring inquired if there are alleys in this development.

Ms. Husak responded affirmatively.

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Mrs. Boring stated that Ms. Salay is not present this evening, but at the last meeting she had inquired about the landscaping requirements for alleys to achieve the results observed in Franklin.

Ms. Husak stated that staff noted the concerns expressed by Council on that field trip, and they attempted to address those details thoroughly in the final development plan – fencing locations, mailbox locations, how areas are landscaped, the length of driveways, etc.

Mrs. Boring stated that if those requirements are not included in the development text, they may not occur. For example, if it is not stated that the alleyways must achieve a certain landscaping level, it will not occur.

Mr. Hale suggested that could be added as a condition.

Mrs. Boring requested appropriate language for such a condition.

Mr. Hale suggested that it could state that the alley design, landscaping and fencing be enhanced and subject to staff and Planning Commission's final review.

Mr. Keenan stated that he had received several inquiries about the service station, specifically, the screening of the gas pumps.

Mr. Hale responded that the service station would be totally interior to the site with a 200-foot setback from McKitrick Road. There is a substantial landscaped island in that location, and there are trees along the street. This use will be exceptionally well landscaped, but the most effective screening is the fact that it is interior to the site. In addition, this is a small, six-pump operation.

Vice Mayor Lecklider stated that he is very supportive of this plan. He is hopeful that the architectural style will be a "break through" for this community and Central Ohio. However, the retail component does concern him. He requested clarification of Mr. McCash's concern regarding a CVS store on the corner.

Mr. McCash responded that his earlier understanding was that the corner building would have a retail component of a coffee shop, but he realizes it is more of a size appropriate for a CVS.

Mr. Hale responded Mr. McCash is recalling a building of approximately 10,000 square feet that would have a lake view.

Mr. McCash stated that his recollection was that the corner building was to be a coffee shop, as he specifically expressed a concern that the corner building not be a pharmacy or gas station. It seems that will now occur.

Vice Mayor Lecklider states that he wants to be certain he understands the text. The text precludes drive-throughs for a restaurant, but does not preclude a drive-through in connection with a pharmacy or a dry cleaner. Therefore, the text does permit a major pharmacy on this corner, including a drive-through.

Mr. Hale responded that is correct. However, the drive-through component would require a conditional use. It is a prohibited use for a restaurant and therefore, restaurant drive-throughs.

Vice Mayor Lecklider stated that at any other location he would be less opposed to a pharmacy location, but there is a beautiful Metro Park located immediately to the west of this site. The image of a major retail pharmacy on that southwest corner with a small gas station to the interior does not seem to complement the park, in which the City has made a very substantial investment. Regardless of what type of architecture is used or how well it is landscaped, he does not like this component of the plan.

Mr. McCash stated that these pharmacy buildings typically have no windows, so it will be yet another building with black or white spandoglass windows. It defeats the architectural attempts.

Vice Mayor Lecklider stated that he observes other locations in the vicinity where the residents would have easy access to gasoline. He believes there is a gas station at US 33 and SR 42. The proposed interchange at Mitchell-DeWitt provides another opportunity for a gas station. In summary, there are several other options for gas stations, and a gas station in this location does not fit the character of the area.

Ms. Husak stated that it is consistent with the Land Use Principles, regarding "providing neighborhood services in convenient locations." They had heard from some neighbors that there was a need for a gas station in this area. The retail space on the corner could

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be a pharmacy or a small-scale grocery store, but 20,000 square feet is the maximum area any tenant can have in this center. Different uses could be accommodated there.

Mr. Hale stated that they would like to believe it will be a mix of uses that people want and will come to the center to use. This is a small, crossroads type of village. It is a neighborhood shopping center, and it has to have some destinations in order to be successful. They are interested in securing a small grocery store for this center, and it may be located on the corner.

Vice Mayor Lecklider stated that he does not disagree that pharmacies, gas stations, and grocery stores are necessities of life, and he could likely support them in any location other than across from the Metro Park.

Mr. Hale stated that for both the residential and commercial architecture for this rezoning, they retained an extraordinarily talented architect, Brian Jones. Mr. Jones has been an integral part of this effort, and he has created some unique designs. He is out of town and could not be present tonight. In terms of the residential architecture, Mr. Hale noted that he has never been involved in a rezoning with this level of architectural commitment for both the commercial and residential areas. When they return with the final development plan, they are expected to bring extraordinary architecture as depicted in the renderings shown tonight.

Vice Mayor Lecklider clarified that what Mr. Hale is showing tonight is the commercial architecture.

Mr. Hale responded that the same architect is doing both portions of the project. He then pointed out the various portions shown on the renderings.

Mrs. Boring stated that she is also struggling with the need for grocery or gas stations in this location. She has had no e-mails from residents expressing the need for such facilities in this area. Her desire for the area across from Glacier Ridge Metro Park is not for what is being proposed in the commercial portions. Previously, Council had discussed their desire for a rural look in this area to complement the Glacier Ridge Metro Park. She is hesitant about the gas station portion of the proposal.

Vice Mayor Lecklider asked if Council Members have any response to Mrs. Boring's comments.

Mayor Chinnici-Zuercher responded that she is relying upon this extraordinary architecture presented throughout this process. Her expectation is that the commercial will be something very different from what has been built previously in Dublin and that it will complement the area in question. While she does not disagree philosophically with the comments about the gas station, she personally has concerns about the distance people must drive from some areas of Dublin to access a gas station. Therefore, she is hopeful that, based upon what has been shown in the renderings, this will meet Council's expectations.

Mrs. Boring stated that the drawback is that signage is needed at a gas station to inform the consumers of the prices. While the architecture and the landscaping may be extraordinary, a sign is needed for a gas station.

Mayor Chinnici-Zuercher stated that she does not recall signage displayed on Avery-Muirfield Road for the BP and Shell stations.

Vice Mayor Lecklider responded that BP actually does display the price on Avery-Muirfield Drive.

Mr. McCash noted that the gas station component is a conditional use in this proposed plan; it is not a permitted use. He has less concern with it, due to the fact that it is a conditional use; further, because of the setbacks, there should not be an issue with the signage. From the architectural standpoint, he is more concerned with the free-standing outbuilding on the end versus having a more integrated component within the entire center. He remains concerned with the drive aisle that runs through it, separating it and making it a free-standing structure. His concern is not with a pharmacy use, but with its location.

Mr. Hale stated that somewhere on this row, a break is needed in the building to penetrate to the parking lot. It doesn't necessarily have to be in that location.

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Mr. McCash suggested that the break be closer to the main entry with some screening. This structure should be more part of the façade and streetscape.

Mr. Langworthy responded that staff has asked the applicant to consider reconfiguring this commercial area to make more of a downtown street, with parking in the interior and no parking on the Hyland-Croy side, and making the drug store be integrated as part of the focal point. A similar area was visited in North Carolina, and he has provided the applicant with that concept – with a goal of having it integrated into a single unit, as a small downtown setting.

Vice Mayor Lecklider asked how the drive-through will be accommodated.

Mr. Langworthy responded that it is not connected as a building, it just appears connected as a center. They have not settled on the location for a drive-through at this time. By the time the redesign is done, there will likely be some other reconfiguration for the drive-through. It will be part of the final development plan. Mr. Langworthy summarized that staff believes the concern about integrating the center can be addressed.

Mr. Hale added that Council can certainly add a condition regarding integration of the buildings.

Mr. McCash noted that he would prefer it be part of a multi-tenant building versus a free standing, outbuilding piece.

Vice Mayor Lecklider asked staff if a drive-through can be created that would not be visible from Hyland-Croy or the roadway to the south, that is virtually entirely internal.

Mr. Langworthy responded that this is possible. There is no reason for it to be visible from the road. Even if it were on the roadside, it would be difficult to identify it as a drive-through because of the setback and landscaping.

Vice Mayor Lecklider stated that the 200-foot setback is not as large as some people may envision.

Mr. Langworthy agreed, noting it must be supplemented with landscaping.

Vice Mayor Lecklider asked if a car wash is a prohibited use.

Mr. Hale responded it is not a permitted use.

Vice Mayor Lecklider asked that the applicant list the car wash use as a prohibited use.

Mr. Hale agreed to do so.

Mr. McCash added that a car wash does not fall under the definition of “outdoor service facility.” This issue has come up with previous rezonings.

Mr. Hale added that this is a small gas station comprised of three double pumps.

Mr. Reiner agreed with a previous comment regarding the need to drive a distance to access gas stations. If the mission is to build future town centers that are pedestrian friendly and move traffic off of the roads, it is important that this center include a gas station to serve the nearby residents.

Mr. Reiner noted that the Franklin project was developer driven and has fabulous architecture and tight controls. One thing that impressed him in Franklin was the frontal elevations, with shadow patterns and relief on the structures. In this development, it appears that vinyl and PVC components are permitted. In view of Council and Planning Commission’s mission for high quality, was there any discussion of this architectural detail at the Commission hearings?

Ms. Husak responded that there was discussion about the regulation of the architecture internal to this development by an architectural review committee, similar to what has been done successfully with Tartan West. There was also mention of the City having this book as a guideline for reviewing elevations as they are submitted.

Mr. Hale noted that their architect provided pictures in the book about the right and wrong way to do various architectural details for the development and massing elements. There is also a section regarding gates, hedges and walkways. They have provided guidelines for layering the various levels of architecture and landscaping. To the extent possible, they have demonstrated all of this in the guidebook for the development.

Mayor Chinnici-Zuercher noted that Ms. Clavin asked about the dumpsters and how they will be screened. Dublin has strict guidelines about these and staff can review the

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requirements with her. The applicant will be held accountable to the Code in this regard. There are also Codes about permitted hours for trash pick-up.

Mrs. Boring asked about page 46, under 3(c), Conditional Uses, where the language is ambiguous. It notes, "gasoline service station, provided that no more than eight (8) fueling positions shall be permitted." Other language states, "In the event that a gas station is allowed as a conditional use" This needs to be clarified to denote that a gas station needs approval as a conditional use.

Mayor Chinnici-Zuercher suggested that a motion be formulated to address the issues regarding the alley landscaping, prohibiting the car wash use, and addressing the integrated streetscape issue.

Mrs. Boring stated that her intention in regard to the gas station is to limit it to four double pumps, but eliminate the language "shall be allowed" in the text and clarify that it is a conditional use.

Mr. McCash moved to approve Ordinance 16-07 with the conditions that the text language be revised to eliminate the language "shall be permitted" from the conditional use section in Subarea F; that enhancement of the alleys with landscaping be addressed as part of the final development plan approval process; that at the final development plan stage, further consideration be given to the layout of the neighborhood commercial area, such as integrating buildings versus free-standing single-use buildings and creating a town center with a streetscape; and that the list of prohibited uses in Subarea F be revised to include car washes.

Vice Mayor Lecklider seconded the motion.

Mr. Hale indicated that the applicant is in agreement with the additional conditions.

Vote on the motion: Mr. Keenan, yes; Mr. Reiner, abstain; Mrs. Boring, yes; Mr. McCash, yes; Vice Mayor Lecklider, yes; Mayor Chinnici-Zuercher, yes.

Mrs. Boring asked as a matter of record why a member abstained from voting.

Mr. Smith responded that it is the Chair's discretion to ask for the reason for the abstention.

Mayor Chinnici-Zuercher asked Mr. Reiner to indicate for the record his reason for abstention.

Mr. Reiner responded that he believes that one of the companies he owns may have dealings with one of the investors in this project and so he chose to abstain. He is not certain of this, but abstained for this reason.

Mr. Hale added that Mr. Edwards is an investor in this development, and Mr. Edwards is also an investor in separate entities – primarily apartment entities. Mr. Reiner has partial ownership in these.

Mr. McCash noted he is confused, as Mr. Reiner participated in this discussion.

Mayor Chinnici-Zuercher asked the Law Director for his opinion, given the fact that Mr. Reiner participated in the discussion.

Mr. Smith stated that if a Council Member believes he or she has a conflict, it should be set forth at the outset and the member should ask to be excused from the deliberations. If a member has a conflict, they should not try to influence the vote or the content of the project.

INTRODUCTION/FIRST READING – ORDINANCES

Ordinance 17-07

Amending Sections 153.002, 153.071, 153.072, and 153.210 of the Dublin Codified Ordinances Regarding Residential Driveways. (Case No. 06-133ADM)

Mr. Keenan introduced the ordinance.

Judson Rex, Planner stated that this ordinance is related to the regulations regarding residential driveways. The purpose is to establish clear guidelines for the design and placement of driveways within the City's residential neighborhoods. The staff report indicates that the Planning & Zoning Commission reviewed the proposed ordinance both in November of 2006 and in February of 2007. At the November work session, the Commission provided input in response to several specific questions from staff. This

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Mr. Hammersmith responded that it is a public street.

