



## MEETING MINUTES

### Planning & Zoning Commission

Thursday, August 22, 2019

#### CALL TO ORDER

Ms. Newell, Chair, 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: Victoria Newell, Jane Fox, Kristina Kennedy, Mark Supelak, William Wilson, Warren Fishman and Rebecca Call

Staff members present: Jennifer Rauch, Claudia Husak, Nichole Martin, Thaddeus Boggs, Chase Ridge, and Zachary Hounshell

#### ACCEPTANCE OF DOCUMENTS

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

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

(Motion passed 7-0)

#### APPROVAL OF MINUTES

Ms. Fox moved, Mr. Fishman seconded to approve the August 8, 2019 meeting minutes.

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

(Motion passed 7-0)

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.

Ms. Newell stated that the agenda order is typically determined at the beginning of the meeting by the Chair. Case 4: 19-064FP – Hawk's Nest, Lot 102, is eligible for the consent agenda tonight. There were no objections to the case being heard by consent.

## **CONSENT AGENDA**

### **1. Hawk's Nest, Lot 102, 7635 Quetzal Drive, 19-064FP, Final Plat**

Ms. Newell stated that this is a proposal for a re-plat of lot 102 located in the Hawk's Nest Subdivision, Section 2, Phase 1. The 0.45-acre site is zoned R-1, Suburban Residential District, and is located southwest of the intersection of Quetzal Drive and Touraco Drive, east of Avery Road.

Ms. Kennedy moved, Ms. Call seconded to approve the Final Plat with the following condition:

- 1) That the applicant ensure that any minor technical adjustments to the plat are made prior to City Council submittal.

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

(Motion passed 7-0)

## **CASES**

### **2. Oak Park, Subarea E, 7050 & 7055 Oak Park Boulevard, 19-060CP, Concept Plan**

This is a request for the construction of 12, single-family lots and associated site improvements. The 3.47-acre site is west of Hyland-Croy Road, approximately 700 feet southwest of the intersection with Brand Road and Mitchell-Dewitt Road. The site is currently zoned Planned Unit Development.

#### **Case Presentation**

Mr. Ridge stated that this is a request for review of a Concept Plan for a rezoning in the Oak Park neighborhood to allow for the construction of single-family homes where commercial development is currently permitted. The Concept Plan is the first step of the PUD process, by which the Commission provides informal and non-binding feedback. This site is currently zoned PUD, Oak Park, Subarea E. It is located on the west side of Hyland-Croy Road, approximately 700 feet southwest of the intersection with Brand Road. The site is currently undeveloped and contains no significant natural features.

#### History

On October 20, 2006, City Council reviewed and approved Ordinance 74-06 to rezone approximately 61 acres from R, Rural District to PUD, Planned Unit Development District (Oak Park) for the development of 108 residential units, 40,000 square feet of mixed-use space, and 31 acres of open space. In 2007, PZC approved a final development plan and final plat for the subdivision and development of 108 residential units. On November 10, 2016, PZC reviewed and provided informal feedback for three options to convert 36 townhome units into single-family lots within Subareas D and E. It was determined, due to differences in ownership between Subareas D and E at the time, the option for a rezoning of Subarea D and Subarea E together was not possible. On July 13, 2017, PZC formally approved the rezoning and final development plan to convert 36 townhomes in Subarea D to 20 single-family lots, and on September 11, 2017, Council approved Ordinance 52-17 for the rezoning and final plat.

#### Proposal

This proposal is for 12 single-family lots on 3.47 acres and two open spaces, accounting for 0.52 acres of the site. The lots surround the green spaces on two sides, while the existing street network binds the two other sides of the greenspaces. Two lot sizes are proposed. Eight of the lots will be approximately 0.16-acre in size while the remaining four lots will be 0.19-acre in size. The larger lots front Oak Park Boulevard, while the smaller lots will front Oak Tree Drive. The smaller lots are 55 feet in width and 130 feet in depth. The larger lots are 65 feet in width with the same depth of 130 feet. All of the proposed home sites can accommodate either court-loaded or side-loaded garages. Oak Park is unique in its architectural requirements and neighborhood theme. The applicant has indicated that previously approved elevations will continue to be used. Most sites allow for court-loaded or side-loaded garages. The sites will continue the use of the hedgerow feature, which is a unique character element.

Staff has proposed the following questions to guide the discussion:

- 1) Does the Commission support the request to pursue the conversion of the commercial area to single-family lots?
- 2) Does the Commission find the proposed site layout and design harmonious with the existing Oak Park neighborhood?
- 3) Does the Commission support staff's preference that there be additional connectivity throughout, including along the alleyways that lead to the proposed greenspaces?
- 4) Other considerations by the Commission.

### **Commission Questions**

Ms. Fox stated that the proposal would use two of the house styles included in the original development – the Park Home, which is 2,500 - 3,800 square feet, and the Village Home, which is smaller. Would the Park Home be placed on the larger lots and the Village Home placed on the smaller lots in this proposal?

Mr. Ridge responded that the smaller home style would be used.

Ms. Fox inquired if all 12 homes would be the smaller home style.

Mr. Ridge responded affirmatively.

Ms. Kennedy inquired about the connectivity of the site.

Mr. Ridge displayed a graphic showing the connectivity throughout the site, including bikepaths and sidewalks.

Ms. Fox stated that in Subarea D, she was unable to determine the architecture style or home sizes. Is the Village Home reflected in Subarea D, as well, or does it contain homes of an entirely different architecture?

Mr. Ridge responded that it is the same – the Village Home.

Ms. Fox inquired if both Subareas D and E would contain the Village Home style.

Mr. Ridge responded affirmatively.

### **Applicant Presentation**

Christopher Cline, Haynes, Kessler, Myers and Postalakis, 300 W. Wilson Bridge Rd, Suite 100, Worthington, OH 43085, Worthington, representing the applicant, Oak Park Dublin, LLC, stated that also present is Linda Menerey, EMH&T. Ms. Menerey will address the technical aspects of the plan. He will address the history and land use.

The lengthy history on this case is very important and is the reason the case is before the Commission tonight. This is a revision of the PUD rezoning, which occurred in 2006. In 2005, the partnership, chiefly composed of Solove family members, owners of the land, became interested in selling it. This Oak Park development originally was planned in another location. However, the City determined that that they desired to change the zoning in that area and requested that the applicant withdraw their application and locate the project elsewhere.

His client is New Jersey centered, Atlantic Realty Hallmark Homes, and Oak Park is a joint venture of that organization. Due to family relationships in the area, they desired to develop a project in central Ohio. They identified this property on the west side of Hyland-Croy Road, approximately 650 feet southwest of the intersection of Hyland-Croy Road and Mitchell-Dewitt Road, adjacent to Dublin Jerome High School, which they wished to purchase. Unfortunately, the proposed purchase would carry a condition that the seller, HC Associates, retain a certain amount of the land for commercial development of a retail center within the proposed single-family residential development. HC Associates and two different developers were involved in this matter. The commercial part of the site was owned by Jerry Solove.

The PUD design was based on the City's Conservation Design preference. That design concentrated the residential uses more closely together with a large amount of surrounding open space. The plan had approximately 50% open space with the larger homes located on small lots. Although two home styles were offered, buyers wanted the larger homes and so the distinction between the two homes was eliminated. Homes in the development being sold today are in the \$550,000 range. The architecture is distinctive, and the homes have four-sided architecture and four-sided materials. The four-sided materials made the homes more expensive and made it more difficult for the developer to compete with the same size house being built by other developers. All of the land between the currently zoned retail site and Hyland-Croy Road was dedicated to the City as parkland. The 50% open space that surrounds the residential area is owned and maintained by the City as parkland. The space the HOA maintains is smaller.

The commercial reserves presented a significant problem. Per the current zoning, Subarea E is Neighborhood Commercial, but the Permitted Uses allowed anything in Neighborhood Commercial and in Community Commercial, with the exception of 12 uses. Permitted as Conditional Uses in the middle of this neighborhood were auto-oriented commercial facilities. A lengthy list of retail uses were permitted on this commercially zoned land that are not Neighborhood Commercial. This made it difficult to market the residential subdivision during the next 10 years. Although the commercial plan was beautiful, it made the site so expensive that the developer was never able to develop it.

The commercial landowner was obligated to pay a portion of the infrastructure costs, such as sewers and roads, if the commercial development occurred. He was required to sign a mortgage note for \$1.8 million for that share (slightly less than 50%) of the project. When the detailed land purchase agreement was entered into in 2005, there was little other development on the area. A significant level of development exists today in the Glacier Ridge area that has a character not anticipated when this commercial use was envisioned. As the greater area evolved, it developed as primarily single-family and empty nester uses. Empty nesters prefer single-level homes, not 3-story townhouses. Because the currently zoned 3-story condos were envisioned as a buffer for the residential development, Planning staff was not supportive of their efforts to develop single-family homes here. As zoned, the commercial area had a 200-ft. setback from the roadway, and the signage was very limited. Commercial uses need visibility. In addition, the commercial area of

40,000 square feet was too small to support a retail center. The Community Plan stated that these retail centers should be a minimum of 60,000 square feet. Consequently, the retail never developed.

