

17-061Z/PDP – DUBLIN GATEWAY (GORDEN DEVELOPMENT)

Summary

Request for review and approval of a Rezoning/Preliminary Development Plan (PDP) for a residential development with 90 single-family lots and a 200-unit Adult Congregate Living Facility (ACLF) with 12.4 acres of open space and six public streets.

Site Location

East side of Hyland-Croy Road, at the intersection with Post Road.

Zoning

R: Rural District

Property Owner

Roger & Denise Gorden

Applicant/Representative

Wes Smith, Schottenstein Real Estate Group,
and Laura Comek, Laura M. Comek Law LLC

Applicable Land Use Regulations

Zoning Code Section 153.050

Case Managers

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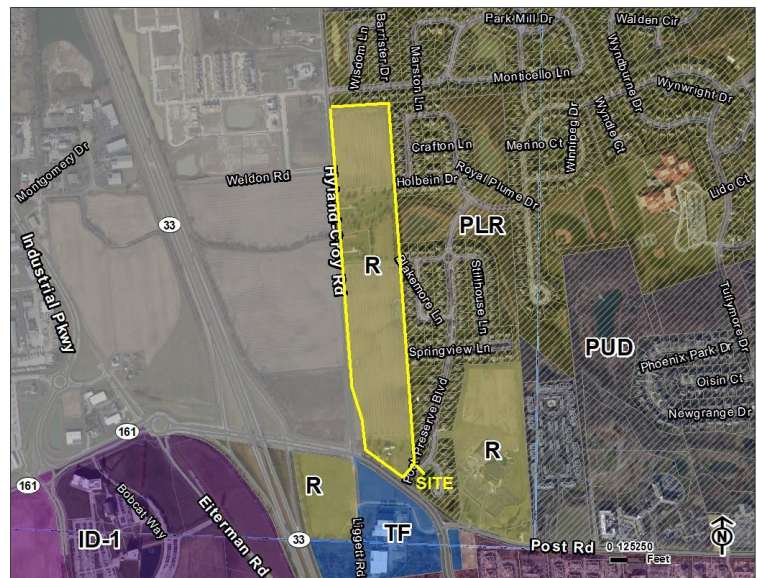
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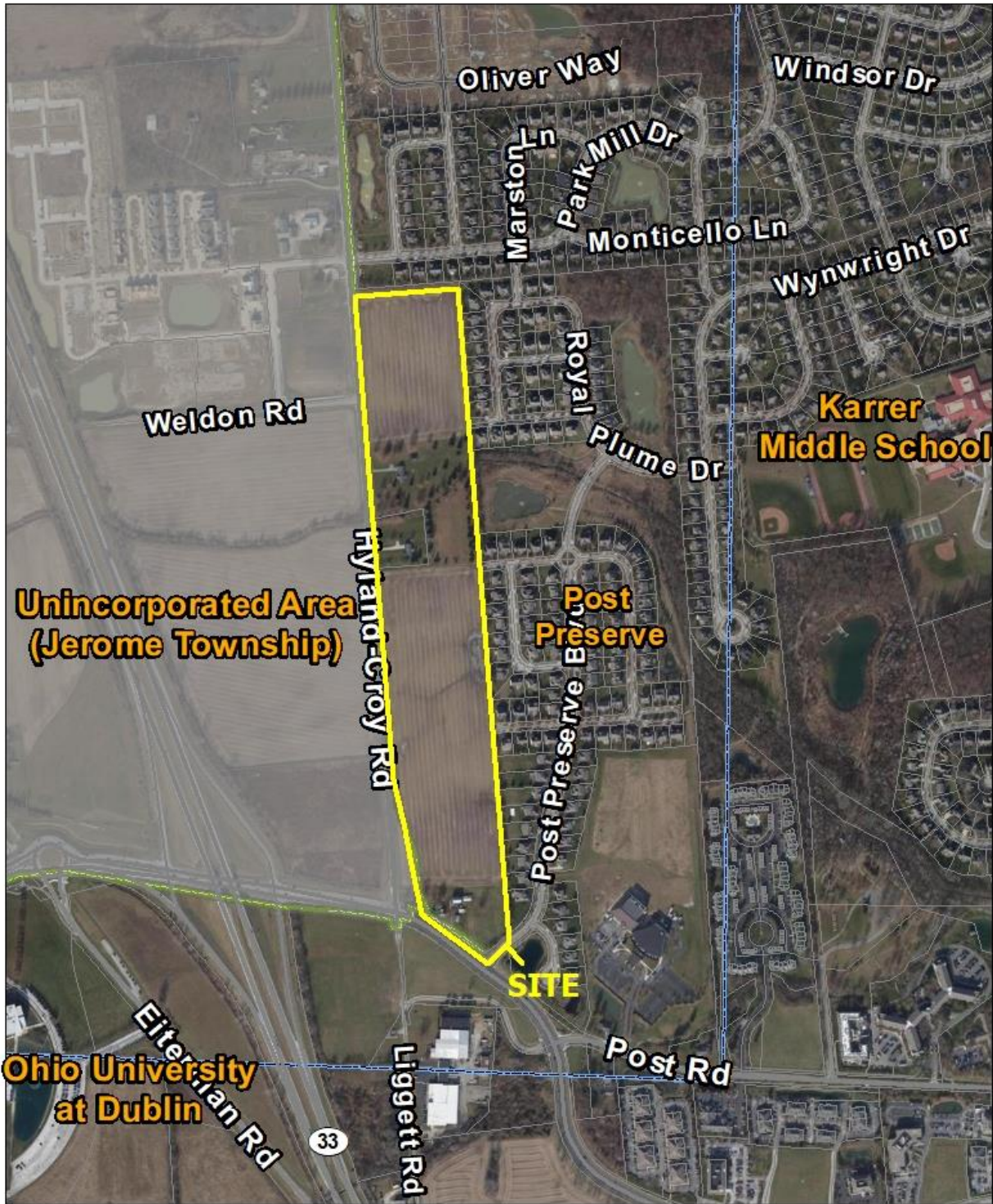
Next Steps

Upon review and a recommendation of approval of the Rezoning/Preliminary Development Plan by the Planning and Zoning Commission (PZC), the applicant will be eligible to move forward with the request to City Council.