Mr. McCash inquired what other businesses are located on this street. This business is called LSP Technologies. Would the City essentially be naming a street after one business?

Mr. Hammersmith responded that the City tries to avoid such situations. LSP Technologies is the only business addressed off this street. The other two businesses – the former administration building for Washington Township and the property to the west are addressed off Shier Rings Road.

Mrs. Boring stated that most of the street names in Dublin have either historical significance or are Irish-based. "Laser Lane" doesn't seem appropriate.

Mr. McCash inquired about the focus of LSP Technologies' business.

Mr. Hammersmith responded that he believes it relates to laser technology.

Mr. McCash suggested that the City identify a name that is Irish and unique, remaining consistent with Dublin's policy for public streets.

Mayor Chinnici-Zuercher stated that it would be preferable not to use a name directly related to the industry that is presently located on the street.

Mr. McCash agreed, as this is a public street.

Mr. Hammersmith stated that staff would research an appropriate name.

There will be a second reading/public hearing at the March 19 Council meeting.

Ordinance 15-07

Accepting the Updated Estimated Average Per Acre Value of Land for Park Fees in Lieu of Land Dedication.

Vice Mayor Lecklider introduced the legislation.

Mr. Hahn stated that the City Code requires that the estimated average per acre value of land for park fees must be updated every two years, based upon the recommendation of a qualified land appraiser. The appraiser has determined the raw land value to be \$41,500, identical to the per acre value established for years 2005-2006. The appraiser attributes the lack of value increase to the weak housing market.

Vice Mayor Lecklider stated that he is surprised that the City's land value has not increased, particularly in view of the \$380,000 price Dublin recently paid for slightly more than one acre of land along Tuttle Crossing Boulevard.

There will be a second reading/public hearing at the March 19 Council meeting.

Ordinance 16-07

Rezoning Approximately 189.57 Acres Located North of the Intersection of Hyland-Croy and McKitrick Roads, from R, Rural District to: PUD, Planned Unit Development District. (Case 05-183Z – Tartan Ridge – 9756 Hyland-Croy Road)

Ms. Husak stated this is a rezoning application for 189.57 acres located north of the intersection of Hyland-Croy and McKitrick Roads, bordered to the east by Jerome Road and to the north by Brock Road. This requests a change in zoning from R, Rural District to PUD, Planned Unit Development District. The proposed PUD zoning allows for a development of 246 single-family lots, 24 townhouse units, approximately 68,500 square feet of commercial space and 69.14 acres of open space.

On February 1, 2007, the Planning and Zoning Commission voted to recommend approval of this rezoning with 11 conditions. The proposed development will be located north of the existing Tartan West neighborhood and the recently approved Oak Park development. To the west is Glacier Ridge Metro Park. The concept

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plan for this development under the name of Bantry Green was reviewed by Council in November 2005, and the Planning and Zoning Commission has reviewed proposals for the site throughout 2006. The Commission discussed a more neutral housing variety, a high-quality four-sided architecture, and the proposed location of the retail area. The site is heavily wooded and includes streams and ponds. The existing natural features have been incorporated into open spaces and park areas. There are seven subareas, each of which is described in the development text. One interesting restriction is that all garage door orientations must be away from major roads and open spaces. The text also provides flexibility for a substation of the Washington Township Fire Department to be located in an area north of Glacier Ridge Elementary School. The text also sets standards for the open areas around the development, including gates and gate posts at the front of the homes and brick walkways from the front door of the homes to the public sidewalk. A hedgerow is proposed along the front of all the units.

Ms. Husak described the open space characteristics. The Planning Commission recommended that in the Final Development Plan, additional open space be incorporated into Subarea D2 to connect the north and south open space areas. She then reviewed plans for a retail/commercial component in the development, which will be located at the corner of Hyland Croy and McKitrick Roads. She noted that this plan encourages multigenerational living and interaction by offering various housing types and public gathering spaces.

Mayor Chinnici-Zuercher inquired about the Planning Commission's condition regarding pedestrian connectivity.

Ms. Husak responded that the condition specifies that the retail/commercial area be redesigned to provide on-street parking in order that the area will be more walkable.

Mayor Chinnici-Zuercher inquired about the gas station location on the development plan.

Ms. Husak stated the gas station/convenience store will be located within the commercial area in the southwest area of the development near the McKitrick/Hyland-Croy intersection.

Mayor Chinnici-Zuercher inquired regarding the size of the setback from McKitrick Road.

Ms. Husak responded that it is 200 feet.

Ms. Salay noted that this is not the typical gas station layout, as it will be set back from the road 200 feet, will not be located on a street corner and will be obscured by landscaping.

Mr. McCash stated that the pumps will also be internally oriented behind the building.

Ms. Salay noted that the gas station is a conditional use. She requested clarification of the meaning and what criteria must be met before it could be approved for this neighborhood.

Ms. Readler responded that she did not have the review criteria at hand, but there are approximately ten criteria that a conditional use must meet before approval is granted by the Planning and Zoning Commission. The conditional use criteria centers around the impact that the use will have on the surrounding properties. That needs to be mitigated in order to obtain conditional use approval.

Mrs. Boring stated that when a conditional use is included in the text, it can imply it is a conditional use that will be permitted with the development. How can this implication be avoided?

Ms. Readler noted that it was moved out of the permitted uses.

Ms. Husak added that page 46, #3 -- Conditional Uses, clarifies that issue.

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Mr. McCash stated that the argument exists regarding the legal parameters of a conditional use. Is it a permitted use subject to certain criteria, or is it not a permitted use whatsoever?

Ms. Readler responded that a conditional use is not a use as of right. The criteria must be satisfied before obtaining approval. It is a contemplated use upon which restrictions can be placed.

Vice Mayor Lecklider stated that the gas station is a conditional use within a fairly large subarea. If this conditional use is ultimately approved, what guarantee is there that it will be located on the site as presented tonight?

Ms. Husak responded that any subsequent application for this use would have to adhere to a final development plan which must be approved by the Planning Commission. Subsequent development must meet the preliminary development plan, which specifies this location.

Vice Mayor Lecklider noted that the Planning Commission asked the applicant to revisit the design of the retail to make it more pedestrian friendly. Therefore, the configuration of that subarea could potentially change.

Ms. Husak responded that can occur only minimally in the areas along the front. Parallel parking versus pull-in parking is preferred in that location, and some of the parking would be relocated to interior parking lots.

Vice Mayor Lecklider inquired if Council were to approve this preliminary development plan, is it with the absolute understanding that the final development plan will appear virtually identical to this, or it will not be approved?

Ms. Husak responded that she would be hesitant to use the term "identical." The preliminary plan shows general design intent, while the final development plan permits small changes. However, it is not expected that the gas station would be located elsewhere on the site.

Ms. Salay noted that it still remains as a conditional use.

Mrs. Boring inquired if there is data that specifies the number of households needed to justify a retail use. How far apart in terms of distance are the two shopping areas? It is possible to connect two neighborhoods with the City's bikepath system.

Ms. Husak responded that she does not have that information.

Mrs. Boring stated that she is concerned that there will be too many square feet of retail in this area across from the park. Is there a threshold number that is used as a guideline for determining the need for retail development?

Mayor Chinnici-Zuercher suggested that information be provided at the second reading on March 19.

Ben Hale, Jr., 37 W. Broad Street, representative for the applicant stated that they have retained a retail consultant to evaluate this area. They will request that he attend the March 19 meeting to respond to Council's questions. In regard to Mrs. Boring's comment about conditional uses, in the previous application she makes reference to, there was a special provision that permitted two drive throughs. This application is for a straight conditional use minus that additional language. The applicant expects to build only what is indicated in this plan.

Ms. Salay stated that is possible for bicyclists to travel to the shopping center safely, but when they reach their destination, they have a difficult time navigating within the shopping area. There often is significant conflict between bicycles and vehicles. She requested that staff pay special attention to the bike trail system connection; review ways to move the bicyclists and pedestrians from both outside and inside the neighborhood into the shopping center safely; and include convenient places for bicycles to be parked.

Mrs. Boring agreed.

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Mrs. Salay noted that she agrees with the request for parallel parking; it is more pedestrian friendly and presents a better façade to the public. The plan provides for four-sided architecture on all the homes. She is impressed by the attractive and interesting architecture proposed. How will the architecture be reviewed – internally by City staff or by an architecture review committee?

Ms. Husak responded that it will be reviewed by both. An internal architecture review committee (ARC) is proposed, similar to that at the Tartan West development, which works very well. That review occurs before the City receives the building permit application. The City will also have detailed development text regarding the architectural requirements. The commercial development will also be reviewed by the ARC, but all the commercial architecture will be reviewed and approved by the Planning Commission with the final development plan.

Ms. Salay inquired how the hedgerow in front of the homes will appear.

Ms. Husak responded that the development text describes the intent and character the hedgerow will take. It will serve as a low wall or fence of greenery throughout the neighborhood. The final development plan will contain more detail.

Ms. Salay inquired if the proposed height of it is stated in the text.

Ms. Husak responded that information is not provided.

Ms. Salay inquired if all the open space is public open space.

Ms. Husak stated that the open spaces will be public. Those depicted on the plan in dark green will be city parks; those in light green will be public, but may be maintained by the homeowner association. Those details will also be addressed in the final development plan.

Ms. Salay stated that in the past, the City has encountered some issues with forced and funded homeowner associations versus voluntary homeowner associations regarding maintenance of public greenspace. Is staff comfortable with the text in place that these areas will be maintained to the City's standards?

Ms. Husak responded that staff is exploring some landscaping options that are more meadow-like and less likely to require intense maintenance.

Ms. Salay advised caution with that option as people have differing viewpoints about the appearance of meadow areas.

Ms. Salay inquired about the alleyways. Last year, Council visited a community in Franklin, Tennessee that had alleyways that were well maintained. They were so beautifully landscaped that, if not for the garage doors, they could not be distinguished as alleyways. Lovely gardens were in view, and the use of fencing and landscaping was such that it did not appear to be the back yards of homes. She requested that future alleyways incorporated in development plans be similar to Westhaven alleys. She would like to ensure that heavy landscaping is utilized here. She requested that Mr. Hale provide information on the applicant's ideas for the alleyways. She appreciates the level of architectural detail included in this plan, such as the shutters and rooflines.

Mr. McCash stated that Condition #5 indicates that the text is to be modified, but the modified text has not been provided. Will it be provided for the public hearing on the 19th?

Ms. Husak responded that the modification in the text has been made and will be provided for the March 19th hearing.

Mr. McCash inquired about Condition #11, which references the Dublin Lighting Guidelines as the standard. He does not want to see those guidelines used for this.

Ms. Husak responded that Planning staff decided to keep the language referring to the Guidelines because it has some provisions regarding the cut-off fixtures that they do want to include.

Mr. McCash stated that if there is a future need to refer to the development text for this site, the Dublin Lighting Guidelines would then be part of it. He requested that the reference be removed. It would be sufficient to simply require cut-off fixtures.

Ms. Husak agreed to revise the condition.

Mayor Chinnici-Zuercher noted that the minutes from the Commission meeting indicated that the Planning Commission expected this change to have been made.

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Ms. Husak responded that staff believed there were other provisions in the Lighting Guidelines that would apply to this development. Staff will make the change as requested.

Mr. McCash stated that cut-off fixtures are covered within Night Sky Preservation Guidelines. Tempe, Phoenix and other communities have those in place. He suggested that those guidelines be adopted to address the night sky preservation components, and then select the particular zone that would work in this plan. Ms. Husak agreed to do so.

Vice Mayor Lecklider complimented the Planning Commission for adding this particular condition. Although it is very appropriate with this development, it would be desirable to include it with all the new developments. He is not sure, however, how this condition will be met by the gas station.

Mayor Chinnici-Zuercher inquired the timeframe for development of Tartan Ridge. Ms. Husak responded that the applicant is preparing a final development plan for phase 1, from Jerome Road westward, for submission to the Planning Department in April. Staff is working with Union County on the traffic study, traffic improvements, and cost-sharing issues.

Mayor Chinnici-Zuercher asked about the city/county's timeframe for the infrastructure improvements, as the developer cannot move forward until these are underway.

Ms. Husak responded that the issues were addressed in a meeting last week, and a letter of understanding is being finalized. Those issues will be resolved before the final development plan is submitted to the Planning Commission, by mid to the end of May.

Mayor Chinnici-Zuercher inquired what percentage of the residential development will be completed before the commercial development is begun.

Ms. Husak responded that at a minimum, the first phase -- which includes 90 lots -- will be completed. The first phase comprises under 50 percent of the residential component. She requested that the applicant provide additional clarification.

Ms. Salay requested that every potential homebuyer in this development be made aware of the commercial portion as well as the potential fire department substation. She requested that the applicant describe how this will be done.