They were unable to develop the 3-story townhouses, and there were only eight lots remaining in the residential area. If Council did not rezone the area to permit another home style, the subdivision would "go dark," which would not benefit the City or the residents. Planning staff agreed to work with their team, and Ms. Menerey identified the concept of villa lots. The villa lots that surround the commercial area only had 104 feet of depth, because the roads were all in. There are no new roads to be built in Oak Park. However, they decided that they could achieve a meld of traditional, single-family and patio homes. The patio homes have full backyards and are alley-accessed, but they are large homes. They may well turn out to be the same price point as the single-family homes. The lots are 55 feet wide and only 104 feet deep, but there is room for a garden or a patio. They had been hopeful to get assistance from the City in the form of a "nudge" to the commercial developer, but they were not able to secure that.

The Informal Review proposal reviewed by the Commission in 2016 contained three proposals. Option A, if they had been able to get control of all of the land -- both the townhome lots and the commercial area -- would have permitted a development of 32 single-family lots with no alleys, which would have been consistent with the rest of Oak Park. Option B was the villa lots, and Option C was what is being proposed tonight. Although they made many attempts, they were unable to gain control of the commercial portion, so they proceeded with Option B, the villa lots. They are pleased with the villa lots, which will appeal to empty nester buyers. The commercial area continued to present a problem, however, because the villas would back up to the commercial area. To provide a buffer from any potential commercial uses, the Final Development Plan provided six-foot fences along the alleys. Because they are not part of the zoning, the fences could be removed with a minor amendment to the Final Development Plan. The zoning text for the villa development enshrines staff's ability to modify the home plans if a buyer requests it.

They have continued to attempt to work with the commercial developer, and in 2018, Jerry Halprin, the Oak Park residential developer and Jerry Solove, the commercial developer, met and crafted a settlement that would transfer the commercial property to Oak Park. That agreement was not signed until May 2019 and came at a significant cost, as the interests of three parties were involved. The global deal involved the cancellation of the \$1.8 million mortgage and a \$700,000 mortgage with some exchange of money to satisfy the different obligations. At that point, the residential developer owned the commercial land, as well, but as part of that global agreement, they were required to file and complete a rezoning for the 12 single-family lots within 270 days. Additionally, the villa lots are enshrined in the agreement. There has been extensive effort to get to this point. While they would have preferred to have developed Option A, they did not have that option. They have worked with the land they could control. The proposed development will create an attractive front door to Oak Park, which has been missing. Since 2007, this commercial area could have been developed, but it was not. That is an indication the commercial land use did not make sense here in this residential area. Approval of the proposed rezoning would require an amendment to the Future Land Use, which shows these two reserves as being mixed residential neighborhood center. He is hopeful that the Commission will see the value of rezoning the retail as single-family residential. If that occurs, any of the 15-20 home models currently available in Oak Park would be available here. The density of the entire subarea would be 1.44 du/acre, which will decrease the overall Oak Park density to 1.77 du/acre.

Ms. Menerey, Associate, EMH&T, Inc., 5500 New Albany Rd., Columbus, Ohio, 43054, stated that all of the roads, alleys and utilities are in place. The two reserves on either side will be totally

encompassed by already constructed roads. The 12 proposed lots will be comparable to the perimeter lots. There will be a lower density with less units and an additional 0.5-acre of open space. They were asked to complete a traffic impact study, which showed a significant traffic reduction by replacing 40,000 square feet of commercial with 12 single-family homes of the existing palette. The entry here will be a replication of that approved previously for the villa development, creating a consistent look along the boulevard.

### **Commission Questions for the Applicant**

Ms. Fox inquired if there would be a 60% lot coverage with the proposed development.

Mr. Cline stated that these 135-foot depth lots are actually five feet deeper than the 125-foot depth that is standard in Oak Park.

Ms. Fox stated that it is essential to look at the entire development holistically.

Mr. Cline responded that, essentially, the conditions in the rest of the subdivision would be the same here. Because the lots are a little deeper, there may be less lot coverage. Homeowners in this subdivision tend to put the larger homes on the smaller lots, so most of the homes built here are on the setback lines. That is the style of this subdivision.

Ms. Call stated that there is a 6-foot sideyard setback, a 15-foot rear setback and a 20-foot front setback. Is that consistent with what is expected in this area?

Mr. Ridge responded that setbacks have not been set necessarily, but the intent is to keep it consistent throughout.

Mr. Cline stated that the setbacks for the rest of Oak Park are not less than 13 feet or greater than 20 feet. That caused a problem, because the utility setbacks were 20 feet. They will probably specify the setback, which is likely to be 20 feet.

Ms. Menerey stated that with 55-foot x 130-foot lots, the buildable area, excluding the setbacks, would be 59%. However, the entire buildable area would not be built. There would be some additional greenspace, making it comparable to the existing development.

Ms. Fox inquired if the villa development is the same.

Mr. Cline responded that he believes the lot coverage was a little higher. The villas have detached garages; whereas, most of these homes will have a garage incorporated into the structure.

Ms. Call inquired about connectivity. There is no sidewalk along the upper and lower edges of the 12 lots. She does not like the shared-use roadway, especially in a neighborhood immediately off a main road. She would encourage them to add connectivity throughout the development.

Mr. Cline responded that they would work on that issue; however, they do not have a right-of-way. Typically, sidewalks are in the right-of-way. These are private streets, so there is no public right-of-way.

Ms. Menerey responded that there is a sidewalk extending from Hyland-Croy Road within an easement with a handicapped crossing. The entire perimeter block is very consistent with all the other perimeter blocks throughout the development. Where there are alleys, it is difficult to add sidewalks. The assumption was that people could walk a few feet along the alley past a couple of lots and access the greenspace.

Ms. Call stated that in the remainder of the development, it is possible to access the greenspace from an adjacent sidewalk. Along the perimeter of all the homes, there is a sidewalk. Open space is usable space for the residents, but if they do not live in the five homes that abut the areas, they must walk in the street to access it.

Ms. Menerey responded that the alleys are already in place. It would be necessary to walk only 130 feet to access the greenspace; however, they will look at that situation again.

Mr. Wilson requested clarification regarding the difficulty in adding sidewalks when they own the property.

Ms. Menerey responded that the lots extend to the end of the alleys and the alleys are in reserves. Adding a sidewalk in there would shrink the lot space. The sidewalk ends up being in the side yard setback or the building pad is reduced.

Mr. Wilson stated that, typically, alleys are for vehicles, particularly in larger cities. While they can be used by pedestrians, having separate spaces for each is preferable for safety reasons. Therefore, that will be necessary in this project.

Ms. Fox stated that she understands that the original intent was that the commercial developer would be using and paying for the private streets. However, that situation has changed, and maintenance of the private streets will become a burden for the residents. Normally, it would be necessary to provide residential streets with sidewalks and ability for vehicle parking, but due to the previously anticipated use as alleys, these are now narrow streets. She is not opposed to a rezoning to residential, but has an issue with the difficulties of squeezing residential into what was a commercial space with alleys and expenses that will become a burden for the homeowners.

Mr. Cline stated that there are issues when the developer does not build alleys to the appropriate specifications. In this case, all of the public and private streets in Oak Park have the same roadway specifications. They have been in place since 2007 and were built to municipal street standards. The only difference between the private and public street is the inverted crown streets – the drainage runs to the center rather than the curb, but they have the same drainage underneath the streets. The existing alleys are already part of Oak Park and are the HOA's responsibility. Currently, the developer has been paying for all the expenses of Oak Park. The HOA currently has \$260,000 in their account because they have not yet been asked to contribute to the general maintenance and upkeep of Oak Park. When the project for the villas came before Council for consideration, Council asked them to review the future maintenance costs. They provided a cost breakdown for future Oak Park that indicated a monthly HOA fee of \$70/month. Although the residents are paying \$98/month in HOA fees, there are many communities in Dublin that have an HOA fee of \$250-\$300/month. Due to the quality of these streets, following the same 10-year street maintenance schedule as the municipality should be sufficient. Although interest has been expressed in having the City assume the maintenance of these private streets, in the past, the City has not done so because, typically, private streets have not been built to municipal standards.

Ms. Menerey stated that Oak Tree Drive North and South was planned to accommodate head-in parking, so there is an additional 20 feet. They are suggesting taking 10 feet of that and providing parking on one side of the street. The fire hydrants, water lines, sanitary and storm sewers are already there. There is an opportunity to provide parking, and sidewalks could be installed in the easements, not public right-of-way.

Mr. Cline clarified that because this particular land is currently zoned for commercial, it is not part of the HOA. It is not subject to the deed restrictions and covenants of Oak Park, which was established by the residential developer. If approved, the proposed 12 homes will be incorporated into the HOA. The deed restrictions and covenants will be amended accordingly, and the HOA will have the HOA fees from these 12 homes.

Ms. Call stated that it appears that sidewalks were installed as the development took place within the existing neighborhood. In this case, the alleys are existing, so sidewalks would need to be added. However, that is what, typically, has occurred.

Mr. Cline responded that, due to the heavy construction equipment, one of the last tasks to be completed is the sidewalk installation.