Zoning Map



1. Context Map



17-061Z/PDP
Rezoning/Preliminary Development Plan
Dublin Gateway (Gorden Development)
7270 & 7150 Hyland Croy Road

0 310 620
Feet

2. Overview

Background

The site is comprised of two parcels totaling approximately 45.5 acres in size. The site is generally rectangular with 3,300 feet of frontage along Hyland-Croy Road and 500 feet of frontage along Post Road with an average width of approximately 550 feet. As exists today, this is a farm site with a farmhouse and outbuildings located on the south side of the property near Post Road and two houses in the center of the site with access off Hyland-Croy Road. The site currently has two driveways from Hyland-Croy Road for the existing homes and one driveway from Post Road to the south.

The site is surrounded by established single-family neighborhoods to the north and east, Park Place and Post Preserve, respectively. Recently, a new multi-family development, Jerome Grand, has been constructed on the west side of Hyland-Croy Road within the Township.

Case History

December 2019 – Tabled: Preliminary Development Plan/Preliminary Plat - Planning and Zoning Commission

On December 12, 2019, the Commission tabled both cases at the applicant's request. Since the tabling, the applicant has worked with staff to revise the plans to address the previously recommended conditions from the December 12, 2019 Staff Report.

January 2018 – Annexation – City Council

On January 9, 2018, City Council passed Ord. 87-17 accepting the annexation of the subject property from Jerome Township, Union County to the City of Dublin. Previously, the request was heard and accepted by the Union County Commissioners as a regular annexation petition on May 25, 2017.

May 2015 – Concept Plan – Planning and Zoning Commission

On May 21, 2015, the Commission reviewed a Concept Plan for 32, four-unit residential buildings totaling 128 units, and an independent and assisted living facility containing 125 units. Open spaces with stormwater management basins were conceptually shown throughout the site, and a shared-use path extended along Hyland-Croy Road. At the time, the Commission encouraged the applicant to meeting with residents and address their concerns prior to moving forward with a Rezoning application. The adjacent residents expressed concerns with the three-story height of the independent living facility as well as the proposed road connections through the site.

Neighborhood Contact

2019

The applicant held a public meeting on December 11, 2019 to update the adjacent residents on the modifications to the proposed plan and to understand any concerns the residents may have with the proposed project. Approximately ten residents attended the meeting and they expressed general support of the proposal, particularly the single-family portion of the development. Some were concerned with whether the proposal can age restricted and the applicant explained that the product proposed will likely deter families from purchasing homes. Residents also expressed concerns regarding the lack of detail for the ACLF use proposed in the southern portion of the site, in particular the potential height, location and buffering of the use.

2015

The applicant held a neighborhood meeting with representatives from adjacent homeowners associations in January 2015 and May 2015.

Process

Rezoning to a Planned Unit Development District (PUD) is the second step in establishing a PUD. PUDs are created to address unique conditions, which cannot easily be addressed by a standard zoning district. The PUD zoning approval includes a development text, which serves as the zoning regulation, and a preliminary development plan, which serves to define the site layout and development parameters.

The current application was preceded by a Concept Plan application in 2015. A Preliminary Plat is also being considered in conjunction with this Rezoning/Preliminary Development Plan. A Final Development Plan and Final Plat approving the final details associated with the development would follow the approval of a Rezoning/Preliminary Development Plan.

Site Characteristics

Natural Features

The site is bisected by a tributary stream to the South Fork of Indian Run flowing east into ML "Red" Trabue Nature Reserve. The stream is overlaid with a Stream Corridor Protection Zone (SCPZ). Tree rows align both sides of the stream, while the majority of the site remains open.

Surrounding Land Use and Development Character

North: PLR, Planned Low Density Residential District (Park Place)

East: PLR, Planned Low Density Residential District (Post Preserve and Wyndham Village)

South: TF, Technology Flex District (Vacant Land, across Post Road)

West: Undeveloped land, located within Jerome Township, between Hyland-Croy Road and US 33

Existing Road, Pedestrian and Bike Network

The site has approximately 3,300 feet of frontage along Hyland-Croy Road and 500 feet of frontage along Post Road. Currently three street connections from Post Preserve stub into the undeveloped site: Springview Lane, Stillhouse Lane, and Holbein Drive. Two shared-use paths, not associated with a public street, also stub into the undeveloped site from adjacent open spaces: one from Park Place (Reserve B), and one from Post Preserve (Reserve E).

Utilities

The site is not currently served by public utilities. The extension of public utilities is included with this development proposal.

3. Plans & Policies

Future Land Use

The Future Land Use Map in the Community Plan has two land use classifications for the site. The northern third is Suburban Residential Low Density (1-2 dwelling units per acre), while the remaining two thirds are Mixed Residential Low Density (up to 3 dwelling units per acre).

The Suburban Residential Low Density is described as “Modern suburban residential pattern that characterizes most development in Dublin. Residences are primarily composed of single-family dwellings on lot sizes that commonly average 0.25-acre. Public services are necessary, and larger projects may include a mix of densities that together do not exceed the average density.”

The “Mixed” category for residential character is intended for neighborhoods that incorporate a variety of single and multiple family dwelling styles, generally in larger projects. The integration of a broad range of housing within neighborhoods is intended to allow for greater housing choices particularly for younger and older age groups, and provide market flexibility to allow for a wider range of housing choices, consistent with Dublin’s Land Use Residential Principles. Larger sites are expected to incorporate a mix of housing types and to be designed to look, feel and function as a cohesive neighborhood. Smaller sites may include a single housing type, appropriately scaled to the surrounding development context, and consistent with Special Area Plan recommendations where applicable.