Mr. Hale responded that all of the developer's sales literature will contain the site plan, which depicts the commercial component. In response to the question of the timing of construction of the commercial component, there are some contributing factors. The Nationwide development north of this site will begin later this year, and as part of phase 1 with that development, Hyland-Croy Road will be extended north to US Route 42. At the same time, Phase 1 of Tartan Ridge will occur -- from Manley Road, past the school and ending at Hyland-Croy Road. Phase 1 will not be at the point this year for the commercial component to begin, but the commercial developers anticipate doing so in 2008.

Mrs. Boring stated that although the sales literature can provide information on the anticipated commercial component, it is preferable for neighborhood awareness that the retail construction be underway as soon as possible.

There will be a second reading/public hearing at the March 19 Council meeting.

INTRODUCTION/PUBLIC HEARING - RESOLUTIONS

Resolution 15-07

Authorizing the City Manager to Enter into an Agreement with TechColumbus.

Vice Mayor Lecklider introduced the resolution.

Ms. Brautigam requested that this resolution be postponed to the March 19 meeting. Staff is still working on the agreement.



PLANNING AND ZONING COMMISSION

RECORD OF ACTION

FEBRUARY 1, 2007

CITY OF DUBLIN.

Land Use and
Long Range Planning
5800 Shier-Rings Road
Dublin, Ohio 43016-1236

Phone: 614-410-4600
Fax: 614-410-4747
Web Site: www.dublin.oh.us

The Planning and Zoning Commission took the following action at this meeting:

1. **Rezoning/Preliminary Development Plan 05-183Z – Tartan Ridge – 9756 Hyland-Croy Road**

Location: 189.57 acres located north of the intersection of Hyland-Croy and McKitrick Roads, bordered to the east by Jerome Road and to the north by Brock Road.

Existing Zoning: R, Rural District.

Request: Review and approval of a rezoning to PUD, Planned Unit Development District under the provisions of Code Section 153.050.

Proposed Use: A mixed-use development that includes 246 single-family lots, 24 townhouse units, approximately 68,500 square feet of commercial space, and 69.14 acres of open space.

Applicant: Charlie Driscoll, The Edwards Land Company, 495 South High Street, Suite 150, Columbus, Ohio 43215; represented by Ben W. Hale, Jr. and Aaron L. Underhill, Smith and Hale, 37 West Broad Street, Suite 725, Columbus, Ohio 43215.

Staff Contact: Claudia D. Husak, AICP, Planner.

Contact Information: (614) 410-4675/chusak@dublin.oh.us

MOTION: To approve this Rezoning/Preliminary Development Plan based on the evaluation of this proposal according to the criteria set forth in Code Section 153.050 and the Ten Land Use Principles, with eleven conditions, as noted below.

- 1) That the applicant resolve cost sharing for the infrastructure needed to service the site with sanitary sewer, water, and streets, to be finalized and agreed upon prior to final development plan approval;
- 2) That the Traffic Study be approved by the City of Dublin and Union County prior to final development plan approval;
- 3) That all rights-of-way as outlined in this report be dedicated with the recording of the final plat;
- 4) That the applicant participate in improvements to the existing North Fork Indian Run sewer near I-270, subject to approval by the City Engineer;

**PLANNING AND ZONING COMMISSION
RECORD OF ACTION
FEBRUARY 1, 2007**

1. Rezoning/Preliminary Development Plan 05-183Z – Tartan Ridge – 9756 Hyland-Croy Road (Continued)

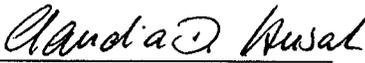
- 5) That the text be modified to ensure base height for lighting fixtures are appropriately sized for safety and that the text and plans be revised to indicate No-Build Zones, No-Disturb Zone, and landscape buffers as outlined in this report, subject to Planning approval;
- 6) That the applicant participate in a cost sharing agreement for infrastructure improvements constructed by the City of Dublin to be finalized and agreed upon prior to final development plan approval;
- 7) That the access point on Brock Road be approved by the City Engineer and Union County and that a stub street to the western property boundary, north of the elementary school, be provided to promote connectivity with possible future development, subject to Engineering approval;
- 8) That the commercial area be redesigned to create a pedestrian-friendly streetscape and environment by providing parallel parking; subject to Planning and Engineering approval;
- 9) That the bikepath along McKittrick Road be located sensitively to existing natural features and be sited more centrally within the setback;
- 10) That the final development plan for this project incorporate additional public open space along the front of lots in Subarea D-2; and
- 11) That in lieu of meeting the Dublin Exterior Lighting Guidelines, the applicant works with Planning on a night sky preservation program for the lighting.

* Ben W. Hale, Jr., representing the applicant, agreed to the above conditions.

VOTE: 7 – 0.

RESULT: This Rezoning/Preliminary Development Plan was approved. It will be forwarded to City Council with a positive recommendation.

STAFF CERTIFICATION



Claudia D. Husak, AICP
Planner

1. Rezoning/Preliminary Development Plan 05-183Z – Tartan Ridge – 9756 Hyland-Croy Road

Mr. Gerber said the Commission reviewed this case at the last meeting, on January 18, and it was coming back for review of the revised list of uses as it related to retail and commercial. He asked for a progress report with respect to parking in the retail area.

Claudia Husak presented updates to this case and slides. She said this is a request for review and approval of a rezoning for 189 acres north of the intersection of Hyland-Croy and McKitrick Roads. She said the applicant was asked by the Commission to revise the text to make changes to the permitted and conditional uses in the neighborhood commercial area, and to address any inconsistencies in the text. Ms. Husak said this has allowed two conditions to be eliminated from this case, and the presentation will focus on the neighborhood commercial area only, as all other aspects have been discussed previously.

Ms. Husak said that Planning has met with the applicants in order to address concerns and the text has been revised in terms of the permitted uses and refers to the permitted uses in three sections of the Zoning Code: SO, Suburban Office and Institutional, NC, Neighborhood Commercial, and CC, Community Commercial Districts. She said a revised booklet had been provided to the Commissioners. Ms. Husak said the text also includes language that specifies prohibited uses which would be inappropriate in such a neighborhood setting and language that speaks to the intent of this area as a local neighborhood serving area which will help to determine whether a particular use is appropriate or not.

Ms. Husak said the Conditional Use section of the text has been updated, based on previous discussion and Planning believes that the changes will ensure that this area is developed in a manner that is conducive to a neighborhood serving commercial area. She said based on the evaluation of this proposal according to the review criteria for a rezoning and preliminary development plan, and with the modifications stated in the conditions, the plan will successfully provide appropriate development standards for the site.

Ms. Husak said in addition to the modifications stated in Conditions 9 and 10 listed in the Planning Report, this proposal will meet all the Land Use Principles and will advance the general planning intent of the area. She said the Tartan Ridge development is unique and attractive, and the applicant has worked with Planning and Engineering to address issues and concerns previously discussed. She said this development will maintain and further the high level of development quality in northwest Dublin, and Planning recommends approval with the ten conditions as detailed in the Planning Report:

- 1) That the applicant resolve cost sharing for the infrastructure needed to service the site with sanitary sewer, water, and streets, to be finalized and agreed upon prior to submitting any final development plan;
- 2) That the Traffic Study be approved by the City of Dublin and Union County prior to submittal of a final development plan;
- 3) That all rights-of-way as outlined in this report be dedicated with the recording of the final plat;
- 4) That the applicant participate in improvements to the existing North Fork Indian Run sewer near I-270, subject to approval by the City Engineer;

2-28-07

3-5-07

Ben W. Hale, Jr., representing the applicant, Charlie Driscoll, The Edwards Land Company, said the Shamrock Crossing development which City Council recently approved, had the same use issue, and they handled that the same way. He said Council did not like to see all those uses listed, so they have taken out the more objectionable uses and placed the Code sections there so that there are not three pages of uses.

Mr. Gerber noted that there were many people in the audience and asked if anyone wished to speak to the issues before the Commission. [No response.]

Ms. Jones said she was appreciative of the update in the text. She said the uses prohibited in the text were the items she was looking to be prohibited. She said the essence of everything discussed at the last meeting had been captured regarding targeting this to neighborhood services versus more regional serving uses. She noted that the Conditional Use portion was better defined. Mr. Zimmerman said he agreed with Ms. Jones that the list requested has been submitted.

Mr. Gerber referred to Condition 8, and asked if Ms. Husak had discussed it further with the applicant since the last meeting. Ms. Husak said Planning had discussed with the applicants what the vision for that area was, and she thought the applicant was working through how it can be accommodated.

Mr. Hale said everybody is interested in having activity in front of that building, and they do not want people to have to go all the way around the building to come back and park. He said if parking is done that way, there might have to be roundabouts at the ends so people can come back and get a space. Mr. Hale said they also thought there might be walls or other treatment that might allow some angular or head-in parking on one side of the street. He said they thought there were a variety of issues that need to be worked through, and they feel like the time to do that is when they get into engineering, and they come in with the final development plan because the outstanding issues are on both sides and they want to explore them fully. He said they understand that when they come back for final development plan approval, the Commission has the right to say that they want all parallel parking, and if so, they will abide by it. However, they want to explore other options with Planning to make sure that they are doing the absolute right thing.

Mr. Gerber asked if Mr. Hale had any problem with Condition 8 at this point. Mr. Hale indicated he did not.

Mr. Hale said the only other issue they had was that they have a couple of items that they have to do before they can do a final development plan. He said their first phase is 32 lots off Jerome Road and they have to do a turn lane there and would like to be able to process that final development plan prior to resolving the issue how they are going to share costs on other items.

Mr. Sanholtz deferred to staff on the timing matters.

Ms. Husak said Planning would be comfortable to add: "...prior to the approval of the final development plan" to Conditions 1 and 6. However, she said for Condition 2, she would refer to Engineering as the traffic study has to be approved by the City of Dublin as well as the Union County Engineer. Aaron Stanford said one of the reasons why Engineering included that was so

that the Planning Report for the final development plan would be able to explain the traffic improvements and how they work with Union County. He said he thought they still had the ability to do that if it were based on an approval, but they were trying to be able to have all the information laid out so that it could be detailed in the Planning Report.

Mr. Hale agreed to submit it. He said it would give them the opportunity to work through issues with staff while they are negotiating other items. Mr. Gerber agreed to amend Conditions 1, 2, and 6 to replacing “prior to submitting” with “prior to final development plan approval.”

Mr. McCash said he was concerned with some commercial uses being this close to the Metro Park. However, he said there was a need for those types of services in this area. He said because they are close to the Metro Park and on the outskirts of Dublin in the rural areas, he did not think the *Dublin External Lighting Guidelines* are appropriate for this area. He suggested making it a condition that provisions for night sky preservation and protection be considered instead of following the *Dublin External Lighting Guidelines*.

Mr. McCash suggested Condition 11: That in lieu of the Dublin Exterior Lighting Guidelines that staff work with the applicant on a night sky preservation program for the lighting.

Mr. Hale said he had done that before and agreed there were always things that could be done.

Mr. Saneholtz said some of the uses he had concern with were auto repair and auto sales. Aaron Underhill, Smith and Hale, said they specifically excluded automobile sales. He said auto-oriented uses were conditional uses in these districts, therefore they would not be permitted. Ms. Jones noted that the auto-oriented uses were listed on page 44 under number 11.

Mr. Saneholtz noted the text read: *Miscellaneous repair shops and related services*. He said his concern was that if they do have a fuel facility at this location, knowing that it is a conditional use, that he did not want to see auto repair become a part of that. He asked that it be called out in the text. Mr. Langworthy said if the text states that conditional uses are not permitted and this one is called out specifically as being prohibited, there may be some problems later when someone interprets the rest of the conditional uses as being allowed because only one of them was omitted. He said it was an ordinance interpretation issue that has to be dealt with on a fairly regular basis. He said he was concerned how it would affect the City in the future. Mr. Saneholtz and Mr. Walter agreed to leave it the way it was.

Mr. Saneholtz said another concern he had was that as result of the Joint Work Session last Monday, it became clear to him that Hyland-Croy Road is going to become potentially a four-lane boulevard, and he did not think this application had addressed creating a significant ease of connectivity or pedestrian-use in access to the Metro Park. Ms. Husak said other than at the Hyland-Croy Road and the school access drive roundabout, where there is pedestrian crossing to access the Metro Park, there are no other specific Metro Park accessible pedestrian areas further south.