### **PUBLIC COMMENT**

Melvis Houseman, 7134 Snowdrop Court, Dublin, OH, stated that she is representing the Oak Park homeowners' concerns with this development. She is a member of the community, and the proposed redevelopment of the townhome and commercial lots is directly in front of her home. Unfortunately, she and the homeowners received communication that the action of the homeowners would be an intentional interference with the contractual obligations and rights of the developer as well as other parties. That communication was clearly meant to discourage the homeowners from exercising their rights as residents of the City of Dublin to come before the Commission, and it undermines the very purpose of this public hearing.

Ms. Houseman provided a slide presentation. There are two main issues with this redevelopment: (1) the development inconsistencies, and (2) the undue burden that will be placed on the HOA for maintenance of the private roads. The homeowners would like to propose that the developer's Option A be brought back with the Commission's indication of support and that all private roads be converted to public roads.

#### Background:

Oak Park originated in 2006 as a mixed-use development. In 2017, the developer requested the rezoning of the townhomes. In the PZC minutes of 11-10-16, Commissioners indicated a need to do something to prevent the residential development from going dark and their recognition that the commercial development would not occur. At that time, there was no ability to put pressure on the absentee landowner (of the commercial area). Today the facts are different. Both Subarea D, the townhomes, and Subarea E -- the commercial lots, are owned by the same developer. As of today, there has been no construction activity in either subarea, and no plans have been submitted by the developer for construction of homes in Subarea D. Because one developer now owns both areas, the homeowners ask the Commission and Council to discontinue the piecemeal approach to rezoning in Oak Park and ensure that the redevelopment of Subarea D and E is consistent with the existing development. This would address the cluster problem and guarantee that the HOA is not overburdened with the maintenance of the private roads. The Developer's statement regarding Option A, submitted to the Commission in 2016, indicated that including both the commercial and townhome lots (Option A) was the best alternative. "It yields 32 single-family lots of a 125-foot depth and similar lot frontage to existing Oak Park lots. This option would continue Oak Park in a fashion similar to the initial phase in terms of unit size, architecture and quality of materials...." He also stated that because the residential developer did not control the



commercial land, that option was aspirational. A different statement in that same document was that a separate development of Option B and Option C yields the same number of residential units as Option A; however, the resulting value is less if Options B and C are developed separately. Option A would address all the inconsistencies. All of the lot depth would be consistent; the lot width would vary but be consistent with what exists in Oak Park. It would eliminate the cluster problem, because the 55-foot width lots would be spread out. The front and rear yard setbacks would be consistent with those of the current homes in Oak Park. The lot coverage for new homes would not exceed 60%, and the garage location would be consistent with existing Oak Park homes -- most on the front of homes with a variation for the corner lots. No fence would be needed, four alleys would be eliminated, and there would be an interior park open space that is consistent with existing Oak Park. When Option A was presented to PZC in 2016-2107, the Commissioners expressed support for Option A. Option A offers both the developer and the HOA positive results. The larger lots will make the homes easier to sell. As a mother, she would not want a villa home with a street immediately in front and an alley immediately behind. When she purchased her home in Oak Park, she was told that the developer expected empty nesters to be drawn to the community. Today, Oak Park is filled with families with young children. The villa homes will not be attractive to families. Option A would not reduce the number of homes the developer wants to build – 32 homes. It would eliminate the undue burden on the HOA. When the Oak Park plan was approved, it was anticipated that the Subarea D (townhomes) and Subarea E (commercial) would use the two adjacent reserves for ingress and egress. It was also anticipated that the HOA would own and maintain those reserves, and the HOA and the owner of the commercial lots would enter into a cost-sharing agreement to maintain those private drives. In the homeowners' declaration, there are two references to a cost-sharing agreement for the costs of maintaining the private drives. When she purchased her home, she anticipated that 108 lots would be contributing to the HOA; that there would be a cost-sharing agreement between the HOA and the owner of the commercial lots; and that the owner of the commercial lots would maintain the two roads that are parallel to Hyland-Croy Road. After the rezoning of Subarea D (townhomes) and with the proposed rezoning, there will only be 104 members contributing to the HOA, and the HOA would be wholly responsible for those reserves and alleys and for two additional private roads. As a result of the 2017 rezoning and the current, proposed rezoning, there would be no cost-sharing agreement to offset the cost of maintenance of the alleys, only increased costs for the HOA. The maintenance of private roads is a recurring topic. With the original rezoning ordinance for Oak Park, Ordinance 74-06, there is a memo from the City Manager that states, "At the November 6, 2006 City Council meeting, the issue of costs for private street maintenance becoming a burden for homeowners in the Oak Park development was raised. The applicant has supplied information addressing this issue." In the minutes from the first Council hearing on August 14, 2017, the following statements are reflected:

- Ms. Amorose Groomes stated that it had been the City's practice to discourage private streets. By standardizing the streets, it would make it easier for larger trucks to come into the neighborhood. These streets (the alleys) are much narrower than the balance of the streets.
- The Vice Mayor stated that maintaining roads is expensive for HOAs, and he does not want the taxpayers to have to pay this expense in the future.
- Mr. Lecklider stated that he assumed the expense of maintaining private roads would be shared with the commercial property owners.

At the September 11, 2017 meeting, it was noted that there had been an Oak Park alleys condition evaluation, which indicated the following: Crack sealing and patching would be needed in the next one-two years for an estimated cost of \$10,000, and pavement mill and fill would be

necessary in the next 8-10 years for a cost of \$120,000. The question was raised regarding who would be responsible for paying that cost. Unfortunately, there was no cost-sharing agreement in place between the commercial property owners and the residential property owners, even though that was included in their declaration. At the same Council meeting, Ms. Salay stated that the City "has tried to prevent rezoning or redevelopment like this, because it would create an undue burden for the residents. This has occurred a number of times, and the neighborhoods then come to Council for request relief. For that reason, the City now avoids having private streets in developments."

The issue of private roads is significant. As a homeowner, hearing that there will be a cost of \$120,000 in the next few years is very concerning. It does not matter that there is some money in the reserve fund, because that fund will not last indefinitely.

They conducted a HOA fee survey of some of the other communities in Dublin. She has provided a handout to the Commission that provides a comprehensive list of the HOA fees. For instance, the Westbury annual HOA fee is \$125, and they maintain 5 acres of land, fence and an entrance sign and landscaping. The Tartan Ridge fee is \$800/year, and they maintain 46 acres of land and ponds. A \$500,000 home in Muirfield is \$1,100/year. In Oak Park, the homeowners pay \$1,152 a year for 4 acres of common area, a clubhouse and pond. The rezoning of Subarea D, the commercial area, as proposed by the developer, will increase the burden on the HOA. For this reason, they ask that all their private roads be converted to public roads. They have obtained signatures from 96% of the homeowners (65 of the 68 built homes) on a petition in support of the developer's Plan A. [copies provided to the Commission.] In view of the minutes excerpts provided, if the developer had presented the currently proposed rezoning to the Commission and Council in 2006, it is certain it would not have been approved.

In summary, these are the HOA's requests:

1. Bring back the developer's option A. That plan is no longer aspirational, because the developer owns both areas. Option A would solve all the development inconsistencies, and it would eliminate the four alleys and the fences, which ultimately would reduce costs for the HOA.
2. Affirm that the Commission is supportive of such a plan.
3. Convert the private roads to public roads to prevent an undue burden on the residents. The City, developer and the homeowners have a tremendous opportunity to make the community of Oak Park a better place. The best possible outcome will be achieved by evaluating development opportunities at Oak Park in a comprehensive, holistic manner that will ensure consistency with the existing homes and eliminate an undue burden on the HOA.

### **Commission Questions to the Applicant**

Ms. Kennedy inquired if the Commission is to assume that the developer is not in agreement with Option A.

Mr. Cline responded that the matter before the Commission is the rezoning of the two commercial reserves. That is the only matter which the Commission has the power to address with this application. If the rezoning is not approved, the commercial reserves will remain. Originally, Option A was their preference, but despite their efforts, they were not able to get control of that land, nor were they able to get the City to put pressure on that commercial developer. They proceeded with what they could do and developed the villas. Because the originally planned townhomes would have had no setback, the villas were an improvement. The Village homes all

have 5.0-foot setbacks on the sides, which is the minimum amount for Fire Department access. The Park homes did have a 6.0-foot access. At this point, there is no opportunity to return to Option A. The money has been paid, and there is now a contract that will address all the issues. The only issue that is unresolved is if the Commission will approve the elimination of the retail and replacement thereof with the proposed 12 single-family homes. Everything else is zoned and approved.

Ms. Newell stated that the existing Oak Tree Drive South extends through both of the subareas proposed for rezoning, and inquired if the Commission had the authority to require the streets included in the proposed rezoning area to be made public streets.

Mr. Boggs responded that he does not know from the depiction in the Concept Plan proposal that any or the entirety of those private streets are within the reserves under consideration at this time. He does not have the materials to evaluate that independently.

Ms. Newell inquired if staff is able to answer that question. They appear to be within the proposed rezoning area.

Ms. Husak responded that it is not as simple as requesting that these streets be made public. They are existing, built streets and are not built to public street standards. There is a Code in place that regulates how a private street can be converted into a public street, and as they exist today, these streets do not qualify for such conversion.