Relevant to this particular proposal, the classification is further defined by the following statement for the Mixed Residential Low Density category: “areas are intended to provide a mix of housing options and transition from existing single-family neighborhoods.”

Northwest Glacier Ridge Special Area Plan

The *Hyland-Croy Road Corridor Character Study* was completed in 2011 as a refinement to the Northwest/Glacier Ridge Area plan, which was then incorporated into the most recent update to the Community Plan. The Area Plan concepts are general guides to indicate potential development options. Plans are schematic only, and the actual mix of land uses, locations and configurations of buildings, parking areas, streets and access points are to be determined through the public review process for individual development proposals.

The southwest portion of the Hyland-Croy corridor contains over 140 acres of agricultural land adjacent to US 33, currently in Jerome Township. The site west of Hyland-Croy Road, depicted in the Area Plan as office use, is currently being considered for a large format retail development proposal in Jerome Township. The planned improvement



of the US 33/SR 161/Post Road interchange will provide improved access to this location and the intersection of Hyland Croy and Post Road.

The Area Plan for the subject site includes a mix of single family and attached multiple family homes. The Plan states "single-family detached homes should be developed adjacent to the existing lots in the Post Preserve neighborhood, transitioning to a mixture of single-family attached and low-density multiple-family units toward Hyland-Croy Road.

Thoroughfare Plan

The Thoroughfare Plan indicates "Rural Character" as the designation for Hyland-Croy Road. This character results from the cultural and historic use of the region for agricultural purposes. The roadways are typical of unincorporated areas or old township roads and are informal, evoking a sense of the past prior to development and include the following:

- Generous setbacks ranging from 100 to 200 feet;
- Integration of open views and vistas into adjacent development perhaps greater than 200 feet in some areas to increase the sense of openness;
- Provision of informal landscaping that focuses on native plant species and naturalized forms (meadows, wildflowers, grasses, wetland areas etc.);
- Use of trees, fencerows and woodland plantings to provide additional screening and sense of enclosure;
- Preservation of historic farmsteads, barns or outbuildings that emphasize the agrarian history of the area;
- Creation of meandering bike paths and sidewalks that are informally designed as to not be entirely visible from the roadway;
- Design of naturalized ponds with aquatic plants and informal edges;
- Use of stone walls and split rail fences that are traditionally used in the countryside;
- Integration of "rural" road design that may include berms, swales and/or variable medians; and
- Provision of shared entrances to minimize curb cuts and maintain openness.

Specifically for Hyland-Croy Road, the Plan states that at build-out, development character will transition at various points along the Hyland-Croy Road corridor, with more intensive commercial uses near the freeway interchange, and neighborhood service or civic uses at major intersections. Between major intersections, land use character will consist primarily of residential neighborhoods, individual single-family homes, and Metro Park frontage. Entryways to residential neighborhoods provide additional transition points along the corridor. Roadway character must respond to each of these contexts, and should seamlessly transition between different areas to create a coordinated fabric that functions as a whole.

The Community Plan also includes alternative configurations for Hyland-Croy Road. An option with a narrow median with slight curvature to the roadway alignment and providing consistent open space setbacks on both sides of the roadway is described as most appropriate for implementation with the City's preferred development scenario on the west side of Hyland-Croy Road, as architectural character and open space requirements for this site would be appropriately coordinated with surrounding neighborhoods, if developed within the city. Larger, variable-width medians with substantial mounding and tree massing, and more significant

curvature of Hyland-Croy Road should be considered if land to the west of Hyland-Croy Road does not develop within the city.

A more substantial median design can be implemented as a means to buffer nearby residential neighborhoods from incompatible uses and to mitigate visual impacts on the corridor. Implementation of wider medians will result in a narrower open space setback to the east of Hyland-Croy Road. As future development options become clearer, the best design solution may include elements from each of these options.

Crossroads Area Plan

In 2016, the City and adjacent jurisdictions including Union County, Jerome Township, and the City of Marysville undertook a multijurisdictional planning effort, the Crossroads Area Plan, to evaluate existing conditions and propose common land uses, infrastructure, and economic development strategies for the area located at the crossroads of U.S.33/S.R. 161/Post Road, and Hyland-Croy Road. The plan makes recommendations for formalized, coordinated development review, improved traffic infrastructure, strengthening development standards, reviewing annexation boundaries, and conducting a fiscal impact study.

The plan also recommended possible revised future land use classifications that marry the City of Dublin and Jerome Township recommendations. For the subject site, no alterations were recommended to the City of Dublin's future land use classifications. For property located on the west side of Hyland-Croy the plan anticipates Premium Office/Research uses, and west of US 33 anticipates Flex Office and Regional Retail.

Conservation Design

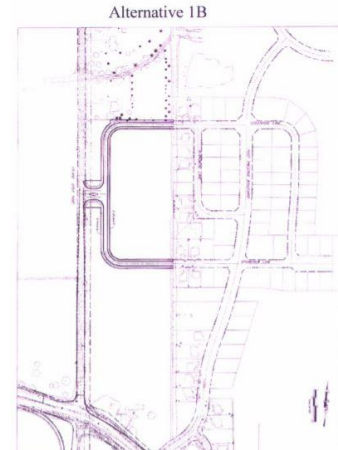
The City of Dublin Resolution 27-04 "Conservation Design" encourages, but does not require, certain conservation design criteria for future residential developments in all appropriate locations. The proposal addresses the applicable Conservation Design Principles as outlined in the resolution, including:

- Preserving large natural areas.
- Striving for 50% open space
- Striving for 75% of lots adjacent to open space
- Providing large setbacks from scenic roads
- Creating curvilinear street pattern wherever possible

Post Preserve Access Modification

In 1999, the Post Road/US 33 Interchange Study was initiated and subsequently concluded in 2001. In 2002, City Council adopted a preferred alignment for the improvements to the limited access right-of-way that aligned with a study approved by ODOT. In 2005, the City elected to pursue an improvement that required further study in the form of an Interchange Modification Study (IMS). As a result of the study, the ramp terminal location became fixed. ODOT regulations define any area within 600 feet of a ramp terminal is within the limited access right-of-way. The Post Preserve Boulevard intersection with Post Road was identified within this area, which dictated the need for modification. In 2006, the City began an extensive public engagement process to identify alternatives to address the future condition. Ultimately two alternatives were identified to provide access to Post Preserve with Alternative 1B being preferred (shown below).