Mr. Saneholtz said at the Joint Work Session it was made clear to him that not only this site, but also Union County had Jerome Road on the books from US 42 to McKittrick Road as a four-lane roadway. He said he anticipated that the center would attract some attention from the park, and the park certainly would attract attention from the residential area and others that will have

use, that he did not want to see auto repair become a part of that. He asked that it be called out in the text. Mr. Langworthy said if the text states that conditional uses are not permitted and this one is called out specifically as being prohibited, there may be some problems later when someone interprets the rest of the conditional uses as being allowed because only one of them was omitted. He said it was an ordinance interpretation issue that has to be dealt with on a fairly regular basis. He said he was concerned how it would affect the City in the future. Mr. Saneholtz and Mr. Walter agreed to leave it the way it was.

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Mr. Saneholtz asked if there could be a condition that would anticipate that additional need. He said it was not a question of if it is going to happen – it is just a question of timing.

Mr. Fishman said that was an excellent point, but he was concerned who would pay for a tunnel. He said the City had put in several tunnels after the fact and they were expensive. He questioned whether or not a condition could be added or was needed since the road was not yet engineered.

Mr. Hale said no one knows today what the ultimate improvement will be in the future.

Mr. Walter said he wondered what the applicant's responsibility was to improvements, based upon growth outside their control. He said he saw there is a pedestrian flow that will happen from Tartan, across through this development, to the park, and he did not think they could tell the developer that because other parcels around are going to develop and their parcel is the natural flow between the use we are trying to get, that they should be unduly burdened with the cost of that. However, he said he did take Mr. Saneholtz's point seriously that the developers bear some responsibility for providing some level of contribution. He said they should have staff consider that.

Mr. Hale said there will be negotiation and part of that will be they will have to write a check for Brand Road because of those planned improvements and what their share is.

Mr. Gerber said safety and related cost issues will be discussed at City Council. He said the minutes will reflect the Commission discussion.

Mr. McCash said Council had wrestled with as far as what future needs were and how much to put on a particular developer rather than balancing it out and taking it out of the tax dollar component.

Ms. Jones asked if the language in Condition 1 lent to that also: “that they had to resolve their cost-sharing arrangement prior...” She asked if “pedestrian ways” could be added so that Council could resolve it, or should it be left to go to the next level. Mr. Saneholtz said he believed that one of the current principles was “pedestrian accessibility to and from the site.” He said he was in favor of adding some pedestrian language as well. Mr. Walter and Mr. Fishman agreed that would be a great solution. Mr. Gerber said he agreed with the issues being raised, however he interpreted that the word “streets” addressed all these issues.

Motion and Vote:

Mr. Gerber moved to approve this Rezoning/Preliminary Development Plan based on the evaluation of this proposal according to the criteria set forth in Code Section 153.050 and the Ten Land Use Principles, with eleven conditions, as noted below.

- 1) That the applicant resolve cost sharing for the infrastructure needed to service the site with sanitary sewer, water, and streets, to be finalized and agreed upon prior to final development plan approval;
- 2) That the Traffic Study be approved by the City of Dublin and Union County prior to final development plan approval;
- 3) That all rights-of-way as outlined in this report be dedicated with the recording of the final plat;
- 4) That the applicant participate in improvements to the existing North Fork Indian Run sewer near I-270, subject to approval by the City Engineer;
- 5) That the text be modified to ensure base height for lighting fixtures are appropriately sized for safety and that the text and plans be revised to indicate No-Build Zones, No-Disturb Zone, and landscape buffers as outlined in this report, subject to Planning approval;
- 6) That the applicant participate in a cost sharing agreement for infrastructure improvements constructed by the City of Dublin to be finalized and agreed upon prior to final development plan approval;
- 7) That the access point on Brock Road be approved by the City Engineer and Union County and that a stub street to the western property boundary, north of the elementary school, be provided to promote connectivity with possible future development, subject to Engineering approval;
- 8) That the commercial area be redesigned to create a pedestrian-friendly streetscape and environment by providing parallel parking; subject to Planning and Engineering approval;
- 9) That the bikepath along McKittrick Road be located sensitively to existing natural features and be sited more centrally within the setback;
- 10) That the final development plan for this project incorporate additional public open space along the front of lots in Subarea D-2; and
- 11) That in lieu of meeting the Dublin Exterior Lighting Guidelines, the applicant works with Planning on a night sky preservation program for the lighting.

Mr. Hale agreed to the above 11 conditions. Mr. Zimmerman seconded the motion and the vote was as follows: Mr. Walter, yes; Mr. Fishman, yes; Mr. Saneholtz, yes; Ms. Jones, yes; Mr. McCash, yes; Mr. Zimmerman, yes; and Mr. Gerber, yes. (Approved 7-0.)



PLANNING AND ZONING COMMISSION

RECORD OF ACTION

JANUARY 18, 2007

CITY OF DUBLIN.

Land Use and
Long Range Planning
5800 Shier-Rings Road
Dublin, Ohio 43016-1236

Phone: 614-410-4600
Fax: 614-410-4747
Web Site: www.dublin.oh.us

The Planning and Zoning Commission took the following action at this meeting:

2. **Rezoning/Preliminary Development Plan 05-183Z – Tartan Ridge – 9756 Hyland-Croy Road**

Location: 189.57 acres located north of the intersection of Hyland-Croy and McKittrick Roads, bordered to the east by Jerome Road and to the north by Brock Road.

Existing Zoning: R, Rural District.

Request: Review and approval of a rezoning to PUD, Planned Unit Development District under the provisions of Code Section 153.050.

Proposed Use: A mixed-use development that includes 246 single-family lots, 24 townhouse units, approximately 68,500 square feet of commercial space, and 69.14 acres of open space.

Applicant: Charlie Driscoll, The Edwards Land Company, 495 South High Street, Suite 150, Columbus, Ohio 43215; represented by Ben W. Hale, Jr. and Aaron L. Underhill, Smith and Hale, 37 West Broad Street, Suite 725, Columbus, Ohio 43215.

Staff Contact: Claudia D. Husak, AICP, Planner.

Contact Information: (614) 410-4675/chusak@dublin.oh.us

MOTION: To table this Rezoning/Preliminary Development Plan to the February 1, 2007, meeting, waiving the fifteen day rule, to further define the uses within the development text.

*Ben Hale, Jr., agreed to the tabling.

VOTE: 5 – 0.

RESULT: This Rezoning/Preliminary Development Plan was tabled.

STAFF CERTIFICATION



Claudia Husak, AICP
Planner

2-28-07

3-5-07

Mr. Gunderman said that was the expectation for February because a work session had already been scheduled instead of the second meeting. He said no regular cases are scheduled for the second February meeting.

Mr. Gerber moved for approval of the December 7, 2006 meeting minutes as presented. Mr. Zimmerman seconded and the vote was as follows: Mr. Walter, yes; Mr. Sanholtz, yes; Ms. Jones, yes; Mr. Zimmerman, yes; and Mr. Gerber, yes. (Approved 5-0.)

Mr. Gerber noted that the applicants for Case 1 had consented to the conditions. [No one pulled the consent item.] He announced that the cases would be heard in the order of the published agenda.

1. Final Development Plan/Final Plat 06-109FDP/FP – NE Quad, Subarea 2 – Wyandotte Woods, Sections 6 and 7 – Lots 157 through 183 – Wyandotte Woods Boulevard

Mr. Gerber swore in the applicants' representative, Lenell Sniechowski, R. D. Zande and Associates, who agreed to the following three conditions as listed in the Planning report:

- 1) That the landscape plans indicate the correct species of street trees for this area and that the applicant contact the City Forester before ordering or planting of street trees;
- 2) That the No-Build-Zone language be updated to reflect language in recently approved Plats; and
- 3) That the scale on the plat for Section 7 be corrected.

Motion and Vote:

Mr. Gerber moved for approval of this Final Development Plan/Final Plat because the proposal complies with the Final Development Plan and Final Plat criteria, and the applicable development standards within the Northeast Quad PUD text, with the three conditions listed above. Mr. Zimmerman seconded the motion, and the vote was as follows: Mr. Sanholtz, yes, Ms. Jones, yes; Mr. Walter, abstain; Mr. Zimmerman, yes; and Mr. Gerber, yes. (Approved 4-0-1.) Mr. Walter explained that he abstained because he worked with the applicant through a client relationship.

2. Rezoning/Preliminary Development Plan 05-183Z – Tartan Ridge – 9756 Hyland-Croy Road

Claudia Husak said this is a request for review and approval of a rezoning of 189 acres north of the intersection of Hyland-Croy and McKitrick Roads for a planned unit development that includes 246 single-family lots, 24 townhouse units, approximately 68,500 square feet of neighborhood commercial space, and 69 acres of open space. She presented a slide of an aerial context map which showed the proposed development and the surrounding area. She said Tartan West was south of the site and the Glacier Ridge Metro Park is to the west. Ms. Husak said further to the south is the recently approved Oak Park Development.

Ms. Husak said this case was presented to the Commission under the name, Bantry Greene in June 2006, and the Commission discussed the need for more housing variety in that plan, as well as a need for high-quality architecture, and the proposed location of the retail area. Adjacent

residents also voiced concerns regarding the utility connections, increased traffic, and the retail area. She said this case was tabled at that meeting at the applicant's request. Ms. Husak said the plans have been significantly revised.

Ms. Husak said small portions of the site are heavily wooded and there are three streams and two ponds currently on the site. She presented slides which showed different views of the site. She showed a proposed site plan for the development which illustrated the proposed layout of the lots, the road network, the commercial area in the south, and the open space areas.

Ms. Husak said the housing consists of seven different single-family lot types and 24 townhouses which would be located in four buildings. She said active parks are proposed throughout the site, as well as passive open space located mainly along the boundaries of the site in the 200-foot setback. Ms. Husak presented a slide showing the proposed seven subareas as well as the permitted lot types in those subareas.

Ms. Husak said the proposed development text describes each subarea in detail and provides development standards for each. She said it also places restrictions on garage orientation to orient them away from open spaces and parks. She said the text provides flexibility for a substation of the Washington Township Fire Department to be located in the area north of the elementary school. Ms. Husak said the area is currently shown as open space on the plan, and it is expected to be dedicated to the City at the final development plan stage. She said the fire department has identified the need for a small substation in this area to better serve the northwest area of the City and the City will continue working with the fire department, should they choose to use this location for their substation.

Ms. Husak said the proposed architecture was outlined in the development text which included standards intended to create a variety of architectural combinations. She said several architectural styles are described in the text and high-quality, four-sided architecture will be required throughout the development.

Ms. Husak presented a graphic which showed the proposed open spaces within the development. She said the text distinguishes neighborhood parks, rural open spaces, and the boulevard green in the description of open spaces and provides the design intended for each of those. She said existing trees and ponds will be incorporated into the parks and the open spaces and unique and different landscaping techniques are encouraged. Ms. Husak said Planning has identified an opportunity for better connections between the open spaces in this development. She said while the open space connections are very well designed along the parks in the north and southern section there is an opportunity where a defined connection between the two areas could be established. Ms. Husak said the final development plan for this project should incorporate additional public open space in the front of lots in Subarea D2 as required by Condition 12 in the Planning report.

Ms. Husak presented a slide showing the layout design for the proposed neighborhood commercial area which includes retail, restaurant, and office uses at the corner of Hyland-Croy and McKitrick Roads. She said the preliminary plan shows several building footprints along the Hyland-Croy Road frontage and the main entry into the site. A drugstore with a drive-thru is shown on the south, as well as a gas station with a convenience store along McKitrick Road.

Ms. Husak said the text contains a typo for the setbacks, but the applicant is aware of that and it will be corrected.

Ms. Husak said while the plan for the entire development successfully creates a place for multi-generational living and social interaction by offering a variety of housing types as well as passive and active open spaces and recreational opportunities that are conveniently located in the proximity to neighborhood services, Planning has identified areas in the neighborhood commercial portion where the function of the street network can be improved to better serve the neighborhood and provide additional opportunities to walk in this neighborhood. She said the proposed neighborhood commercial area incorporates typical suburban design elements such as pull-in parking which is auto-oriented and drive aisles in front of the buildings. She said this area should be redesigned to create a pedestrian-friendly streetscape by providing parallel on-street parking that takes advantage of the residential proximity and eliminates pavement in this general area.

Ms. Husak said based on the evaluation of the proposal according to the review criteria for the preliminary development plan, Planning is confident that with the modifications stated in the conditions, the plan will successfully provide appropriate development standards for this site and will also advance the general planning intent of this area. She said in addition, Planning has also determined that with the modifications listed in Conditions 11 and 12, the proposal will meet all land use principles.