Ms. Newell responded that she understands the City's standards for public streets vs. private streets. There are other condominium communities with private streets, which the HOAs must maintain. However, because the streets here are in a proposed rezoning, it is valid to consider what impact that would make on the HOA fees in this community. Private streets can be reconstructed to public street standards, and with this rezoning, that seems an appropriate measure. She understands that unless the applicant submits a request to rezone the surrounding properties, the Commission cannot rezone it. What the Commission can control is what occurs with the parcels within the proposed rezoning.

Mr. Cline stated that Ms. Menerey has pointed out that there is no access to a public street from the two private streets. They connect to the entrance boulevard but not to Snowdrop Court. The land within existing Reserve J lies between the two. The question posed is if the Commission could approve the rezoning with the condition that the private streets be reconstructed to public street standards. The next question would be if his client would accept that, and he does not believe he would. If that is the case, unfortunately, the commercial site will remain in the middle of the subdivision.

Ms. Newell stated that it is equally odd to have Snowdrop Court, a public street, extend into a private street, and from the private street, connect back into Oak Park Boulevard.

Mr. Cline responded that the bulb is actually part of the reserve; it is not a public street. The boulevard is a public street, but the two circular bulb sections are not. In his opinion, the one 24-foot wide street that is constructed to the same roadbed standards as a public street could become a public street, if that were Council's direction. There is little difference between dual gutter streets and inverted crown streets, although there is a preference for the latter in Dublin. It is doubtful that the City Engineering Department would find that Oak Tree Drive North and South would impose a greater maintenance burden on the City.

Mr. Hammersmith responded that he does not believe that street was built to a public street standard.

Mr. Cline responded that he has those plans with him. All the streets in Oak Park were built to the same roadbed standards as public streets. His point is that these streets are not going to fall apart as have many of the streets in private developments in Dublin.

Ms. Newell stated that does not address the maintenance cost concerns for her. It is evident that there was to have been a shared maintenance agreement for those private drives.

Mr. Boggs stated that he is not aware of anything other than what has been presented by the two parties. However, the question before the Commission tonight is the Concept Plan. While, historically, there has been a concern regarding the wisdom of private streets and accepting public dominion over formerly private streets, he is unable to discern whether the private streets are within these subareas and within the scope of the rezoning request before the Commission at this time. If they are, in fact, all in the previously rezoned Subarea D, that would not be part of the application before the Commission. At this Concept Plan stage, it is the initial opportunity for applicants, the public and the Commission to review the Concept Plan. Detailed drawings and development text would come with a Preliminary Development Plan review, which is the next step. At this time, nothing the Commission or applicant says binds their action with the Preliminary Development Plan stage.

Mr. Fishman stated that hearing the citizen representative's presentation made him proud to be a resident of this City. This type of citizen involvement is what makes Dublin what it is. In Dublin, traditionally, a certain percentage of the residents and the developer are in agreement before a rezoning occurs. In this case, 96% of the residents are in opposition to the proposed rezoning. He would suggest the Commission table the case to allow the residents and the developer an opportunity to meet. When the applicant returns with a Preliminary Development Plan proposal, they will have achieved some agreement. He is not supportive of private streets. A developer should not be permitted to install private streets and, ultimately, the City end up becoming responsible for them. In such cases, the City has had to rebuild private streets to public street standards. The developer has not considered reducing the number of units in order to change the street configurations.

Ms. Newell clarified that only the applicant can request their case be tabled.

Mr. Boggs reminded the Commission that a Concept Plan review provides an opportunity for the Commission to provide early feedback on a plan. The applicant takes the feedback and determines whether or not to submit a Preliminary Development Plan.

Ms. Call stated that, ultimately, she is in favor of rezoning the commercial area to residential. However, the proposed plan is not yet what it should be. She would encourage the developer to work with the Oak Park community, as they will be living next to the proposed development.

Ms. Fox stated that the rezoning proposal criteria asks whether the rezoning would negatively impact those adjacent to the rezoning site. In this case, the residents have voiced their concerns clearly. Eliminating the commercial is a good idea; residential would be appropriate in this area, but she is concerned about the negative impact of the proposed rezoning. The Commission needs to consider how to convert private streets to public streets. They are too burdensome for HOAs to handle; it is not in their purview. As for the site itself, she has some suggestions:

- 1) Address the inconsistencies in the setbacks and rights-of-way.
- 2) On Oak Park Boulevard, there a landscape buffer and four of the driveways on that street empty into the buffer. There is very little space for ingress and egress.
- 3) She agrees with the concern regarding connectivity. There are some lovely greenspaces here, and it is necessary to provide ability for children to get off the roadways, regardless of whether they are alleys. The site is overwhelmed with children on skates and bicycles. We do not want children going to a park via a road that has driveways emptying into it. She would encourage the developer to look at opportunities for making this a safer environment for the residents.
- 4) In her review of the past minutes, it was clear that the intent was that Oak Park Boulevard provide a long-distance view to the Community Center, which is a lovely structure. The proposed landscape plan obstructs that view. Because the roadway is narrower in some parts than others, her suggestion would be to have landscaping on the perimeters of Oak Park Boulevard that has a focal point. Upon entering the Oak Park community, the long distance view to the community center needs to be enhanced.
- 5) In reference to the greenspace, the Oak Park development text refers to the appearance of an English-Irish cottage setting. Because of the lack of connectivity, these greenspaces seem to separate. When those spaces are developed, it would be nice to have a feature similar to what exists behind the Community Center, something to draw the neighborhood to it, such as a path or a fountain.
- 6) Finally, she cannot support a rezoning proposal that does not have the support of the residents in that neighborhood.

Mr. Fishman noted that he did not hear the residents' objection to the "right kind" of commercial development. The developer stated that what was originally proposed was an obtrusive type of commercial, such as auto repair and fuel services. Now that one developer owns all the property, perhaps a type of light commercial could be identified that would be acceptable to the residents. Mr. Cline stated that if the proposed rezoning does not go forward, the commercial lots could be sold to another developer.

Ms. Newell pointed out that anything that is permitted to be developed on that property today as it is currently zoned would continue to be permitted on that property, unless an applicant brought a different proposal before the Commission. That is one of the issues the Commission considers with a rezoning.

Mr. Cline stated that would not be a positive result. This entire process has been confronted with having to making choices that were not the preferred choices.

Mr. Fishman responded that he understands that. At this time, however, he is not supportive of the closeness of the houses, the private streets, and the HOA having the burden of the private street maintenance.

Mr. Wilson stated that he concurs with the statement that it is important for the developer to have conversations with the residents and ensure that the result is a plan on which everyone agrees. He is supportive of rezoning the commercial area to residential. Due to its distance from the street, it would seem more appropriate for it to be a residential community. He is not supportive of the proposed layout, but because one developer controls the area, he is hopeful

they can identify a more suitable layout. It is important to ensure better walkability and accessibility within the community.

Mr. Fishman stated that although fences are not on the property proposed for rezoning, he reminded the Commission of its intent never to create a situation where fences are needed. It has been previously stated that trees improve when they age; fences get worse. They require maintenance that creates a burden for an HOA.

Mr. Supelak inquired in what stage is the development in Subarea D.

Ms. Husak stated that the Concept Plan is the first step in a rezoning request. If the developer were to develop it commercially, as it is already zoned, it would be in the final step – the Final Development Plan.

Mr. Supelak responded that would be the case with Subarea E. Subarea D is the villa development, which has been approved.

Ms. Husak responded that the development in Subarea D is in the Building Permits stage.

Mr. Supelak stated that he concurs with fellow Commissioners regarding rezoning the commercial subarea to residential. In the past, we have been ambitious regarding commercial pockets; ultimately, they have proven to be hard to market. The right commercial entity has to be identified. Private streets are very unfortunate, and the developers had many opportunities to avoid creating the problem in the first place. That is a burden that is now falling on the homeowners, which is very problematic. In Subarea E, sidewalks will be important. It will also be important to have a development that will maintain the character of the lot size, architecture and aesthetics of the greater community. It will also be important not to add any extra expense to the HOA, but rather to reduce it.

Ms. Kennedy thanked Ms. Houseman for her presentation. It is meaningful to the Commission to hear from the people who live in that area, and is important for the Commission to keep those comments in mind as the process moves forward. The residents requested that the Commission bring back Option A, but according to the developer, that is no longer an opportunity. In regard to private roads, the Commission will not be able to identify a resolution at this time, but the Commission has attempted to make its desires known on the residents' behalf. Unfortunately, the Commission does not have the ability to impact the areas of change that the residents request. In regard to other areas, such as sidewalks and connectivity, the Commission does have the ability to influence the process.

Ms. Newell stated that there are ways to create the desired connectivity along all of the private streets. In terms of the area along Oak Drive, there was testimony that within the subarea, at a minimum, the road needs to be designed and constructed as a public street. It is extremely odd to have a public street tying into a private street that will tie back into a public street. She understands how it occurred, but it needs to be addressed differently in this rezoning.

Mr. Cline stated that it may have made sense at the time because the road provided access to the commercial area, which that developer owned.

Ms. Newell stated that she is supportive of rezoning this area to residential property as it is in the best interest of this community. Her experience as a Dublin resident and a Commission member has made her aware that most of the areas with commercial development within residential

neighborhoods have not done well in the long run and have become problematic for the neighborhoods.