As part of the planned interchange improvement and reflected in the plan, a new residential street will provide access to the Post Preserve neighborhood from Hyland-Croy Road. This general street was approved by City Council after considerable neighborhood involvement in 2006. This street is planned as a formal entryway, which should replicate elements of the existing Post Preserve entry features and including an approved entry sign for Post Preserve at this location. As a whole, this new residential development should be designed to integrate with, and be considered part of the larger Post Preserve neighborhood.



4. Proposal

Summary

The proposal includes a residential development with an Adult Congregate Living Facility (ACLF) with a maximum of 200 units and a maximum of 90 single-family homes with associated site improvements on a 45.5 acres site. The proposal includes 12.4 acres of reserve/park space including the Hyland-Croy Road frontage, stream corridor, and three ponds.

The main access into the site is from Hyland-Croy Road onto Grand Gateway Drive. There are two secondary access points along Hyland-Croy Road: Freedom Drive and Holbein Drive. Connections are provided through Springview Lane, Stillhouse Lane, and Holbein Drive east to the Post Preserve subdivision. The Hyland-Croy Road frontage provides a large setback bounded by an internal private drive in Subarea A and internal public streets in Subarea B of the development.

The development is comprised of two Subareas. Subarea A (south) is for the ACLF, and Subarea B (north) is for the single-family homes. Subarea A is approximately 10 acres in size, and Subarea B is approximately 35 acres in size.

Subarea B is proposed to be developed in two phases. Section 1 will contain a total of 54 lots, Grand Gateway Drive, Freedom Drive, Stillhouse Lane, and Springview Lane. Section 2 will contain a total of 36 lots and the extension of Holbein Drive and Woodfield Loop. The lots vary in size, but the most common lot size is 53 feet in width and 110 feet in depth with lot area of 5,830 square feet (or approximately $\frac{1}{8}$ acre). Lots adjacent to existing neighborhoods are approximately 9,500 square feet in size with the largest lot proposed being over 16,000 square feet (or over $\frac{1}{3}$ acre).

Use & Density

The proposal permits a mix of residential uses including an Adult Congregate Living Facility, ACLF, and single-family homes.

Use

In Subarea A, the primary use is an ACLF, which specifically allows one or more buildings providing living accommodations for senior citizens and the elderly with one or more levels of care, including (but not necessarily limited to) nursing care, on-site dispensary facilities for medication prescribed by a physician providing care only to residents on-site, dining facilities,

and assistance with other activities of daily living. Parks and open space, and parking are permitted in conjunction with the ACLF.

In Subarea B, uses are limited to single-family residential, parks and open space, model homes and sales offices, and home occupation.

Density

For Subarea A, the density proposed is a maximum gross floor area (GFA) of 15,000 square feet per acre with the opportunity for review of a Conditional Use to permit a maximum GFA of 17,000 square feet per acre. The Community Plan does not recommend General Institutional for the site; although, the Community Plan notes that density for such facilities should be determined based on "use and location". Other similar facilities in Dublin range in intensity from Sunrise Senior Living at 11,742 square feet per acre, to Brookdale Dublin at 13,955 square feet per acre, and Senior Star at Dublin Retirement Village at 17,491 square feet per acre.

For Subarea B, the density proposed is 2.54 units to the acre. The Community Plan does recommend multiple-family and single-family residential at a maximum density of three units to the acre for the southern two-thirds of the site and one-two units to the acre for the northern one-third of the site, respectively. The proposed single-family residential located in Subarea B generally aligns with the Community Plan.

Lot Sizes, Lot Coverage, and Setbacks

Subarea A (ACLF)

Subarea A includes a buildable area that accommodates the ACLF. The applicant has revised the plans and development text to clarify the buildable area. The applicant has also established a reserve, Reserve A that establishes the 1.7 acres of open space along the Hyland-Croy, which is proposed to be owned and maintained by the ACLF.

The setbacks within Subarea A are defined with a 100-foot pavement and building setback along Hyland-Croy and Post Roads. For the eastern and northern property lines, a 30-foot and 10-foot building and pavement setback is proposed, respectively.

The proposed lot coverage is a maximum of 70 percent. The proposed lot coverage is consistent with other institutional care facilities in Dublin.

Subarea B (Single-Family)

Subarea B contains a variety of lot sizes that differ in area by over 10,000 square feet, which creates challenges in establishing universally applicable standards; therefore, varying standards are proposed based on adjacency to established neighborhoods.

Lot Coverage

For Subarea B, the applicant is proposing a maximum lot coverage of 70 percent for interior lots, and 60 percent for north and east perimeter lots adjacent to existing neighborhoods. Code permits a maximum 45 percent lot coverage for residential zoning districts including Planned Districts, unless an alternative standard is approved in the development text. The Commission has most recently approved: 70 percent lot coverage for Hamlet on Jerome, 45 percent for Autumn Rose Woods, and 45 percent for Riviera, Subareas A and B; and 70 percent for Riviera, Subarea C. Recently, approved lots over 9,100 square feet in area have provided 45 percent lot

coverage. The proposed development contains 29 lots that are 9,100 square feet or greater; and 46 lots that are the minimum lot size, 5,830 square feet.