Ms. Husak said the Tartan Ridge development is a unique and attractive project and the applicant has worked extensively with Planning and Engineering to work through issues and address concerns previously discussed. She said this development will maintain and further the high level of development quality in this northwest portion of the City. She said Planning recommends approval of this preliminary development plan with the 12 conditions as listed in the Planning report:

- 1) That the applicant continue to work with Engineering in resolution of cost sharing for the infrastructure needed to service the site with sanitary sewer, water, and streets, to be finalized and agreed upon prior to submitting any final development plan;
- 2) That the Traffic Study be approved by the City of Dublin and Union County prior to submittal of a final development plan;
- 3) That all rights-of-way as outlined in this report be dedicated with the recording of the final plat;
- 4) That the applicant participate in improvements to the existing North Fork Indian Run sewer near I-270, subject to approval by the City Engineer;
- 5) That the text be modified to ensure base height for lighting fixtures are appropriately sized for safety and that the text and plans be revised to indicate No-Build Zones, No-Disturb Zone, and landscape buffers as outlined in this report, subject to Planning approval;
- 6) That discrepancies between the text and the plans regarding garage orientation and front Build-Zones be revised to accurately reflect the intended restrictions, subject to Planning approval;
- 7) That the text be modified include the signage provisions as outlined in this report, subject to Planning approval;

- 8) That the applicant participate in a cost sharing agreement for infrastructure improvements constructed by the City of Dublin to be finalized and agreed upon prior to submitting any final development plan;
- 9) That the access point on Brock Road be approved by the City Engineer and Union County and that a stub street to the western property boundary, north of the elementary school, be provided to promote connectivity with possible future development, subject to Engineering approval;
- 10) That the commercial area be redesigned to create a pedestrian-friendly streetscape and environment by providing parallel parking; subject to Planning and Engineering approval;
- 11) That the bikepath along McKittrick Road be located sensitively to existing natural features and be sited more centrally within the setback; and
- 12) That the final development plan for this project incorporate additional public open space along the front of lots in Subarea D-2.

Ben W. Hale, Jr., representing the applicant, Charlie Driscoll, The Edwards Land Company, said that in June, he had said that his client felt that the residential part of this proposal was on the wrong track, and he asked that it be tabled and said they would come back with something very different. He said this is very different from that previous application because many things have happened. He said his former client, M/I Homes no longer owned the property, and Edwards Land Company is the developer of this site. He said this was a very different program because these houses will be built by a number of builders and many of them will be custom houses.

Mr. Hale said they looked at the street plan numerous times with the input of Planning and made the appropriate revisions. He said they clearly heard from the Commission at the previous meeting, that they needed high-quality architecture. He said that Brian Jones, their architect, came up with a very innovative solution with six or seven different kinds of houses that have the things that are needed to make the house look right. Mr. Hale said that Mr. Jones did a series of massing drawings which show how the houses should be massed so when an architect designs one, he has the massing drawings. He said they also show how to transition from one material to the other. Mr. Hale said it shows examples how to do gates, front doors, and shutters that are appropriate for the window sizes. He said all the standards and drawings are legal commitments that are in the zoning and it has to be done that way. He said the commercial architecture has to be done that way as well. Mr. Hale said the process, because of multiple builders, will have an architectural review committee. He said they will go through architectural review with the builders to make sure the house is in compliance with this drawing and then they will file a building permit and the City will review it. Mr. Hale said when the City reviews the permit, they will use this book to judge whether or not they followed the criteria in terms of architecture and massing, front door treatment and general surroundings.

Mr. Hale said it was hard to look at drawing and understand the scale. He said one of the comparable developments was the Shoppes of Athenry where there is a UDF on the corner, Mary Kelley's, a day care, and an office building which equals 50,000 square feet. Mr. Hale discussed the available retail square footage and vacancies of the submarket, which provided all the retail needs on the west side of the river except for Tuttle Mall. He said that on this side of the City, there is a very healthy commercial base. Mr. Hale said this commercial is really a quality of life thing. It will keep people from being forced to drive four miles to get their prescriptions, to go to

a small restaurant, to go to a coffee shop, or to pick up their laundry. He said they have taken the units that are more dense (townhouses and alley lots) and brought them down around the center so that it functions like a little town.

Mr. Hale said that Pete Edwards and Charlie Driscoll took a very strong look at Dublin, Ohio and the Dublin school system and one of the things they found was that in Ballantrae, which is in the Hilliard school district, most people who bought at Ballantrae were not moving there from the Dublin school district. He said they believed that there is a very substantial move-up market in Dublin. He said they are talking here about housing that will range in price from \$400,000 to \$900,000. Mr. Hale said they have been very careful with garages and tried to not have front facing garages on any of the major streets or open spaces.

Anne Wanner, The Edge Group, thanked Ms. Husak for the pre-submittal process and said Ms. Husak did a great job and kept them on track and provided great input along with a couple of other planners. Ms. Wanner said the comments and input were all very timely. She said a good job was done on the staff report and thanked Ms. Husak for that as well. Ms. Wanner said there was definitely an underserved market here – a price point between \$400,000 and \$800,000 and above. She said people come to Dublin to move up and there is nowhere to go. She said the other part of the design intent was that they wanted to blend new urbanism principles with suburban conservation design. She said at times, the conservation design principles now in place are challenging and they wanted to combine them with some of the newer ideas that are coming about in planning. Ms. Wanner said they also wanted to facilitate some of the comments heard before – that the residential and the commercial pieces were not integrated.

Ms. Wanner presented an overall regional map which showed what was happening around Tartan Ridge. She said Jerome Village is to the north and will have approximately 2,000 homes. She said Oak Park, previously approved, as well as the ongoing development, Tartan West are located nearby. Ms. Wanner said this large amount of development will need service facilities in this area. She said the vision and inspiration of Tartan Ridge was more important. She said included in the booklet distributed was a variety of imagery, and a perspective views of what Tartan Ridge is going to look like. Ms. Wanner said when their design team first met they wanted to look at other timeless subdivision designs for inspiration. She said Frederick L. Olmstead, known as the grandfather of landscape architecture was also a land planner and he planned subdivision designs in Chicago known as Riverside, Druid Hills in Atlanta, and Forest Hills, in New York. She said in looking at his designs, they saw very interesting organic forms as patterns that they wanted to emulate. She said they visited the site several times. She said the topography of the site was not common in Dublin. She said they wanted to design with nature and use these organic forms. She said they wanted to create a place where people wanted to live.

Ms. Wanner said they compared contemporary subdivision design to some of the older subdivisions of Bexley and Upper Arlington. She said they found that there is an inherent conflict with contemporary suburban design which lies in where the driveway is located versus where the pedestrian space or people space is located. She said people live in their driveways by playing in them or socializing in them. Ms. Wanner said the older neighborhoods separate their people space from their auto-oriented space by creating elements that separate the spaces such as gateposts and gates which were an extension of the house and socialization space for the home. She said they wanted to create that.

Ms. Wanner said people spaces in Dublin had people spaces such as gates and doors. She said they have open spaces that are oriented towards people. She said they wanted to create that. She quoted Fredrick Law Olmsted which she said she thought was very appropriate for their vision: *What improvements have you here that tend to insure permanent helpfulness and permanent rural beauty?*” She said that was exactly what they wanted to create – permanent beauty here.

Ms. Wanner said the other layer they wanted was architectural styles. She said the six architectural styles in the book do not alone create spaces. She said they create an element of how people live. Ms. Wanner said architectural elements, special attention to front doors, windows, shutters, proportion of these elements, are very crucial in space-making. She said gates, gateposts, and hedges are on every lot. Ms. Wanner said brick and stone piers, stone walls, brick sidewalks all create the socialization space that changes how people live and they want to create that.

Ms. Wanner said the open space plan is very complete with different types of spaces. She said they have Dunlevin Park, which preserves a very substantial pond. She said keeping the elements on the site is part of the space-making. She presented a slide showing the Lahinch Park site where the large trees shown will be preserved. She said the open spaces will be connected through the use of lush boulevards and sweeping views of vistas. Ms. Wanner presented a development plan showing how the lots were connected. She said there are cottage lots closer to the village area that connects to some of the estate lots towards the north of the area. She said garage orientation is an important piece of how people relate to their neighbors and they wanted to prohibit street-oriented garages, moving the garage back, out of public space and make it a private area.

Ms. Wanner presented a slide of a perspective view and some elevations of the village center. She said setbacks are small so that people are not oriented towards one another, but towards the street. She said it slowed traffic and created a village pedestrian feel. Ms. Wanner said an important goal of this project was to meet Dublin’s Ten Land Use Principles which have been implemented as part of the Community Plan Update. She said they feel that they have not only met the principles, but exceeded them through the elements they have created, through the additional architectural design standards they have, and through the land use plan. She said they want to create a legacy – timeless landscape architecture and timeless land planning.

Brian Jones said as they wanted to make sure that the Olmsteadian vision of trying to create a place that really celebrates the landscape architecture and the planning held through. He said a lesson in studying great places, is that architecture in those places often becomes the background. He said in becoming the background, it often is about what you do not do versus what you do. Mr. Jones said they were striving for diversity within a very limited palette of stylistic expressions. He said the overall architecture of this place is being established by the village center and the commercial piece. He said in that piece, they are really trying to drive their stylistic cues from the things that have occurred throughout Dublin, as well as the Midwest, and really looking to the late 19th to 20th Century for those expressions. He said the architecture of that commercial area leads into the architecture of the residences.

Mr. Jones said they were committed to looking at criteria that qualified massing, that dealt with fenestration or the way that windows are used around the building, and also a cogent idea about how materials are used and developed which they thought expressed a commitment that is quite uncommon. He said as they looked at the overall connectivity and the scale, this was not really a typical suburban solution and they feel that the commercial has integrated to the residential in a way that will be quite a great example in this region.

Mr. Hale said there had been meetings with the neighbors along Hyland-Croy Road and the Muirfield Civic Action group prior to this meeting. Mr. Gerber invited those in the audience who wished to speak, to come forth, state their name for the record. He said comments would be limited to three minutes.

Kim Clavin, 7667 Brock Road, presented a slide showing the proposed entry road on Brock Road. She said it did not now match with the entry road into Jerome Village. She said it was approximately 530 feet away. She said it did not seem to be a logical place for the entry road. She suggested that the entry be lined up with Jerome Village. Ms. Clavin said while doing that, the homeowner will be relieved from having property taken. She said also, trees might possibly have to be removed in the action. Ms. Clavin said she saw no improvements in the retail traffic mentioned as a resident concern. She said Hyland-Croy Road was a big traffic area and this development will have an impact on it, therefore it would be the developer's responsibility to fix the roads because they are causing the traffic impact. Ms. Clavin said the residents asked for a major thoroughfare through the development to relieve traffic, and that did not happen. She said the retail was a big concern and she thought the City agreed that they wanted to keep the Glacier Ridge look to be the natural setting. She asked why not put the retail on the southeast corner where it was away from Glacier Ridge.

Mr. Gerber asked about the traffic flow Ms. Clavin mentioned. Ms. Clavin said it was the traffic flow between the two developments, Jerome Village and Tartan Ridge.

Ms. Clavin said there is also a concern about drainage. She said they have not been approached with what the solution would be. She said there are drainage tiles and they are planning to build on top of them. Mr. Gerber recalled that the phone numbers and addresses of interested residents were taken so that they could be contacted, and asked if they had been notified of any meeting. Ms. Clavin said she received a notice from the developers last Wednesday or Thursday for a meeting on a Monday, and it was a holiday weekend. She said they had four days' notice and a holiday weekend. However, she said the developer made a good effort to contact everyone on the list.

Marni Spears, a Hyland-Croy Road resident, said she was approached by the developer the week prior to Christmas to get the neighbors together. She said she appreciated the Commission upholding the standards for the building behind her home, north, next to the water tower. She said if they had to list concerns, it would be the drainage. She said she had not been contacted in six months. She said she had to disconnect two of her downspouts because they were coming up as fire hydrants, as she was the home closest to the field, and was getting the backflow from the section. Ms. Spears said they met with the developers on this past Monday night and reviewed

the plats. She said they were told that had been inspected by their engineer, but they were not aware of the creek beds, the boulders placed, etc.

Ms. Spears said their second concern was the retail. She said she thought several Commissioners agreed that where the retail was proposed, it was a very hazardous intersection. She said it was very elevated and with the Metro Park having the retail there did not work with the crosswalk. Ms. Spears said traffic concerns were that they would have additional traffic and gas, beer, food, and restaurant deliveries. She said they were told that although the Commission had requested that the proposed homes' quality be increased, that the Commission had also demanded an increase in the number of home builders proposed. Ms. Spears said they originally were told 25 developers would be in Tartan Ridge, and tonight they heard 13.

Ms. Spears said she was also there on behalf of Debbie Toddwell, a resident south of her, and also Jan Moony Paul, 9900 Hyland-Croy Road.

Eric Cook, 10150 Hyland-Croy Road, said most of the residents on Hyland-Croy agreed with Ms. Spears' summary of their concerns. Mr. Cook said when a development of this size comes into an area, it is important to remember that there is an existing community already there and no one has mentioned that. He said the traffic affects them, their water tiles, septic systems, and wells. He asked that the developer address that. He said "integrating" the existing community has not been mentioned.