Mr. Cline thanked the Commission for their input.

Ms. Newell thanked the residents for their interest and involvement.

[A five-minute recess was taken.]

### **3. OSU Medical Campus, 19-055CP , Concept Plan**

Ms. Newell stated that this application is a request for review of a Concept Plan, which is the first step for the potential rezoning of a 34-acre site from ID-1, Research Office District to Planned Unit Development District for the potential development of a medical office building and an ambulatory care center (Phase I) and a potential future hospital (Phase II). The site is on the north side of Shier Rings Road, east of Eiterman Road, west of Avery Road, and south of US 33.

#### **Staff Presentation**

##### Background

Ms. Husak stated this a Concept Plan review for The Ohio State University (OSU) Wexner Medical Campus to be located in Dublin. The Concept Plan will provide informal feedback from the Commission. The applicant has filed an application for a rezoning to a PUD. The 34-acre site, currently owned by the City of Dublin, was acquired for economic development purposes. The site, located within the eastern portion of the West Innovation District and on the south side of US33, is currently comprised of three parcels. Eventually, there will be a preliminary development plat and final plat application, which will result in a parcel of the size and shape shown [image shown], and will provide access through public right-of-way. On the south side is Shier Rings Road, where the Dublin Service Center and the Dublin School Transportation site are located. The Ballantrae neighborhood is also located to the south. On the west is the Washington Township Administration Building, a church and the Sutphen Corporation. Cosgray Ditch runs through the site, and the City of Dublin has committed to working with the Army Corps of Engineers in relocating that ditch. Public notices of the project were sent out recently. The Community Plan shows the future land use for this site as RD-Research and Development. In 2017, City Council approved Ordinance 69-17 for an amendment to the West Innovation District (WID) Special Area Plan as part of the City of Dublin Community Plan. The updated plan is more inclusive in regard to land uses. It provides different amenities and opportunities for development, particularly driven by the OSU Heritage College, which is located in the northern portion of this district. To date, little development has occurred in the district. The site was zoned ID as part of the original Innovation Plan, adopted in 2011, so its current zoning is ID-1, which is a research and office zoning district. All of the uses that will be included in the PUD zoning are permitted currently in the ID-1 District. However, a PUD will provide more flexibility for the applicant and the City.

##### Proposed Site Plan

The plan for a medical campus will be developed in two phases. Phase I will include medical office space as well as an ambulatory care facility. Phase I will include approximately 250,000 square feet with parking provided in three distinct areas. The western portion of the site will remain vacant in Phase I, but will accommodate a future Phase II. The plan is to provide access to the site along the southern boundary from existing Shier Rings Road extending west toward Eiterman

Road. City Engineering is currently evaluating whether that will be a relocated Shier Rings Road and if it would have a different name. Engineering is currently reviewing the applicant's traffic impact study and evaluating the impacts of providing this access on the larger transportation network. This road change will be a City CIP project. The proposed OSU project, including the potential changes in the transportation network, was introduced to the neighborhood at a public meeting earlier in August. Significant public feedback was provided. Engineering is continuing its study of potential transportation network changes. Phase II provides for a hospital building to be attached on the west to the Phase I - Ambulatory Care Facility. Additional parking areas will be provided, as well. Internal vehicle circulation roadways and pedestrian paths will be provided. Stormwater management facilities will be located on the northern and eastern portions of the site. Cross access is contemplated for sites to develop east and west of the proposed facility. Preliminary elevations of the facility have been provided, primarily a material and massing study. Many more interior plans must be finalized. The main building will be primarily brick and glass with modern lines. Some stone, limestone and metal elements will exist on the bottom of the structure. The applicant has provided preliminary details addressing the open space locations and programming for the site. A courtyard for a café and a respite garden are proposed as well as an entry court and entry green on the south; entry walls will be of limestone; different types of treatments for the stormwater management areas will be included, as well as quiet spaces and walking paths throughout the open spaces. At the public meeting, it was noted that AEP has been working on a project to provide additional power lines through the district to Shier Rings Road, but that is not an OSU or City project. AEP is a public utility over which the City does not have jurisdiction. AEP will be hosting a public meeting in the near future. Staff has provided the following discussion questions:

- 1) Does the Commission support this proposal as a catalyst to begin establishing the vision adopted by the City as part of the WID Special Area Plan for a District that includes a mixed-use environment of integrated academic, research, office and advanced manufacturing uses, ultimately supported by residential, retail, personal services, entertainment and open spaces as amenities?
- 2) Does the Commission support the proposed layout of the facility and the site?
- 3) Is the architectural concept furthering the goal of the Community Plan for modern, innovative, sleek architecture?
- 4) Does the conceptual landscape and open space plan provide adequate variety and sufficient spaces for patients, visitors and staff?
- 5) Other considerations by the Commission.

### **Commission Questions**

Ms. Kennedy inquired if the Commission would be addressing Phase 2 at this time, as well.

Ms. Husak responded affirmatively. When the rezoning application comes before the Commission, it will have a zoning text that addresses both phases.

Ms. Call requested clarification of the location of the Cosgray Ditch, if Shier Rings Road will be realigned, or if there would be a new road, and if so, if it would have a different name.

Ms. Husak responded that, although it is currently identified as realigned Shier Rings Road, the new road does not yet have a new name. The tree line shown on the plan depicts Cosgray Ditch. Existing Shier Rings Road is on the southern portion of the site. Somewhere within this area,



there will be an intersection and a roadway running in front of the facility to the northwest; that is currently under study.

Mr. Supelak stated that this street layout is different from the master plan the Commission viewed previously. Is that because this is one of the first parcels to be substantially developed?

Ms. Husak responded it was always the intent that Shier Rings would eventually be realigned north and carry more traffic volume for the West Innovation District. Conceptually, there were also internal roadways that would connect the larger sites within the interior. This large campus facility emphasizes the need to have a roadway connection running through the district further to the east than was anticipated.

Ms. Fox stated that the Community Plan provides a holistic overview of how the district will be developed. It is important to have the Master Plan and Community Plan at hand when we review these opportunities. This plan provides some lovely uses of outdoor spaces and engaging placemaking areas, but those all appear to be on the back end of the property facing a highway, instead of on the side of the property that would become part of the greater development. Was there an engineering reason for this, such as stormwater management?

Ms. Husak responded that the City would retain possession of all the land surrounding this site. The intent is to provide a buffer between the Ballantrae community and the roadways and this use. Relocation of Cosgray Ditch will provide more green and natural areas farther south of this site. In front of the building are the more formal open spaces for the users of the facility. Trails are provided throughout the site for the patrons. The spaces south of the highway will provide setbacks and uses other than open space.

Ms. Newell stated that the packet material indicates discussions occurred regarding maintaining a straight zoning for the site or rezoning it to a PUD. Why was a PUD determined to be preferred?

Ms. Husak responded that the West Innovation District (WID) zoning has not been used for a project of this size. The only one it was tested on was the new Ohio University building. The other issue is that there is now an updated area plan for the WID that provides more flexibility in architecture and addresses uses differently. The applicant will also have a unique need for signage and parking. The existing zoning cannot accommodate those needs as well as a PUD could do.

Ms. Newell stated that a hospital and its uses are permitted in the WID, correct?

Ms. Husak responded affirmatively.

### **Applicant Presentation**

Aaron Underhill, attorney, Underhill & Hodge, 8000 Walton Parkway, New Albany, OH stated that he is representing The OSU Wexner Medical Center. With him tonight are also other representatives and consultants on behalf of the university. This is a very important and impressive project for Dublin. It will provide a great community amenity, providing services such as outpatient surgeries, physicians, testing areas and laboratories. The City has been creative in its economic development efforts. This site is the subject of a contract between the University and the City of Dublin and an associated economic development agreement. This facility is one of three similar OSU facilities currently underway. The first is on Hamilton Road and SR161 near New Albany, and another facility will be built in Powell near Home Road and Sawmill Parkway. The University looks for certain site specifications for these facilities, such as accessibility from freeways and major arterial roads and size of the site – 30-35 acres is preferred. The relocation

of Shier Rings Road is driven primarily by the size of the parcel and long-standing plans of the City. This site is an influence for the new public street, but it has also been part of a broader concept that the City has had to tie this into the broader road network and create other development opportunities in the WID. In regard to the economic development agreement (EDA), OSU will be purchasing the land from the City with no price markup; however, the City will be receiving its return on investment. Additionally, OSU will be receiving some incentives in terms of income tax rebates from employees. While OSU will be working with the City to ensure that the Shier Rings Road relocation will function properly and meet the University's needs, it is a City project. In the earlier public meeting, residents had few objections to this use or the relocated road. Their concerns were primarily focused on the existing infrastructure. OSU will participate in 32.5% of the cost of relocating Shier Rings Road to this location. OSU will share a similar financial responsibility for extending the water mainline, sanitary sewer mainline, and DubLink fiber through the site. In addition, the Avery-Shier Rings Road roundabout that is in the early planning stages of this project will receive a \$1.25 million contribution from OSU. The City will cover the remainder of its cost. In terms of economic development, this facility will generate many well-paying jobs. The EDA provides for a minimum of 350 jobs created in Phase 1, and it likely will be closer to 450 jobs. The jobs will average \$100,000 wages each, which will provide an economic benefit for the City. This is a phased project with unique components, in terms of wayfinding signage and parking for a highly programmed facility. The applicant will be returning to the Commission with a text that will address both phases of the project. Phase 2 could be an extension of the Phase 1 use, which are the medical offices and ambulatory care, or it could be a community-based hospital, similar to the Ohio Health hospital across US33. Phase 2 will be an additional extension of the existing building. There will be a lag in number of years between Phase 1 and Phase 2. The facility will look nice in the interim.