Setbacks and Encroachments

The applicant has reviewed and revised the setbacks, and reduced the number of permitted encroachments since the December proposal. Additionally, the applicant has updated the plans to align with the proposed allowances. Specifically, the applicant is proposing setbacks as shown in the table to the right.

The proposal permits a 5-foot encroachment into required rear and side yard setbacks for at-grade patios. The encroachment into the rear yard setback is consistent with Code. Staff is not supportive of a 5-foot encroachment into a side yard setback for at-grade patios, and recommends the applicant revise the development text to eliminate all side yard setback encroachments.

Minimum Lot Requirements		
Requirement	Interior Lots	Perimeter Lots
Area	5,830 sq. ft.	5,830 sq. ft.
Width	53 ft. For corner lots, as shown on the PDP and PP	65 ft.
Depth	110 ft.	110 ft.
Front Yard	20 ft.	20 ft.
Side Yard	5 ft.	7.5 ft., except lots 48 and 55 then 10 ft. is required adjacent to Post Preserve
Rear Yard	10 ft.	25 ft. for north; 30 ft. for east
Lot Coverage	70%	60%

Traffic & Access

All proposed streets are public. The main access point, Grand Gateway Drive is proposed to provide access from Hyland-Croy Road along with two other access points: Freedom Drive and Holbein Drive. The proposal includes the extension of Springview Drive, Stillhouse Lane, and Holbein Drive, and Woodfield Loop is proposed to intersect Holbein Drive in two locations from the Post Preserve neighborhood. The proposed names have not been verified by emergency services. The applicant will need to coordinate with Engineering to update the plans prior to City Council with the final approved names.

The plans have been updated to include all required pedestrian connections including sidewalks and shared-use paths to provide connectivity to the regional parks/open space network. Sidewalks or a sidewalk and a shared-use path is provided on both sides of all public streets.

The applicant has updated their plans to align with the City policy to require the extension of all existing public streets to have the same street section between the existing and new. The proposed Holbein Drive street section is shown to match existing Holbein Drive.

Traffic Impact Study

The applicant submitted a Traffic Impact Study (TIS) as required for a rezoning application. The traffic study is currently under review by the City of Dublin and the Union County Engineer’s Office. As Hyland Croy Road is within Union County’s right-of-way, they are partners in the review of the traffic impact study and also control access to this roadway. The study provides analysis of the anticipated traffic generated by the proposed development and models

the traffic on the existing roadways. Currently, a study that recommends certain improvements to mitigate the anticipated development traffic impacts has been submitted, but not accepted at this time by the City of Dublin nor the Union County Engineer's Office. Moving forward, the developer should continue to refine the study to address the concerns raised below and make revisions to ensure the study can be accepted by the City of Dublin and the Union County Engineer's Offices. Once this is completed, the developer will need to work with the City of Dublin and Union County to create an Infrastructure Agreement that will commit the developer to the transportation improvements and contributions to offsite intersections that are recommended as a part of the accepted study.

Generally, the outstanding items for the traffic study includes the following:

- 1) The number of through lanes on Hyland-Croy Road needs to be addressed. The study implies the need for additional through capacity on Hyland-Croy Road in the following ways:
 - a. There is a recommendation for dual eastbound left turn lanes from Post Road to Hyland-Croy Road. This will require an additional northbound through lane to accept both left turn lanes.
 - b. There is an excessive amount of delay expected at the Hyland-Croy Road and the North Gorden Full Access/Weldon Road intersection. In the June traffic impact study, additional through lanes on Hyland-Croy Road helped to mitigate the amount of delay.
 - c. The through movement backup calculations show the peak hour queues for a single lane Hyland-Croy Road will regularly exceed 1,000 ft. Added through lanes will better accommodate the backups.
- 2) The proposed developer contribution for intersection improvements at Hyland-Croy Road and the South Gorden Full Access is not sufficient.
- 3) Turn lane lengths at intersections with existing or proposed traffic signals will need to accommodate the through movement backup calculations, reduced to maximum turn lane lengths as recommended in the ODOT methodology.
- 4) The two proposed full access points will need to provide two exit lanes for a minimum of 50-feet, with standard radius returns. Alignment for a future opposing leg will need to be provided at the South Gorden Full Access, with opposing east-west left turn lanes and through lane alignment.
- 5) The median at the proposed restricted access should be shaped to guide right turn only movements.
- 6) Initial study commitments to be carried forward include:
 - a. Developer contribution towards future improvements at Hyland-Croy Road and Brand/Mitchell-Dewitt Road.
 - b. Construct SBLT and NBRT (see comment 8 below) at North Gorden Full Access.
 - c. Construct SBLT and NBRT at South Gorden Full Access.
 - d. Construct NBRT at Gorden Restricted Access.
 - e. Developer contribution towards future improvements at Hyland-Croy Road and Post Road.
- 7) All site traffic should be assigned to the proposed site access points. Westbound left turns exiting the site, in particular, would not be expected to route to the north.
- 8) At the Hyland-Croy Road and North Gorden Full Access/Weldon Road, there are several references to the need for a northbound right turn lane in the study. This assumption should be carried to the Recommendations section of the study.

- 9) There should be developer contribution to the Hyland-Croy Road & Park Mill Drive turn lane extension.