Sue Hagar, 9900 Hyland-Croy Road, said this was the third time she had addressed the Commission, and she still was against the retail. She agreed with the concerns of Ms. Spears, Mr. Cook, and Ms. Clavin. She was also concerned that the retail might not be sustainable with that proposed at Jerome Village and a mall in the township. She said the retail could be dressed up to look nice, but it was still retail. She said on that corner, there is the Metro Park and it is a dangerous intersection. She said retail did not fit on that corner with the traffic concerns, extra gas trucks to fill up the eight-pump gas station, and food trucks to supply the UDF.

Mr. Gerber recalled seeing Ms. Hagar at previous meetings and asking that staff take her address. He asked if she had been contacted, and how many times. Ms. Hagar said she was contacted one week before Christmas for a meeting the week of Christmas which was not convenient for the neighbors.

Mr. Gerber said with respect to the water problems, had the City contacted them previously to discuss them. Ms. Hagar said she had not. However, she said there were discussions and concerns about water problems on Monday at the meeting with the developer's new engineer.

Mr. Sanholtz said several times he had heard testimony on this property along the lines of the convenience factor of having this retail and gas, etc. close to the residents and how beneficial it would be. He asked Ms. Hagar if she saw a benefit to her fellow neighbors having the convenience factor. Ms. Hagar said they found Perimeter Loop is just three miles from the neighborhood and it supplies them with groceries, gas, hardwares, etc. She said retail had been approved caddy-corner to the high school, and there will be retail with the new Jerome Village to the north. She said she thought it was sad if they could not drive three miles to get groceries or

gasoline because it would be a lazy environment where they live. She said she had not missed not having retail.

Cynthia Reed, 5208 Aryshire Drive, a Dublin resident since 1986 said she did not intend to speak but she did not see Robert Fathman here as the representative of the Civic Action Committee of Muirfield North. She said the reason they chose not to speak was because they have since 2003 met with City representatives, Gary Gunderman and Claudia Husak, and all the representatives at the area meetings for the Community Plan. She said they had expressed great concern about any commercial business along Jerome Road. She said there are 2,400 homes planned in the new Jerome Village which is going to be out of Dublin's jurisdiction and control. Ms. Reed said it will add a lot of traffic to that area, which helped them when Tartan West was formed to help create the single-lane roundabout at the Glick/Avery/Jerome Road intersection in anticipation of this new growth to come.

Ms. Reed said now, they have a chance here, at this corner to help have a say in how this develops and help alleviate some of the traffic pattern. She said Jerome Road thus far has not been improved to handle any kind of commercial traffic. She said there is the potential also of ODOT bringing down McKitrick Road further west up Hyland-Croy Road, bringing in a potential exit there. Ms. Reed said it has been the opinion of the Citizens for Responsible Zoning (C4RZ) that there would be no opposition from them as long as the commercial development stayed on the Hyland-Croy/McKitrick Road side, simply because that would be less traffic coming into the round-about where there is an elementary and middle school currently.

Ms. Reed said she felt for the residents who had water, sewer, and drainage problems and hoped that the City would help them with those issues. She said her group has had no opposition to the commercial because the City and Ms. Husak have been wonderful in notifying them about anything developing in this area. She said Mr. Hale had been very forthright, and Aaron Underhill has contacted them to let them know of any development in this area. She said he worked with Ms. Husak and Mr. Gunderman to try to meet with the majority of the residents' concerns. She said they had worked hard to keep the traffic minimal on Jerome Road and tried to shift it over to the Hyland-Croy Road site that is being approved.

Larry Hopper, 7400 Brock Road, said the extension of Hyland-Croy Road through the Jerome development will be a total thoroughfare, so flipping those two roads made no sense because it would create another thoroughfare in an area that would be highly trafficked anyway. He did not see that it was a necessary item to be moving the road. Mr. Hale said the Brock Road entry concern had been conditioned that they work with staff to coordinate. He said it was true that it could be flipped, if that was were the traffic engineers think it should be, but they have submitted a traffic report and addressed many of these issues and the traffic report has been provided to Dublin staff and Union County and they have committed to coordinate with those entities. He said it may very well line up if that is what the governmental bodies think it should do.

Mr. Hale said that with this application, they had filed a preliminary drainage system and they were aware that they have the duty to retain the water that they put on this piece and not to burden those down stream. He said there are ponds on the site to do that. He said they do not have to detain the water, but they have to clean it. He said the concerns are being addressed.

Diane Marin, EMH&T, said she had been involved in the drainage patterns for this site under M/I Homes. However, she said she had not attended any public meetings. She said there are about 28 acres needing to be picked up from the Hyland-Croy area homes and traveling north to Brock Road. She said she had walked the site. Ms. Marin said the 24-inch culvert was not blocked by the boulders in front of it. She said a drainage swale came down through the project. She said they will do the standard procedure which is picking up that drainage, getting it through their system, cleaning it, and making sure that they do not exceed the flows that go offsite, north of them.

Mr. Hale said regarding the discussion about the corner of McKitrick and Hyland-Croy Roads, they had done a very extensive traffic study and the City has asked them in the study to look at every intersection in the area, which they have done. He said they understand that they have some very substantial obligations. All the entries have to have turn lanes, they have looked at what their contributions will be, and they are meeting with the City to come up with a program of when intersections get approved to the Year 2017, which is considered build-out and Jerome Village is supposed to be finished by then. He said when doing the study, they looked at build-out and level of service. Mr. Hale said they thought this commercial has been consistently been shown at many Community Plan meetings as being important to the City because people needed to be out in the community to service it. He said it was appropriately designed from a land planning point of view and from the building architecture and this was an important part of the overall theme of this development.

Mr. Gerber asked that Ms. Husak address the residents' concerns. He said he got the impression that they had been contacted, but some felt that they had not been involved. He said going forward; he wanted to be vigilant with that. Mr. Gerber explained that at this stage, the Commission was being asked to make a recommendation to City Council to either support this application or deny it. He said it will then go to City Council, and everyone will have ample opportunity to speak before City Council, and before the Commission a third time. He asked Ms. Husak to give more information about what she had discussed with the applicant and what she envisioned. Mr. Gerber said he saw some conditions that asked for some flexibility and to work things out consistent with staff recommendations.

Ms. Husak said this project started after June of last year and it picked up in more earnest in October 2006 when Planning, Engineering and the applicant met on a biweekly basis reviewing concepts for an entire redesign for this development. The applicant is well aware that there are concerns from the neighboring residents. She said as soon as they felt they were ready to have a plan that was pretty close to the plan that they are presenting tonight they did contact those neighbors and it happened to unfortunately be during the holiday season, so that made it more difficult to get together. She said the traffic is as Mr. Hale stated, there is a substantial traffic study that staff as well as Union County staff is reviewing. There are multiple jurisdictions in place here for traffic and utilities and it is challenging as to who is in charge of fixing what problems. She said the applicant is committed to make major traffic improvements around their immediate site as well as the larger area and there were several intersections they had to study. She said it is true that the Hyland-Croy Road area is going to be improved and it is somewhere in the area of a four-lane road going north to Jerome Village.

Ms. Husak said the access point on Brock Road to the north is being discussed in the Planning Report and Condition 9 speaks to that. She said the condition requires that those access points at the very least have to be coordinated. That could mean that they line up, but it is the Township and the Union County Engineer who has to sign off on it as well.

Mr. Gerber asked if it was necessary to tie this down at the rezoning/preliminary stage, or was it a “floating target” everybody knows where we need to get and it would be handled at the final stage. Ms. Husak said that was correct and Jennifer Readler agreed.

Mr. Gerber recalled that there were water problems in Ballantrae, and asked if staff felt like they could find some solutions here. Ms. Husak said this application would not be before the Commission if Planning did not feel they were on top of it.

Mr. Gerber recalled that when this was an M/I project, Mr. Hale made a representation before the Commission, and he was sure he would do so again tonight, that whatever it takes, they will satisfy each and every adjoining landowner in their concerns with respect to water. Mr. Hale replied that there were two water issues. He said with the stormwater concern, they understand what their obligations are and he thought the stormwater, because of farming practices, is being held up and they have sized their pipes preliminarily, they have completed the hydrology studies. He said they are going to pick up that water, clean it, and put it off the property. He said if the residents will allow them, pre-development to test their wells, if the wells degenerate, they will fix them.

Mr. Gerber noted that there were conditions that spoke to those issues. He urged every interested resident to give their name, address, and phone number to Flora Rogers or Claudia Husak so that she could share them with the applicant. He said they work as a community when they all talk to one another.

Mr. Gerber said he thought the biggest issue tonight was the need for residential/retail components as discussed at the Community Plan Joint Work Sessions. He said before this application can continue, the Commissioners needed to discuss amongst themselves how they feel about the retail/commercial component of this. He said he could not see walking through the architecture, other setbacks, etc. if they cannot have some sort of understanding with respect to that.

Kevin Walter recalled that he had suggested moving the retail to the other corner. He said he had visited the site several times. He said he was glad to hear the applicant say that the site had topography. He said the three unique things about the site are topography, substantial landscape elements, and water features which are being preserved. He said he drove through the site to try to imagine what the retail component would look like on the corner. He said looking east, it was not a very attractive corner and there is nothing there that would be displaced. He posed the question could they integrate that into what is going on around it. Mr. Walter said when he saw the renderings, he was not sure about uses, etc., but the concept of retail is supported on that corner, and they have said it during the Community Plan Work Sessions. He said he was further in support of having a retail component of some type in that area.

Mr. Gerber agreed that a lot of discussion with Council had been with respect to the retail component that as we build out the hospital, all the medical facilities around Perimeter Drive and existing and anticipated housing, etc. in that area, they want to keep people closer to home. Mr. Walter said he did not think this was an excessive amount of retail, but he questioned some of the uses which can be discussed later.

Rayna Jones said generally speaking, she was in favor of the development. She said she was very comfortable, now that they have come a long way in their discussions as a group and with Council as to what the uses would be in this area. She said originally, she would have liked to keep this area much more of a rural area, but she saw with the development signs, as they have decided to put the Community Plan together and what is going on in the area and improvements in roadways, and she thought the consensus is that they have opened the door to new development in this area, and as part of that body, she could see that they were going in that direction. Ms. Jones said the design of the overall site is very positive. She said she liked Brian Jones' work and the tone and design.

Ms. Jones said her number one concern was water, and that it sounded as though staff was on top of that. She said it had to be addressed very firmly. She said she was not a huge fan of a lot of retail here. Ms. Jones said she thought some may be necessary as this area begins to develop. She said she preferred it not near the Glacier Ridge Metro Park, because she wanted to preserve those vistas. Ms. Jones said she would love to see very restricted retail uses so that it does not become a fast-food drive-in type environment. She did not want anything that would infringe on the enjoyment of the park. She said she was against anything that would travel across the road and interfere with the park which was a priceless gem in our community. Ms. Jones said generally speaking, as far as rezoning and beginning this process, she was fine.

Ted Sanholtz asked if the 200-foot setbacks on McKittrick and Hyland-Croy Roads were met at the corner. Ms. Husak said the current plan shows the 200-foot setbacks. She said however, there is a discussion about a new right-of-way acquisition on Hyland-Croy Road and there may be some small deviations (20 feet) where those issues will have to be resolved because the projected right-of-way for Hyland-Croy Road was 80 feet, and it is now 120 feet.

Mr. Sanholtz asked what the Hyland-Croy Road area would potentially look like. He said a meandered four-lane road was previously discussed. He said he understood it was a preliminary discussion. Ms. Husak said she believed that an Emerald Parkway design was also one that had come up many times when the discussion was about what Hyland-Croy Road could look like. She said Emerald Parkway is a good example of a Dublinized road.

Mr. Sanholtz said when he looked at Hyland-Croy now, it was hard for him to accept retail on the corner, but if he thought about what the future holds potentially for that area and intersection, he has a lot less resistance to retail on that corner. He said he was not sure that he accepted all the details of the present plan, but he was not nearly as adamantly against some form of retail/commercial on the corner as he once was, having had the opportunity to envision what Hyland-Croy might evolve into in the future. Ms. Husak agreed that increased development in this area will change it dramatically.

Todd Zimmerman said he approved of the retail issue on that base. He said it was in the right location from a future traffic standpoint and that it was in a good service location from the east. He said it will draw more people there and keep people from using Avery Road and Perimeter Road.

Mr. Saneholtz said his over-riding concern about putting retail here is its long-term viability as a functioning successful retail corner in light of the extensive (700,000 square feet of commercial and retail) just two miles north. He said Oak Park has recently been approved and there will be an interchange at McKittrick Road and US 33. He said his real concern for the community as a whole is that the center becomes not viable and not vibrant and that in 15 years, they regret it after things have developed around it over time. He said that was his major reservation.