Dan Light, Executive Director of Outpatient Services, Wexner Medical Center, 6717 Brodie Blvd., Dublin, OH, stated that they have been planning for this facility for several years. Their objective is to create an outpatient care center that is focused on a comprehensive set of outpatient services. Phase 1 will provide same-day patient treatment. Their investment will be geared toward preventative services related to primary care, women's health, mental health and rehabilitation services. Having this major footprint within the City will open up many other opportunities, beyond health care, between OSU and the City. They are an academic medical center, part of the The Ohio State University. They are already in Dublin in a fragmented manner. Currently, they have less than 60,000 square feet of limited primary care access and multiple internal medicine specialties in different facilities. Operating multiple leased facilities is not very efficient. In the new facility, they will have in excess of 250,000 square feet, which will permit relocation and expansion of their existing services, but also addition of other services. Phase 1 is funded. They are beginning work on the design, and the intent is to open summer of 2022.

Amanda Hoffsis, Assistant V.P. of Planning, Architecture and Development of Real Estate, The Ohio State University, stated they are very interested in the site due to the US 33 corridor. They have been looking for a site in Dublin for some time and were unable to find one to fit this program this well, until now. This use fits well in this District. There was a need to locate the building close to US 33, as its use is consistent with other facilities in that area. It is a large building so it must be buffered from the residential community to the south and the roadway. The roadway will be pulled to the north, to the facility, and away from the residential community. The roadway leading to the facility with a drop-off area and parking are essential to the daily functions of the facility and to maintain low stress for the patients visiting the facility. It is

important to lay out the site to maintain short walks from the parking to the front door. They have put much thought into the patient flow within the building and how that will work when Phase II, the hospital, is developed. Parking in front will provide a buffer to the street, and there will be attractive landscaping. The ponds for stormwater management will also present an opportunity for beautification of the area. They have looked at ways to engage them with the sidewalks and pathways. There is an elliptical pathway, which will provide a way for physical therapy patients to use the outdoor space. Both patients and facility patrons can use the space. A large-scale green space with respite gardens will be adjacent to the dropoff at the front door and will provide a great view for the interior space of the facility. There will be two service entrances. There will be multiple ingress and egress points from the new road, but the primary entrance will lead to the front door. There will be a buffer zone between the dropoff and the parking area. There will be a limestone entry wall. Because this facility is in the West Innovation District (WID), the attempt is to maintain cleaner lines to align with the goal of a higher-tech look in the district, but with a Dublin feel. The lawn and trees will create a beautiful campus feel. An entry court will provide ease of access to the patients. The respite garden will provide a premier outdoor space nestled into the "U" of the building. There will be a café, outdoor seating, a quiet area, and an area for walking and exploring. Ms. Hoffsis shared the OSU standard sign plan and a rendering, depicting the materials and mass of the building. They are continuing to work on the internal layout of the building.

### **Public Comment**

Andrew Keeler, 5281 Brand Road, Dublin, stated that it is clear those who have spoken are very passionate about the work they are doing, balancing the needs of residents with the developers, and coming to a conclusion that is best for Dublin. The rendering shown is a work of art and clearly will provide many benefits to the City. The traffic study is diametrically opposed to what is shown on the screen. One is art; the other is science. The lengthy traffic study is thorough, but purely objective. It is the role of this Commission to weigh the objectivity with the subjectivity. What do the neighboring communities want and need, and how is this development going to affect them? Perhaps there is another alternative for the Shier Rings realignment that would be better for the residents and the University. It is important to recognize that the proposed layout does provide a buffer to the residents, which is very thoughtful, but it cuts off certain parts of the community from the remainder of the community. At the public hearing, it was clear that the residents feel disconnected already. It is important to remember that they are Dublin residents, as well. He encourages the Commission to continue listening to the residents, and before they sign off on something that was created by a computer with no subject overlay, think through the process.

Cristian Cooney, 5835 Baronscourt Way, President, Ballantrae Community Association, stated that the Board met on August 13 and unanimously agreed that they are delighted that OSU Wexner Center will become their neighbor. A concern was expressed about light pollution, which should not be very difficult to resolve. The Boards of the Ballantrae Community Association, the Villas of Ballantrae, and the Lakes of Ballantrae will be meeting on September 3 regarding the Shier Rings Road relocation. They request the City provide any available information, so that they can have a constructive meeting about the road network concerns. The residents have no issue with the relocated Shier Rings Road to support the Wexner Medical Center. Their concern is how their existing roadways will connect out of the neighborhood to it.

Richard Letizia, Facilities Engineer/Manager, Nestle Quality Assurance Center, 6625 Eiterman Road, Dublin, OH, stated that their site is located in the northern portion of the WID. They are not opposed to the Wexner Medical Center and the re-routing of Shier Rings Road, but they are concerned about transportation supporting the existing infrastructure. How will Shier Rings Road tie in on the north side? In addition to the future AEP project, there is a State project changing the US33-SR161 interchange at Post Road. There is also discussion about the expansion of Ohio University. Currently, all of their 200+ associates and their support traffic access their site from the north side. Should the Shier Rings Road access change, how much traffic will flow north to a two-lane road? They have a significant financial investment in Dublin -- \$40 million in capital projects since 2015. Nestle has been located in Dublin since 1989. They are an active member of this community and supportive of OSU, but are interested in knowing who in Dublin is holistically involved in directing the phasing and the way in which these projects will occur. They encourage caution.

### **Commission Discussion**

Ms. Kennedy inquired if the City has completed a final traffic study on this project.

Ms. Husak responded that the applicant is required to submit a traffic study with their application, and they have done so. Engineering has not yet finalized their review of the traffic study.

Ms. Kennedy inquired if the traffic study results would be brought back to the Commission.

Ms. Husak responded that the Commission's purview is the site. The traffic, engineering and public infrastructure is not part of a Planning Commission application. It is a CIP project to which the City has committed within the next few years.

Ms. Call stated that she appreciated the fact that residents from the adjacent properties have provided positive feedback regarding the project. She appreciates the presentation and the insight involved in creating a project of which OSU, the City and the residents can be proud.

Ms. Fox stated that traffic and the roadways are the major elements that have the neighbors concerned, not the facility itself. As a Council member and PZC liaison, she assures the residents that discussion will continue. Council wants a development that is good for the City but also good for the adjacent residents. She encourages the City Engineering and Planning Departments to take every resident comment to heart and ensure the best solution is found that works for all the parties. The Commission will discuss the Concept Plan tonight, but the traffic and the roadway is a separate issue. Council will commit to considering all the factors.

In regard to the Concept Plan, Ms. Fox stated that she is hopeful that the OSU Wexner Medical Center, as the first anchor in the WID, will create an environment that will draw the community to it because its site is attractive and engaging. She likes the design, particularly the section used for physical therapies. However, she noticed that the parking lots, even in Phase 2, are very large and long. She has family members who are handicapped and, as she views the dropoff area, she has a couple of suggestions. At the dropoff, between the parking lot and the front door, there is also a landscaped edge and an island. She would suggest some seating be added in the spaces between the parking and the front door for use by those who are handicapped. She would also suggest that the long parking lots be broken up with some pedestrian walkways, so pedestrians do not need to dodge between cars to reach the entrance. The walk between the vehicle and the front door would be less intimidating. She really likes the café courtyard and respite garden. People will use that space to be outside the facility for a change of air and environment. In the entry courtyard, there are concrete benches, which are cold and uninviting. Recently, with a

public park review, the City changed the concrete surfaces to wood. If we really want people to stop and sit, the surfaces should be comfortable. Finally, when this site development is completed, it should be possible to connect all the spaces with walkways.

Ms. Kennedy stated that from a design perspective, the courtyard and respite area appear to be a nod to the OSU Oval. The facility design is beautiful, and it will be a great addition to the community.

Mr. Wilson stated that this is a great facility, and he is happy they are locating it in Dublin. He would suggest the dropoff area be partially enclosed and able to accommodate several cars stopping to pick up and drop off patients. This would prevent the patients being exposed to the weather. He would also encourage more benches be provided throughout the campus. Overall, it is a great concept plan, and he welcomes them to Dublin.

Mr. Supelak thanked the facility representatives and the members of the public who spoke. He would encourage them to provide connections to City paths, as this will add dividends in the years to come. The uncertainty with the Shier Rings relocation is the main concern, but he is certain that a satisfactory solution will be identified. He agrees with the suggestion for a porte-cochere. The materiality is good and the preliminary massing is basic, but with a building like this, there is opportunity to augment the massing with fenestrations. There is opportunity to improve the architecture and make this a signature piece in Dublin.