The following comments have been received from the Union County Engineer's Office regarding the study, which will need to be addressed prior to City Council's review and determination of the rezoning/preliminary development plan:

- 1) Address all comments from the City of Dublin.
- 2) From the limited drawings provided, it appears that site access spacing conforms to our Access Management Regulations. However, as more detailed drawings are provided, driveway locations are subject to change.
- 3) Table 1 still references the Wirchanski site with what appears to be Jerome Village development data. Please revise.
- 4) The South Gorden full access is a new intersection constructed with this development. As such, it is the responsibility of the developer to build all improvements associated with this site access to bring it to a LOS acceptable per our standards in all scenarios.
- 5) The site distribution for entering traffic from Section A shows an inordinate amount of traffic entering at Park Mill Drive. With the proper site improvements at the proposed development access points, it is reasonable to assume virtually all of Section A traffic will utilize the North Gorden Full Access.
- 5) The delay at the North Gorden Access/Weldon Road intersection is extreme both with and without Post Preserve traffic. An appropriate mitigation strategy needs to be developed for this intersection.
- 6) Please clarify in Table 5 why the delay increases at the intersection of Tullymore/Hyland-Croy Road for the westbound movement with the addition of westbound right turn lane in the horizon PM scenarios.
- 7) Please clarify in Table 5 the presence of additional through lanes shown at multiple intersections with no mention of additional through lanes on Hyland-Croy Road in the report.
- 8) Tables 5 and 6 show a reduction in the delay at the South Gorden Full Access when adding in right out traffic from the restricted access. This appears to justify the initial recommendation to limit the restricted southern access to right in only. Please clarify.
- 9) In the recommendations section on page 24, a northbound right turn lane at the North Gorden Full Access appears to be left out.
- 10) Once the study is approved, an Infrastructure Agreement will be generated to memorialize the responsibility for construction and contributions for the site access points and offsite intersections.

The applicant should continue to work with the City and Union County to complete the traffic impact study to the satisfaction of the City Engineer and the Union County Engineer, prior to submitting the rezoning for consideration by City Council. Once this is complete, the applicant should work with the City of Dublin and Union County to develop an Infrastructure Agreement for consideration by City Council. This should be submitted in conjunction with the submission of the rezoning to City Council.

Parking

For Subarea A, the applicant is proposing a minimum of .5 spaces per unit and maximum of 1.5 spaces per unit. Based on the proposed 200 units, between 100 and 300 parking spaces will be constructed. The spaces located within a garage will count as a parking space in the parking calculation. Shared parking is proposed throughout Subarea A.

For Subarea B, the applicant is proposing that each home shall have a minimum two-car garage. Two additional off-street parking spaces will be provided in each driveway. Additionally, there will be on-street parking in designated areas to be determined with the final development plan.

Open Space

Hyland-Croy Road Frontage

The building and pavement setback along Hyland-Croy Road is 100 feet and the plan is arranged so that no homes back up to Hyland-Croy Road. This is consistent with the minimum recommendation of the Community Plan – Rural Roadway Character as previously detailed. Homes visible from Hyland-Croy Road will have decorative garage doors, appropriate architectural elements in accordance with the Appearance Code Standards, and use high-quality materials as detailed in the development text.

Reserves, Ownership, and Maintenance

The applicant is proposing ample open space for this development, which exceeds the amount of open space required by the Subdivision Regulations. However, the Subdivision Regulations require that any required open space for single-family lots be dedicated to the City. In addition, it has been common practice in the development of single-family subdivisions that all open space is dedicated to the City, even if the amount exceeds the Regulations. The plans and text do not accurately reflect this, as detailed below, and the applicant will be required to revise the text and plans for open space dedication accordingly.

The Planning and Zoning Commission and City Council have, for several years, discussed the appropriate maintenance responsibilities for open space by an HOA or the City, especially stormwater management basins. These responsibilities vary vastly among different neighborhoods and times of development. City Council has deferred the policy discussion of maintenance responsibilities for stormwater management basins to the Community Services Advisory Commission (CSAC), who have had two meetings regarding this subject with a recommendation to City Council expected to occur at their January meeting.

The proposal includes eight reserves of open space (Reserves A-H). Reserves A and C is located within Subarea A and Reserves B, and D-H are located in Subarea B. The applicant is proposing the ACLF will own and maintain Reserves A and C; and that the HOA will own and maintain Reserves B and D-H with the exception of stormwater management facilities and public paths. As discussed above and detailed below, there are significant discrepancies between City requirements and common practice and this proposal. The applicant will be required to revise the plans and text for open space maintenance accordingly.

In detail, the open space provision, ownership and maintenance proposed are as follows:

- Reserve A provides a 1.7-acre Hyland-Croy Road scenic setback within Subarea A and is proposed to be owned and maintained by the ACLF.

- Reserve B provides a continuous 0.4-acre buffer between the ACLF and the single-family homes. Per the recommendation by Staff, the applicant eliminated a lot to provide a continuous open space in this area. This reserve is proposed to be owned and maintained by the HOA. Staff recommends that Reserve B be dedicated to the City.
- Reserve C is a 0.04-acre median located within the Freedom Drive entry, which will accommodate and entry feature and sign and is considered a permitted sign location. The area will be maintained by the ACLF and due to the location within the right-of-way will be owned by the City.
- Reserve D is one acre in size and is the Hyland-Croy Road setback between Freedom Drive and Grand Gateway Drive. The reserve includes entry features and a shared-use path. This reserve should be dedicated to the City and maintained by the HOA.
- Reserve E is a 0.06-acre median located within the Grand Gateway Drive entry and will be owned by the City due to the location within right-of-way. The area will be maintained by the HOA.
- Reserves F and G are each 4-acre open space reserves north of Grand Gateway Drive and south of Holbein Drive. The South Fork of the Indian Run divides the two reserves. The area includes two stormwater management basins, entry features, and shared-use paths and will also provide for a continuation of the open space and wildlife corridor from Indian Run Meadows west through Red Trabue along the Indian Run. These reserves will be required to be dedicated to the City and will be maintained by the HOA with the exception of the stormwater management ponds, which will be maintained by the City to ensure continued functionality.
- Reserve H is 1.3-acre in size and is the Hyland-Croy Road setback north of Holbein Drive. This reserve should be dedicated to the City and maintained by the HOA.