Mr. Zimmerman pointed out that the Shoppes at Athenry center on Avery Road was vibrant and used. He predicted that someday this will look and be like that.

Mr. Gerber said he sensed they had enough support for another one of these concepts, but they seemed to latch onto things in Dublin. He said they get a good idea and all of a sudden; every project has to be the same with the same brick color, etc. He said they needed to get more creative down the road. He said if they are to support retail here he did not think there should be more. He said they had to make sure that the retail here works. Mr. Gerber said retail in some neighborhoods has not worked. He thought it had been a failure of design and that it had also been a failure of the landlord to attract suitable retailers with suitable uses. Mr. Gerber said he thought it was beholding on all of the Commissioners to help in that process to make these people successful and to make these vibrant centers. He said the concept only works if the locals utilize the center.

Mr. Saneholtz said that brought up a concept for consideration. He asked Mr. Jones if there was a way to make the 19,400-square-foot structure and all the structures that are anticipated to be retail, more adaptive to other uses, if in the future office use might be the actual dominant need in this little pod because of the tremendous retail to the north. He asked if there was any way to look at the architecture and the design in such a way to make it not look like they took retail and put offices in it, but something that can function both ways.

Mr. Jones said he thought you cannot separate the fact that this really is about place making and they do have the Stavroff Company that has been in the community for a long time and have had that vision. He said when looking at the long-term viability in this place making, it really has much to do with the viability of these buildings becoming something else over a period of time. He said the commitment to quality material and to the architectural design is going to provide for that vitality. He stressed that this is a delicately-scaled project, and if they compared other things that seemed to be like it, and put them side-by-side, it is diminutive in its scale and character. He said the setbacks have increased and it will have a great feel in relationship to the park across the street and will provide that kind of place that is going to be very viable in the next 20-30 years as a special place. Mr. Jones said its scale will dominate its success over what is occurring to the north.

Mr. Gerber said they had to make sure that the retail was integrated. He said it is on Dublin's northern border and gateway features, etc. are wanted. He said with the retail, this seemed like where City Council wants to go and where the Joint Work Sessions have gone. He said if it could be done within the parameters that it has to fit, it sounded like all the Commissioners were supportive. He said it was now time for them to do what they normally do at rezonings/preliminary plans and review the text.

Mr. Sanholtz asked if there was any economic barrier to it being somehow evolving into office. He said he assumed that retail would command a higher square footage rental than office space and that was part of his concern about the viability of retail here if in fact it becomes expensive and we have very near by, inexpensive retail space. He said that was part of the challenge of this particular site.

Mr. Gerber said he heard the applicant say if there was a conversion to occur, that they could sustain that from economics and from an architectural aesthetic standpoint it fits as well. He said if it was the pleasure of the Commission that retail can work there and it is consistent with what they have been doing, then he recommended that they stay on retail and address the condition on parking, and then review the text, and then cover architecture, setbacks, etc. He asked Ms. Husak what Planning's thinking was in regards to parking.

Ms. Husak said Planning has reviewed this site plan and particularly how it functions with the remainder of the development. She said the text states the intention of this is to be a neighborhood commercial area. She said Planning is concerned that some design features are more suburban where parking is in front of buildings, signaling where you can park rather than encouraging walking around in front of the buildings, drawing on the fact that there is a lot of people living in the vicinity that could conceivably walk and use those uses. Ms. Husak said therefore, the idea that Planning has in this area is to have it function more as a street with parallel parking and on-street parking. She said now, it is shown as pull-in parking in front of those buildings.

Mr. Gerber asked if Ms. Husak felt there was ample parking for that. Ms. Husak said that was one of the good things about a neighborhood commercial center or mixed-use development where uses have offsetting hours and there are people there that could walk. Mr. Gerber said that they wanted to encourage neighbors to walk. Mr. Sanholtz said the proposed parking was approximately one space for every 240 square feet. He asked if Code was every 150 square feet. Ms. Husak agreed.

Mr. Gerber asked if Mr. Hale objected to Planning's suggestion for parking. Ms. Wanner said one of the key issues with this retail is the viability. She said the parking numbers included in the text are key. She said they need to create enough parking for this retail center. She said they understand that Planning staff is trying to minimize the parking, however this is not a good option to keep the center viable. Ms. Wanner said they had addressed the parallel parking next to the buildings where it is most important to be able to create that people space.

Mr. Walter said conservation design has only been mentioned briefly tonight. He said in the Community Plan, they said not only that there would be retail in this space, but this entire

property would be in a conservation design zone. He said he struggled with coming up the hill and seeing cars parked into a small parking space. He said it was an important vista because it was the crest as you come up the hill. Mr. Walter said he was not supporting making it look like a car dealership.

Mr. Gerber confirmed that Ms. Husak had looked at this plan and that there was ample parking and that it will work. Ms. Husak agreed. Steve Langworthy said Planning was trying to have this development live up to what it says it is, a neighborhood center and not a suburban shopping center. He said the view aspect of that was important in that it helps establish the character of that center right from the road. He said he thought Mr. Walter's point about that was crucial, which was that that dominant view be of building, rather than automobiles as might be seen in a traditional suburban shopping center. Mr. Langworthy said if the parking ratio is not adequate for their needs; it may be that they need to shift the design around to get more parking in another area of the site that is not as visible from the road. He suggested it could be further interior to the site or some of the interior spaces or buildings could be moved around to accommodate those other parking pods. He said if parking numbers are a concern, he thought there was a way that can be addressed.

Mr. Walter said on the west side there are very heavily wooded areas, and on Hyland-Croy Road to the south, there is the appearance of a grape vineyard, and something comparable is needed that fits with the area. He said retail could be done if it is done correctly.

Mr. Sanholtz said he did not see frontage landscaping such as walls and hedges other than internal addressed in the text. He asked about the periphery and along the road with laid stone walls to Dublinize this whole neighborhood. Mr. Langworthy said those were details that they could deal with, but one of the disadvantages of this area is when water is put up front, water does not block views very well. There is not a lot of room to make dense landscaping to make it function like they would like. He said in order to make that neighborhood feel again, they have to minimize the vehicles.

Mr. Walter said that Planning said it parked fine and the applicant said they wanted more parking. Mr. Hale said they thought Planning was saying that maybe they should reduce the parking on the site. He said they thought that one parked car per 240 square feet is adequate, but less than that is not adequate. Mr. Hale said the only issue was the arrangement of the parking. He said they thought there should be parallel parking and maybe some angled parking to get more out front. He said they thought there were walls and fences in front.

Mr. Gerber said he agreed with comments made with respect that this needs to fit in and that the City does not want another strip center. He said he understood from Ms. Husak that they can do other things and provide the needed parking. Ms. Husak agreed. Mr. Gerber clarified that Condition 10 stated they should work together and the Commission will see it at the final. He said they also could from there get into hedges, walls, etc.

Ms. Wanner said the parking scenario presented tonight is identical to what they had done at Oak Park that was approved about a month ago. She said they have 200 feet of the setback, which is ample room to provide mounding and landscaping. She said part of their theming was stone walls. Ms. Wanner said they wanted to put some of that theming along Hyland-Croy Road with

trees, shrubs and stone walls which will more than screen those cars. Ms. Wanner said however, it is the cars in front of the retail center that is the viability issue for them. She said being able to screen them is wonderful, but it is having that critical mass of cars in front of the store that is critical to them for the viability of the center.

Mr. Langworthy asked whether there were entry doors only on the Hyland-Croy Road side and there is no pedestrian access to the other side. Ms. Wanner said there was pedestrian access on both sides. Mr. Langworthy confirmed that access to the building was not being cut off with parking.

Mr. Walter said he was hearing the applicant say that if they do not have parking in the way it is configured, the center is not viable therefore; they do not want to move forward. He asked if that was correct. Ms. Wanner said they believed it was configured appropriately. Mr. Gerber asked if the applicant was saying that the recommendation of staff to the Commission as contained in Condition 10 is unworkable. Mr. Hale and Ms. Wanner said no, it was not unworkable.

Mr. Hale said his belief was that Planning thought they had head-in parking on two sides of the street. He said their drawing shows parallel parking on one side and either angled or head-in parking on the other side. He said they were happy to work out the details out with staff before they come back with the final development plan. Mr. Hale said they were convinced that there needs to be parking in front of the buildings along the street. He said the buildings were two-sided and there was signage on both sides. He said that ninety percent of the parking is in the center.

Mr. Gerber read aloud Condition 10: *That the commercial area be redesigned to create a pedestrian-friendly streetscape and environment by providing parallel parking; subject to Planning and Engineering approval.* He said he interpreted that as it was the goal of staff and he heard loudly of the Commission that we want this to be integrated into the community and they do not want it to look like a strip center. He said he also heard from Mr. Hale that they could work with that as long as they had certain requirements. Mr. Gerber suggested that they go work on it and let them move forward. Mr. Hale said he agreed to Condition 10.

Mr. Gerber asked Mr. Hale what uses he envisioned. Mr. Hale said they had similar discussions at City Council. He said there were two things they could do like the SR 161/Shamrock project, they could come up with an alternate list that is half this long. He said another thing they could do is say those uses are allowed in a CC, Community Commercial District, except for...

Mr. Gerber said this was a planned district, and so they were not talking about Code issues. Ms. Jones said there were many uses listed that she would not consider neighborhood retail services like antique stores and secondary stores. Mr. Gerber said he was most concerned with this because he was sure the houses would be built before the retail and commercial. He said every potential home buyer will have to be told what is coming so that they will have a full awareness. He said someday, a gas station will be warranted in this area, but wondered if it could be deemed a conditional use. Ms. Readler said the gasoline station could be moved to a conditional use section and this list of uses.

Ms. Jones objected to the conditional use: Drive-thru services in association with any permitted use in Subarea F. She said the only type of drive-thru service she could imagine might be a pharmacy drive-thru to service the neighborhood. She asked if they were going to leave it open ended or try to limit the type of drive-thru. Mr. Gerber said this needed to be balanced because it is not known what is going to go in now or in 15 years. He said he wanted to guard against drive-thru traffic inside because it would not be pedestrian-friendly any more.

Mr. Zimmerman read from the top of Page 47, concerning parking and loading and the reduced number of stacking spaces proposed in the text. He said he would like to have something said on stacking, but still give staff an opportunity to review in the future. Mr. Gerber asked how that could be worded as a condition. Mr. Hale suggested the condition: That the stacking will be determined at the time of the final development plan. He suggested making the gas station a conditional use.

Ms. Jones asked if they wanted to narrow the list of permitted uses, or leave them as broad as possible to cover the future. Mr. Sanholtz said there were permitted uses listed that he would very strongly object to, for instance, repair shops and related services. Mr. Walter said he had a problem with any of the classifications that had the word "miscellaneous" included. He said if they were going to be this specific, they cannot be this specific and broad at the same time.

Mr. Gerber said he thought all drive-thrus had to be deemed conditional uses. Mr. Walter agreed, but said the question was how many drive-thrus were allowed and are there any that the Commission is going to disapprove. Mr. Gerber agreed. Mr. Hale suggested that they say the permitted uses for drive-thrus exclude restaurants. Mr. Sanholtz suggested excluding food service. Mr. Hale said they hope to have a drug store, and possibly a dry cleaner or bank. He agreed they would not do drive-thru restaurants. He agreed that all drive-thrus will be conditional uses, the gas station will be a conditional use, and they will make sure the repair listed does not include auto repair.

Mr. Zimmerman asked if they wanted to go through the list use by use. Mr. Gerber asked if there was another way to do it. Ms. Readler said no, unless it was tabled and changed, then brought back to the Commission. Mr. Hale asked if they could agree that the final list will be approved at the time of the final development plan. Ms. Readler said that the problem with that is only the Commission will have the final say on the list of retail uses since Council does not see a final development plan.

Mr. Langworthy said there are three types of uses, the ones that fit into a neighborhood context, ones that fit in a neighborhood context with a conditional use approval, and those that do not fit. Ms. Jones said there were some that were more regional in nature and not neighborhood in nature. Mr. Langworthy suggested the case be tabled to the next meeting and that a revised list be brought back for review. Mr. Gerber said that was a good idea.

Ms. Jones said this was a big change for our community, and although she thought they were all moving in a positive direction, she thought it would be nice to pin this down so that we are really cautious about what uses we do allow in neighborhood retail for a center of this nature. Mr.

Saneholtz agreed. Mr. Gerber said when he made the motion, he would add that as a bases for tabling.

Mr. Walter asked if the buildings would have second floors, and if so, what would the use be and what was the square footage. Mr. Hale said the square footage given was for the ground floor. He said they included in the text that they could provided office or residential use on the second floors and they do not have to increase the parking ratio.