Mr. Fishman concurred with his colleagues' comments. He welcomes them to Dublin; he is thrilled they are locating here!

Ms. Newell stated that she recently spent a large amount of time at the OSU Hospital complex with her father. She appreciates that there will be a facility closer to home. She likes the overall site layout, the respite area and the interaction on the site. Her one comment relates to the connectivity. The pathways should extend to the street frontage and provide ability to navigate safely through the parking lots. Wayfinding provided in the parking lots is critical to first-time visitors and will do much to relieve their stress. She was confused with the alignment of the roadway, but she trusts that City Engineering and Council will ensure a good road development. It would be nice if the Commission could see those details when this project comes back in order to understand better how it will fit within the overall fabric.

Ms. Newell thanked the applicant for their presentation and members of the public for their comments.

### **3. Enterprise Rent-A-Car, 19-062CU, Conditional Use**

Ms. Newell stated that this application is a request for an approximately 4,500-square-foot vehicle rental business and car wash. The 1.49-acre site is west of Dublin Center Drive, approximately 900 feet southwest of the intersection with Sawmill Road and zoned Bridge Street District Sawmill Center Neighborhood.

#### **Staff Presentation**

Ms. Martin stated that this a request for a Conditional Use for a vehicle rental facility with associated car wash in an existing, 4,500-square-foot building on a 1.49-acre site within the

Dublin Village Center. Applebee's Restaurant formerly occupied the site and building. In 2013, the restaurant closed. The site contains approximately 80 parking spaces. The applicant is proposing to use approximately 3,500 square feet for offices and retail operations; and approximately 1,000 square feet for a hand-wash car bay with vacuum to prepare cars. No vehicle maintenance or consolidated vehicle deliveries are proposed at this site. There is no consolidated vehicle delivery at this facility. Vehicles arrive one-by-one. In detail, the facility is proposed to operate six days per week. The hours of operation are 8:00 a.m.-6:00 p.m. Monday through Friday, 9:00 a.m.-12:00 p.m. on Saturday, and closed on Sunday. The business will operate with five full-time employees and three part-time employees with a maximum of seven employees on-site at any given time. In a given day, the rental facility rents approximately 25 vehicles and accepts approximately 25 return vehicles. Approximately 25-30-percent of all vehicle rentals and returns occur off-site via full-service pick-ups or drop-offs. On average, a total of 35 customers are anticipated to visit the site on a daily basis. Staff has reviewed the proposal against the Conditional Use criteria and recommends approval with no conditions.

Jennifer Hendrick, Enterprise Rental Car, 463 Jessing Trail, Columbus, Ohio, stated that Enterprise has been in the Dublin market since 1992. They have two car and one truck locations within the City. They have many customers in Dublin. The Trader Joe's center has been a good location, but they have outgrown the site. Currently, there is no space available to get vehicles ready on site. They have to be taken off site and brought back, which slows down the transactions for customers. They are impeding on their neighbors' parking at the current location. With the new location, there will be more than ample parking. The building space also is more than ample. The access to the property is very good and will not cause disturbance to any of the neighbors. Their largest referral source is the Germain dealership and body shop, and they are adjacent to the property.

Mr. Wilson inquired if the Commission would have opportunity to comment on the building design. Mr. Boggs stated that this would be a Conditional Use in a straight zoning.

There was no public comment.

Ms. Kennedy moved, Ms. Call seconded, to approve the Conditional Use.

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

(Motion carried 7-0.)

## **1. Dublin Village Center - Master Sign Plan, 19-072INF, Informal Review**

Ms. Newell stated that this application is a request for an Informal Review of a potential Master Sign Plan for an existing shopping center west of Dublin Center Drive, approximately 1,000 feet west of the intersection with Sawmill Road. The site is zoned Bridge Street District Sawmill Center Neighborhood.

### **Staff Presentation**

Ms. Martin stated that this an Informal Review request for a future application for a Master Sign Plan for the existing Dublin Village Center. The shopping center is comprised of many parcels and was developed in the 1980s. When the shopping center was developed, there was an agreement between the City and the developer to create a consistent approach to signs. Over time with

changes in center ownership, the Zoning Code, and City review processes, the signs throughout the center have become inconsistent. The intent of the Master Sign Plan is to invest in the Center, which is in the Bridge Street District, by establishing an updated set of standards for the Center and tenant signs. The applicant is seeking feedback on the brand vision, sign design and character, sign number and locations, public art and placemaking, and the AMC anchor tenant.

#### Brand Vision

The applicant is proposing a new brand standard for Dublin Village Center (DVC) that is intended to elevate the center and align with the community character. The attributes are distilled into a four-prong vision of: weaving community, Dublin/Celtic, a center, and distinctive and friendly. The resulting brand logo is a circular Celtic knot with Dublin Center simplified to DVC.

#### Sign Design/Character, Number, and Locations

The applicant has provided a system overview, which provides a sense of how the brand vision would be incorporated into the sign designs to create a consistent design for the Center. All existing Center sign faces are proposed to be updated to a dark gray and cream color scheme with halo illumination. The existing brick monuments will be retained, and the new brick monuments for outparcel tenants will match the existing brick monuments. Four existing signs will undergo major refurbishment, specifically, the clock tower, two large monument entry signs, and one raised monument directional sign. The most significant changes will be to the clock tower, which include a new roof, new logo, new name band, new tenant panels, refurbished ironwork, and new landscaping. Currently, only Big Sandy's and AMC have a legal right to sign panels on the clock tower; that could change. Five new interior directional signs are proposed, which will be brick monuments with metal sign faces in a dark gray color. The sign design incorporates the new Celtic knot logo and general direction of the major tenants. Ten interior aisle banners are proposed. Banner signage is not typical in Dublin; however, the applicant has indicated the need to guide traffic along the main drive versus through various circuitous routes. Due to the size of the shopping centers and the circuitous routes, staff is supportive of the solution in moderation. Those banners also will be dark gray with the Celtic knot logo. The proposal provides for activation of the existing green space in front of the theater with a public art piece that is an orb with a basket weave design, reflective of the weaving of community and the intertwined Celtic knot. The applicant is also proposing updates to the AMC signs. The AMC Theater is the anchor tenant located in the western portion of the Center. The main access point for the theater is from the intersection of John Shields Parkway and Village Parkway, with secondary access from Tuller Road to the north and Village Parkway to the south. Alternatively, patrons coming from Sawmill Road may traverse the parking lot, east to west, to reach the theater. The success of this theater, which is partially dependent on having appropriate directional signage, is important to the shopping center. Currently, the theater has four signs: two wall signs and two ground signs. The applicant has suggested a reduction in size of some of the signs or total replacement. The AMC sign on the front façade will be unchanged. The other AMC wall sign will be replaced with an AMC dot logo. Two new AMC sign dot logos are also proposed to provide the east-west signage that currently does not exist. The one facing the parking lot would be wall-mounted; the dot logo facing John Shields Parkway is proposed to be a projecting sign. The two ground signs along Tuller Road will be replaced with new outparcel tenant signs, and a third outparcel tenant sign will be added at the southern AMC entrance off Village Parkway.

Staff has provided the following discussion questions to guide the Commission's review:

- 1) Does the proposed brand vision complement the Center and the community?

- 2) Is the Commission supportive of the proposed sign design, character and quality?
- 3) Does the proposed sign plan creatively address an existing development with new signs?
- 4) Is the Commission supportive of the proposed anchor tenant signs, specifically, the number, types, and locations?
- 5) Other considerations by the Commission.

### **Applicant Presentation**

Kevin McCauley, 6689 Dublin Center Drive, Dublin, OH, stated that with him tonight is Dave Bull, Paraphrase, who will be holistically reviewing the proposed sign package. Dublin Village Center has been undergoing a transition for a long period of time. In that transition, there have been multiple iterations of signage. Significant changes have occurred in the Center, and this Master Sign Plan will take that effort to the next level until the Center is someday redeveloped. The AMC Theater is significant for the Center and for the City. This theater is now the number #1 theater in Columbus, ranking above the Easton and the Lennox theaters. Since the theater's \$3-4 million renovation, it has become a vibrant theater. It is important to keep this theater vibrant, as the rest of the Center becomes more vibrant, as well. There are businesses who are interested in being in DVC and near the theater.

Dave Bull, 2357 Abington Street, Upper Arlington, stated that he has worked with many entities in the area, including Cardinal Health and Ohio Health. He is known as the visual architect of the Ohio Health brand. He has been working with the Stavroff team for over 25 years. In the design process, they attempted to form some criteria for developing the new identity for DVC, and came up with the idea of weaving the community together in a central place. There is opportunity with signage to create a sense of place. From the signs, they took cues from the primary identifying sign at Dublin Center and Bridge Park. They took advantage of what is happening at Bridge Park and pulled it through and up to DVC. The Theater is a key economic driver for the Center.

### **Commission Questions for the Applicant**

Ms. Kennedy inquired if her 6-year old child would be able to climb on the public sculpture. Will the materials permit that type of use?

Mr. McCauley responded that the feature is conceptual, but it has not yet been designed. They know that the public will want to touch it, however. They are currently studying the options, with an eye to maintaining safety for the public.