The development text requires the neighborhood have a forced and funded HOA to allow for the maintenance of reserves. Based on the previous discussions regarding the potential for a lack of understanding the maintenance requirements and the financial implications to HOAs, Staff recommends the development text be updated to ensure that a detailed maintenance plan is provided at the final development plan stage, which clearly identifies the level of maintenance for which the HOA is responsible with cost estimates.

Tree Survey

The applicant has provided a tree survey indicating the size and health of existing trees. There are 137 trees on site and another 27 trees immediately adjacent off-site. Of the 164 trees surveyed, there are nine dead trees. Staff will verify the accuracy of the information on the tree survey and tree data table with the final development plan. A detailed tree removal and replacement plan is required to be submitted for the final development plan.

Preserving as many protected trees as possible is required by Code. To ensure tree preservation, the tree removal plan needs to include those trees where the critical root zone cannot be fully protected from all utility and grading activities. These removals and replacements are more easily mitigated through the final development plan process versus when the trees are damaged in the field by construction. Tree removals and preservation practices need to be accurately reflected during the public review process to minimize alterations during construction. City inspections and approval of tree protection fencing are required prior to issuance of construction permits. Following an approval of this application, the

developer should continue to coordinate with the City's Zoning Inspector regarding all aspects of landscape requirements of the Zoning Code as part of the final development plan.

The proposed development text provides details regarding landscape requirements for the site. The applicant is proposing to allow all trees that are not otherwise required by Code to count for 50 percent of tree replacements, which is consistent with recent subdivision approvals. The development text should be updated to reflect that "street trees shall be installed in accordance with the City of Dublin Code. The City Forester shall determine final type and location".

Architecture & Building Materials

Subarea A (ACLF)

The proposal includes the construction of a three-story, 45-foot tall ACLK with detached garages. The maximum building height should be limited to 35 feet, which is the maximum building height in all residential zoning districts in Dublin. The applicant has updated the development text to require accessory garages be architecturally integrated with the primary structure, with details provided with the final development plan. The development text should be updated to limit the height to 25 feet.

The applicant is proposing to permit a variety of primary materials including: brick, stone/synthetic stone, stucco/synthetic stucco, wood siding, fiber cement siding, and other materials approved by the Planning and Zoning Commission. The text also defines secondary materials permitted for trim that include: gypsum reinforced fiber cement trim, decorative synthetic millwork for exterior applications, composite trim, metal trim, and vinyl trim. Permitted roof materials are dimensional asphalt shingles (325lbs/sq weight), metal standing seam and EPDM not visible from grade. The development text permits both flat and pitched roofs, but requires the appearance of a pitched roof.

The applicant has revised the development text to require a decorative, open metal fence with masonry piers for sections of fence that exceed the normal Code allowance of 4 feet in height to be approved with the final development plan.

Subarea B (Single-Family)

The proposal permits the construction of 1-2-story, single-family homes with a maximum height of 35 feet, which is consistent with the Code allowances in residential zoning districts. The applicant is proposing to permit a variety of primary materials including: brick, stone/synthetic stone, stucco/synthetic stucco, wood siding, and fiber cement siding. The text also defines secondary materials permitted for trim that include: gypsum reinforced fiber cement trim, decorative synthetic millwork for exterior applications, composite trim, and vinyl trim. Permitted roof materials are dimensional asphalt shingles (240lbs/sq weight) and metal standing seam. Windows are permitted to be vinyl.

Front loaded garages are permitted, and decorative doors with stamped pattern and hardware are required. The applicant is proposing garages be permitted to be up to 47.5 percent of the linear façade of the home. Staff recommends the development text be revised to allow 50 percent to be consistent with other neighborhoods previously approved in Dublin.

The applicant is proposing four base single-family homes, which will be modified to meet architectural diversity requirements defined in the development text. The color palette is

proposed to be natural earth tones in a warm hue to remain consistent with adjacent development character. Homes fronting Hyland-Croy Road are required to have additional architectural elements including, but not limited to a stone/synthetic stone water table, shutters with operable hardware or masonry entry piers. Elevation will be submitted with the final development plan along with final material specifications.

Storage sheds and swimming pools are prohibited within Subarea B. Fences are permitted within Subarea B and are required to meet Code.

Signs

The applicant is proposing a total of four signs across the development with the opportunity for additional signs in Subarea A, if submitted as part of a comprehensive sign plan. For Subarea A, a ground sign is proposed within the Freedom Drive median. In Subarea B, two signs for Dublin Gateway are proposed and one sign for Post Preserve is proposed along the Hyland-Croy Road frontage. The signs are intended to be of a consistent character across subareas.

Within Subarea A, the applicant is proposing one, 20-square-foot ground sign at the Freedom Drive and Hyland-Croy Road intersection. Final sign details are required to be reviewed and approved by the Planning and Zoning Commission along with any additional signs requested submitted as part of a comprehensive sign plan.

In Subarea B, the applicant is proposing two signs for the Dublin Gateway subdivision and one for the Post Preserve subdivision per City Council's commitment. The proposal is for two signs 20 square feet in area each to be located either within a median or adjacent to an entry. Additionally, the applicant will provide a Post Preserve in accordance with City Council's previous approval. The proposal is to permit a sign 20 square feet in size and maximum of 4 feet in height. The development text should be updated to grant the Post Preserve sign the same allowance as the Dublin Gateway signs, and to ensure the sign be substantially similar in character and design to the sign previously approved by City Council.

Stormwater Management & Utilities

Stormwater Management and Stream Protection

The proposal will meet the requirements of the City of Dublin Chapter 53 Stormwater Management and Stream Protection Code by constructing multiple stormwater management retention basins, storm sewer pipes, and associated structures. The applicant has located and sized these facilities based on a stormwater management report that analyzed the existing and anticipated drainage for the area and have provided calculations for the sizing of the retention basins and storm sewer pipes. It should be noted that the retention basin shown on the ACLF site is conceptual as this time and would need to be further refined prior to finalizing location and size.