Mr. Zimmerman referred to page 46 of the text under Density: *Outdoor dining patios and pedestrian areas shall be encouraged throughout the subarea.* He asked if there was an certain maximum amount of square footage allowed for patio. Ms. Husak said it was not calculated like that. She said it was part of the conditional use review. Mr. Zimmerman asked where on the site patio is generally contemplated. Ms. Husak said currently, to the north of the entry a restaurant is indicated with a patio surrounding it on two sides that would face the pond. She said there is also potential for patio space around the major tenant buildings, but it is preliminary at this point.

Mr. Saneholtz asked that Item H-1 – Setback Requirements on page 47 of the text be addressed. Ms. Husak said that was the area of the text where there was a typographical error. She said it was supposed to read: The pavement setback shall be 110 feet, and the minimum building setback 180 feet from the proposed future right-of-way. Mr. Saneholtz asked if it was the same for McKitrick Road - #2. Ms. Husak said it was.

Mr. Hale said changes had been made in the drawings and they did not get added to the text. Mr. Saneholtz referred to Item J – Lighting: *All lighting shall be in conformance with Dublin Exterior Lighting Guidelines except as provided for in this text and asked it be explained.* Ms. Husak said Condition 5 addressed it.

Mr. Walter asked to clarify the lighting condition, and if the reworked Kroger Center on Bridge Street had exposed gooseneck lighting. He asked if that would be precluded in this where it stated that all building illumination shall come from concealed sources. He asked about sign lighting. Ms. Husak said Planning had noticed the Kroger Center as well and is investigating that issue further. She said it is envisioned to be like the Giant Eagle center and the Shppes at Avery, where the Burgundy Room restaurant is located.

Mr. Saneholtz said he could not find Exhibit A-8 in Item K – Architecture. Ms. Husak said that Condition 6 should also state "...discrepancy between text and plans in general." Mr. Gerber asked that it be added.

Mr. Gerber said that in the final development plan stage, it will be in a larger format because the Commission will have to review a landscape package, etc. He asked if the sign package will be reviewed at the final stage as well. Ms. Readler said yes, except to the extent that it is addressed anywhere in text. Ms. Jones said signs were addressed on Page 45 of the text.

Mr. Saneholtz referred to L-3, Page 49 and asked staff if the proposed signage was appropriate. Ms. Husak said Condition 7 addressed that portion of the text. Mr. Walter confirmed that two shopping center monument signs were contemplated; one on each of the roadways for this retail center. Mr. Hale said except for the Code. Ms. Husak said yes. Mr. Saneholtz referred to C on

Page 49 and E that mentioned the color of the sign text. He said there was no mention of the color of the signs themselves. Ms. Husak said there were three colors contemplated, but a decision on what the colors will be made at the time of the final development plan.

Mr. Saneholtz asked if staff was happy with the phasing of the project. Ms. Husak indicated that they were. Mr. Saneholtz said that Subarea F could be an open field for years. Ms. Husak said Planning has requested that the applicant contemplate phasing for Subarea F, particularly, and due to the multiple conditions, that is the language proposed. Mr. Saneholtz understood that if nothing was done in Subarea E, then literally Subarea F could sit blank forever or until something was done in Subarea E. Mr. Hale said they had never thought that they do not have the right to build the commercial at the same time. He said he did not think they had to wait sequentially to get to the commercial because they believe they are going to do that relatively quickly. Mr. Saneholtz said he was just interested that all of the Commissioners understood that the corner could, under these terms, sit vacant for 15 years. Mr. Gerber said that was the same as with every project that the Commission sees.

Mr. Saneholtz said there had been other projects that sat partially finished and they do not have any leverage to cause completion of it. However, he believed that this text said they were going to be required to build some commercial. Aaron Underhill, Smith and Hale, said the intent behind this was to create an edge with either the building at the northeast corner of Hyland-Croy and McKittrick Roads, or at the east/west entry on Hyland-Croy Road. He said they addressed what structures in the first phase must be under construction within 24 month. He said there are no further restrictions placed on when the remainder has to go in. Mr. Saneholtz said he just wanted to clarify that his understanding was correct.

Mr. Gerber said he liked the stepping up the level of the architecture. He recalled that at Tartan West there was an internal architectural review board which did a good job, and the same thing is being contemplated here. He said that was a great idea. Mr. Saneholtz said he did not think it applied to the commercial area. Mr. Hale said it did. Mr. Gunderman added that the commercial area will come to the Commission in the final development plan, whereas the single-family homes will just go through an administrative review process.

Mr. Saneholtz asked about Exhibit 13 on Page E-9 which calculated the open space. He asked how the required setback space was credited to the development. He said he had heard multiple explanations where some got none, some got half credit, and others got 100 percent credit and asked why. Ms. Husak said that Code requires each subdivision to set aside certain acreage of open space. She said it was approximately 11 for this site. She said it was a formula in the Code based on the size of the site as well as the number of housing units. She said setbacks get credited 50 percent if amenities to the public are included in those open spaces and whether or not a development gets credited for open space, really just becomes an issue if they are short on what they are required to have.

Mr. Walter asked with respect to the bikepath and that general area, what was staff's position on connecting that to the Metro Park. He said at that intersection, it appeared that it was being driven up to the north, to the main entrance. Ms. Husak said it would definitely require some coordination with the Metro Park, similar to what was done with the Oak Park development.

Mr. Walter said it was disconcerting to him that at Jerome High School, there is the same kind of corner situation preventing easy pedestrian access as now exists at the Metro Park. He said it was an unsafe pedestrian/car interaction. He said he would like to see if they could work that better when it gets to final, plus sitting that as a connection to Tartan West that does not seem to be completed. Mr. Saneholtz said the connectivity of this development to the park itself is huge, especially if there is a four-lane boulevard in front.

Mr. Walter said the water feature on Hyland-Croy Road seemed to have a hard edge on it and he wondered if they were going to try to naturalize it so that it is in keeping with some of the other naturally existing ponds. Mr. Hale said the side that Mr. Walter was referring to would be naturalized.

Mr. Gerber asked if the garden lots and alleyways really sold. He asked what they would look like in 15 years. Mr. Hale said if done right, they will be fine. He said there is a limited number of them and they feel there will be a demand for them. Mr. Gerber asked if they did not work, what would Plan B be. Mr. Hale said he guessed they would come back and request to put in 80-foot lots instead.

Ms. Husak asked everyone to recall what was seen in Westhaven where a majority of the lots were alley access lots with garages in the rear and it worked. Mr. Langworthy said he had visited the Kentlands and asked the same question about the marketability of this type of lots. He said the comment made was similar to what Mr. Hale said. He said they said there is a certain market that would not buy that, but there is a certain market that will, and the key is to balance the number so that there is enough to address that market, but not too many that some will stay vacant.

Mr. Saneholtz said that he liked the concept of having some alley loaded garages. He said at Westhaven, it gave those sections the pedestrian feel which is definitely different than our typical pattern. He said he appreciated the flexibility and the attempts the developer has taken upon themselves to give us the opportunity to do it.

Mr. Gerber said this was a great project and thought that they had moved the biggest mountains tonight. He said he would like to table this in order to get with staff on commercial uses. Mr. Hale asked if the case could be tabled to the February 1 meeting and waive the 15-Day Rule.

Mr. Gerber asked if that would give Planning enough time. Mr. Gunderman said it would be enough time if the only issue to deal with was the commercial uses. Mr. Gerber said it was, with a fine combining of some of the other comments the Commissioners have made. Mr. Gunderman noted that if there is no need for new drawings and only a new list of uses, they could waive the 15-Day Rule.

Mr. Walter asked if that at the next meeting, they would have the opportunity to go into detail on some of the other subareas. Mr. Gerber suggested that the issues with other subareas be discussed tonight.

Mr. Walter said the topology of the site has a ridge, and he asked how much earth will be moved specifically in Subareas 7 and 2. He said he did not want those areas flattened. Aaron Stanford said if the question pointed toward the level of grading or elevation changes, what they provided did not indicate at this point of time what will be seen as a change in elevation. He said that would be worked out through the final development plan. Mr. Walter said he asked because the grading at the Riverside Drive retail center looked significantly different than what was contemplated. He wanted to make sure that is covered at some point. Mr. Gunderman said there had been questions about that grading and the plans really are consistent. Mr. Walter said he was concerned about the change of hills in Phase 7, Subarea D-2. Ms. Wanner said there will be some grading. She said they will try to keep the natural features like the tree rows and minimize the grading around the trees.

Mr. Walter asked where staff was considering the stub street on the northern entrance to be. Ms. Husak said that was also a final development plan issues. She said they wanted to build in connectivity to future possibilities for development. She said it would have to be located sensitively to existing vegetation.

Mr. Walter said he liked all the features discussed in the southern area, but the north gets very linear there. He said if there was a way to make it less linear he would like it. He said there will probably be two very different characteristics in the neighborhood depending upon which area you live. Mr. Gerber asked that the issue be kept in mind for the final development plan stage.

Mr. Sanholtz referred to Page 22 where it stated that shutters were to be operable or appear as such. He asked if “appear as such” meant that they cannot be fastened directly to the building as might be seen in lesser quality. Ms. Husak said the shutters would appear workable and be sized to cover the window. Mr. Sanholtz said he found the wording interesting under I-BB on Page 22 of the text just above the blue shutter graphic. Mr. Jones said “or appears as operable” generally means that there is shutter hardware that is associated. He said it was not just a shutter tacked to the wall.

Mr. Hale said they were happy to do whatever the Commission wanted. He asked if they wanted to spend five minutes going over the uses, or bring them back at the next meeting. Mr. Sanholtz said there was no need to rush through the uses, and he would like the professional planning staff time to review them. Mr. Gerber said he understood the list of uses was short. He said other comments had been made tonight. He said the purpose of waiving the 15-Day Rule was to get it back here. However, he said there is a risk because two Commissioners were not present tonight. He said procedurally, he was not sure how to proceed.

Mr. Hale suggested it could be approved, subject to bringing back the list to the next meeting, and the discussion is the list. Mr. Gerber suggested holding off. He said five Commissioners had pretty much signed on to this and are very much committed to recommending approval to City Council. He said it had been tried before and sometimes people get confused about what is going on. He said he preferred that they come back on February 1st and wrap it up. Mr. Gerber said he was not looking for a three-hour meeting on the topic. He said he thought they could go

through the points that have been raised. He said staff was keenly aware of what those points are and can work with the applicant to get those to the Commission.

Mr. Gunderman said basically, the same conditions were expected in the next discussion with the only thing changing between what is before them now would be a list of uses for the commercial area. Mr. Gerber agreed with Mr. Gunderman. Mr. Gunderman said the recommendations for uses will be sent in the Commission packet.

Mr. Walter said the Commissioners will see revised conditions, because Mr. Gunderman said the same conditions will get tweaked. Ms. Husak said as an example, Condition 7 was a good candidate to be taken care of then.

Mr. Zimmerman referred to Page 39, Subarea D-1, #3, Garden Lots, down to H. He said on the other Subarea D-2 it mentioned: Such fences shall not be made of vinyl and it was absent in H and assumed it was a typographical error he would like correct. Mr. Langworthy said they would like to take the mention out because it was already forbidden by Code.

Mr. Zimmerman referred to Subarea E, Page 43, at the bottom: Off Street Parking – All townhouse units shall be required to have a minimum of two off street parking spaces. He asked if the garage was considered as off street, not a driveway behind the garage. Mr. Hale said garages were considered as off street parking, not the driveway behind the garage.

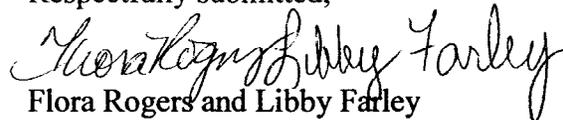
MOTION AND VOTE:

Mr. Gerber moved to table this Rezoning/Preliminary Development Plan to the February 1, 2007, meeting, waiving the fifteen day rule, to further define the uses within the development text, and to further clarify the conditions contained in the staff report, consistent to the discussion at this meeting. Mr. Zimmerman seconded the motion and Mr. Hale agreed to the tabling. Mr. Gerber said he thought this was a great project and that the big issues were covered. He said they are just about there and he thought he could speak for everyone on the Commission that there was ample support for this and they looked forward to seeing this on February 1st.

The vote was as follows: Mr. Walter, yes; Mr. Saneholtz, yes; Ms. Jones, yes; Mr. Zimmerman, yes; and Mr. Gerber, yes. (Tabled 5-0.)

Mr. Gerber adjourned the meeting at 9:22 p.m.

Respectfully submitted,



Flora Rogers and Libby Farley
Administrative Assistants