Ms. Kennedy stated that the banners seem excessive. While seasonal banners provide a festive air to the City, permanent banners seem inappropriate for a shopping center. She loves the swoop shape that is carried throughout the sign package. The signage for the AMC Theater seems excessive. Signs #1 and #3 seem to be in close proximity. There are many angles to that building, but most people know where the AMC Theater is. Other than possibly having some excessive signage, she loves the new design and logo. She appreciates the thought-through meaning behind the logo and is hopeful that is expressed to the community. The explanation of the new logo could be interesting to people.

Mr. McCauley responded that, excepting the total square footage of the signs just for the AMC building, their existing square feet of signage is 100 square feet. The total including the proposed signage is 125 square feet. Although there will be more signs, they are smaller signs. In regard



to the two signs on the front façade of the AMC Theater, one at each end, the building is 460 feet long with several hundred feet between the signs. That is the rationale behind the location of those two signs.

Ms. Kennedy stated that she appreciates that explanation. Typically, this Commission defaults to the Code. Anything in excess of the Code requirements genders Commission debate.

Mr. McCauley stated that in regard to her comments about the banners, these banners are not intended to be permanent. The intent was that they be used with a change of season or related to a certain activity. They would be used on the drive aisles for wayfinding purposes.

Ms. Call stated that she loves the design. What is the material used for the knots on the smaller monument signs?

Mr. McCauley stated that it would be a metal-framed knot, which will not light up on the smaller signs at night.

Ms. Call inquired if it would protrude.

Mr. McCauley stated that it would protrude approximately 1.5 inches, similar to a pin-mounted sign.

Ms. Call stated that she likes the wayfinding signs, but does not like the projecting sign dot logo. She likes the banners in moderation, and the public art piece is a great addition to the community. Clearly, the design team studied who Dublin is as a community and embraced that. She could be persuaded not to adhere to the requirement of one sign for each elevation, given that one is a 7-square foot dot on the end of the building, and given the 175 feet of separation between the two signs on the AMC front façade.

Mr. Supelak that this is the right time to update the signs. The little things can start to add up against any development. When streets begin to deteriorate and the signs become dilapidated, that is not a good message. He likes the proposal!

Ms. Fox stated that she agrees with Mr. Supelak. With everything occurring nearby, there will be pedestrian traffic, and wayfinding signage will be critical. She would like to see an example of the dark gray color.

Mr. McCauley showed a sample of the material in the dark gray color, which is called caviar.

Ms. Fox inquired what the color of the existing AMC Theater sign was on the front façade.

Mr. McCauley responded that it is a red color.

Ms. Fox inquired if it is backlit.

Ms. Martin responded that it is internally illuminated.

Ms. Fox inquired if the circle (dot) was part of the AMC logo, or did they choose the shape?

Mr. Bull responded that the Theater is moving toward adoption of the dot as part of their logo, as opposed to only "AMC."

Ms. Fox stated that with a Master Sign Plan in the Bridge Street District, the Commission is looking for vibrancy, uniqueness – something one of a kind; this is a dot. She would encourage them to kick it up a bit. It should have more fun to it! This Center has such large parking lot areas. On foot, that distance seems interminable. Therefore, she has no objection to the banners and

encouraged them to change them up and make it seem more fun to walk through the parking lot. She likes this sign package, but would like to see more uniqueness and fun in the signs; add a whimsical factor, perhaps. This Center should be a place to be remembered -- a destination in and of itself. The signs could help achieve that. On the tower, will the Celtic knot be illuminated at night?

Mr. McCauley stated that the design has not been fully developed. However, because power is available, he assumes the sign could be lit. They would need to study the tower site more fully to verify that; however, their goal will be that the Celtic knot is lit.

Ms. Fox stated she believes that the Celtic knot relation to the Center is important. On the directional signs, the Celtic knot seems too submissive in relation to the size of the letters. She believes the knot is important to the Center and does not want it to fade in appearance beside the letters on the signs. If it is the Center's identifiable piece, then do not allow it to get lost on the signs.

Mr. Bull noted that the darker, caviar color was selected to help that knot stand out, as well.

Ms. Fox stated that it is unavoidable that children will climb on a public art sculpture in the greenspace. The orb rendering does not strike her as a Celtic knot.

Mr. Bull stated that at this point, it is only a concept; it can be changed.

Ms. Fox stated that adding the art piece is great. Because of the direction the theater is facing – inward toward the parking lot, there is an opportunity to use a piece of art to create some gathering space there, so it does not feel as though there is parking lot up to the theater door. That space could stop and engage the public.

Mr. Bull responded that they envision it to be similar to Easton with its center fountain.

Ms. Fox stated that it is a great opportunity to build energy out from the AMC Theater, which is the economic driver, and make the area around feel vibrant, as well.

Mr. Wilson stated that he likes the proposed Master Sign Plan. It has a theme that will unite the entire Center. He agrees with the choice of the dark gray color. He also concurs with the suggestion to do more than place the sculpture in the grassy area, but attempt to create a sense of place there. This could become a focal point within the Center. They have creatively used the halo lighting on the signs, which results in a classier appearance. He would encourage them to use lighting with the sculpture, and other spaces within the Center, as well.

Mr. Fishman complimented the applicant on their efforts to update the Center. One of the focal points in Dublin is its public art. He would encourage them to make this art sculpture large and something remembered. He inquired if the number of signs exceeds Code.

Ms. Martin responded that a Master Sign Plan allows opportunity to create signage that exceeds Code requirements, including consideration of more signs and different types of signs. Staff will conduct more analysis with the formal application. Although the number of signs for the AMC Theater exceeds Code, the applicant noted the fact that the overall area of signage was in line with Code. The expectation is that the inline and outparcel tenants would meet the Code requirements regarding number of signs.

Mr. Fishman stated that, overall, he likes this plan. He is enthused about the piece of artwork. The goal should be to make the Center a place to be remembered. A visitor to the Theater should be impressed with the overall sense of place, as well.

Ms. Newell stated that she also likes the proposed Master Sign Plan. She has no objection to the directional signage. She is not a fan of banner signs. There is a better way to designate the travel path, perhaps through the landscaping. She particularly does not like the suggestion to change the banners seasonally, as that will become problematic. She is not supportive of retaining banner signage in this package. The art feature is wonderful, but it needs to include landscaping and other amenities. She does not want the art feature to become an advertisement for the AMC Theater, which could easily occur. There was a comment that the roofing material on top of the signage would be changed. It is important that this Center remain cohesive, so that may be problematic when we look at this devoid of the architecture for the Center. Currently, the development does not completely fit within the fabric of the Bridge Street Corridor, nor does the proposed sign package. Therefore, additional signs are problematic.

Mr. Fishman inquired if the individual tenant signs would match.

Mr. McCauley responded affirmatively. The individual tenant signs will have channel letters, LED lighting and a specific square foot allowance.

Mr. Fishman inquired if those signs would be consistent with the new theme.

Mr. McCauley responded that although the architecture of the buildings and sign panels already exists, they will be using a new standard sign. The tenant can select their preferred font.

Mr. Fishman inquired if there were plans to update the existing sign, of which some are faded or different.

Mr. McCauley responded that they will encourage their existing tenants with older signs to update their signs. Often, they include it as a requirement for lease renewal. However, there are some renewals that are already addressed within the leases, and a new sign is not included in those leases. There are not many tenants remaining with older signs.

Mr. Bull noted that the Center owner has also tightened the window standards.

Ms. Newell stated that the details are important. The goal is to achieve a cohesive feel when the update is completed. This Center is an existing development that is changing but does not fit within the fabric of the Bridge Park District. At the same time, they are attempting to take advantage of the Bridge Street Code's Master Sign Plan provision. It is difficult to see how that can be achieved successfully.

Mr. McCauley stated that they are trying to move away from the existing vinyl signs in the Center. A Master Sign Plan is the only opportunity available to them.

Mr. Fishman inquired if they are unable to require the existing tenants to update their dilapidated signs.

Mr. McCauley responded that they can require new signage based on certain factors but not on the basis that a sign is vinyl. Both the Code and their existing lease permit them to have a vinyl sign. They can make that requirement for new leases.

Mr. Wilson inquired if the City could encourage or mandate the change.

Mr. McCauley responded that it could do so only if the sign was in disrepair.

Ms. Fox stated that if the Center is redeveloped, it would be preferable that they be able to retain the work they currently are doing on the signage. It would be unfortunate if that must be re-done. The AMC Theater, in particular, is a long-term tenant, so she would encourage them to ensure those signs meet the Bridge Street District intent to the extent possible. In essence, the Commission is looking for something that is more "fun."

Ms. Newell stated that although the Bridge Street District looks for creativity in the signage and signage package, that signage is also intended to complement the architecture of the building. Without ability to see the redevelopment, they will struggle with that aspect.  
Mr. McCauley thanked the Commission for their input.

### **COMMUNICATIONS**

Ms. Husak introduced Zachary Hounshell, new Planner 1. Mr. Hounshell comes to the City from Plain City.  
Commission members welcomed Mr. Hounshell.

### **ADJOURNMENT**

The meeting was adjourned at 11:00 p.m.

  
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Chair, Planning and Zoning Commission

  
\_\_\_\_\_  
Deputy Clerk of Council