A stream corridor protection zone is located near the northern third of the proposed site. This area has been delineated and has been kept free of proposed buildings, stormwater management facilities and other prohibited uses in this zone.

Water

Access to public water for domestic and fire protection use will be available by the construction of new public water main from the south along Hyland Croy Road. Additionally, this proposal

provides for the construction of new public water main within the development, including new fire hydrants.

Sanitary Sewer

New public sanitary sewer is proposed with this development to provide access for the proposed lots and future ACLF. This will connect to existing sanitary sewer located to the east of this development.

5. Criteria Analysis

Rezoning with Preliminary Development Plan

1) *The proposed development is consistent with the purpose, intent and applicable standards of the Zoning Code;*

Criterion met with Conditions. This proposal is generally consistent with the purpose, intent and applicable development standards of the Zoning Code requirements. The applicant has worked to rectify unproportioned development standards, inconsistent sign and fence provisions, unnecessary encroachments, and a number of additional items outlined in the December 12, 2019 report. However, a number of development standards will need to be modified to meet the preliminary development standards and ensure consistency with and sensitively to surrounding development. These required text modifications are outlined below:

- For Subarea B, the applicant revise the development text to eliminate all encroachments into required side yard setbacks.
- The development text should be updated to state that street trees shall be installed in accordance with the City of Dublin Code. The City Forester shall determine final type and location.
- The applicant revise the development text to require that a detailed maintenance plan is required to be provided at the final development plan stage, which clearly identifies the level of maintenance the HOA is responsible for with cost estimates.
- The applicant will be required to revise the plans and text for open space ownership and maintenance, as outlined in the staff report.
- For Subarea A, the applicant update the development text to limit the maximum building height of the ACLF building to 35 feet, and the maximum height for accessory structures associated with the ACLF to 25 feet.
- The development text be revised to permit front loaded garages to make up 50 percent of the linear façade of the front elevation.
- The applicant revise the development text to provide the same sign allowances for the Post Preserve subdivision sign as for the Dublin Gateway subdivision signs; and that the development text be updated to require the Post Preserve sign be substantially similar in character and design to the sign previously approved by City Council.
- The applicant update all typos and inconsistencies in the development text prior to submittal to City Council.

- 2) *The proposed development is in conformity with Community Plan, Thoroughfare Plan, Bikeway Plan, and other adopted plans or portions thereof as they may apply and will not unreasonably burden the existing street network;*

Criterion met with condition. The proposed development meets a portion of the recommended land use designation with the proposed development within Subarea B. While Subarea A does not meet the Future Land Use designation for the site, staff supports the inclusion of the AFCL within the Subarea to provide a transition between the interchange and the single-family development to the east. However, Staff is concerned with the proposed height of the development within Subarea A, given its adjacency to the existing single-family development. For Subarea A, Staff recommends the applicant update the development text to limit the maximum building height of the ACLF building to 35 feet, and the maximum height for accessory structures associated with the ACLF to 25 feet.

- 3) *The proposed development advances the general welfare of the city and immediate vicinity and will not impede the normal and orderly development and improvement of the surrounding areas;*

Criterion met. Overall, staff is supportive of the general layout and uses shown with the proposed development. The applicant has addressed a number of conditions regarding the development standards that were previously outlined in the December 12, 2019 report.

- 4) *The proposed uses are appropriately located in the city so that the use and value of property within and adjacent to the area will be safeguarded;*

Criterion met. The proposed development meets a portion of the recommended land use designation with the proposed development within Subarea B. While Subarea A does not meet the Future Land Use designation for the site, staff supports the inclusion of the AFCL within this Subarea to provide a transition between the interchange and the single-family development to the east.

- 5) *Proposed residential development will have sufficient open space areas that meet the objectives of the Community Plan;*

Criterion met with conditions. The proposed open space provision meets the requirements. Additional refinements to reserve designations and maintenance responsibilities are required. The applicant revise the development text to require that a detailed maintenance plan is required to provided at the final development plan stage, which clearly identifies the level of maintenance the HOA is responsible for with cost estimates. The applicant will be required to revise the plans and text for open space ownership and maintenance, as outlined in the staff report.

- 6) *The proposed development respects the unique characteristic of the natural features and protects the natural resources of the site;*

Criterion met. The proposal will have to adhere to Code for any removal and replacement of the vegetation on site. The Stream Corridor Protection Zone located near the northern third of the proposed site has been kept free of proposed buildings, stormwater management facilities and other prohibited uses in this zone.

- 7) *Adequate utilities, access roads, drainage, retention and/or necessary facilities have been or are being provided;*

Criterion met with condition. The proposal will meet the requirements of the City of Dublin Chapter 53 Stormwater Management and Stream Protection Code by constructing multiple stormwater management retention basins, storm sewer pipes, and associated structures. The extension of public utilities is included with this development proposal. The applicant should coordinate with Engineering to establish final approved street names and the applicant update the plans and development text prior to Council.

- 8) *Adequate measures have been or will be taken to provide ingress and egress designed to minimize traffic congestion on the surrounding public streets and to maximize public safety and to accommodate adequate pedestrian and bike circulation systems so that the proposed development provides for a safe, convenient and non-conflicting circulation system for motorists, bicyclists and pedestrians;*

Criterion met with conditions. The applicant has submitted a Traffic Impact Study that recommends certain improvements to mitigate the anticipated development traffic impacts; however, given the number of outstanding items, the study has not been accepted by the City of Dublin or the Union County Engineer's Office. These items include addressing the needed number of through lanes, intersection design details, street names, and developer contributions. The developer should continue to refine the study to address the outstanding items outlined by staff and the Union County Engineer's Office, and make revisions to ensure the study can be accepted by the City of Dublin and the Union County Engineer's Office. The applicant should continue to work with the City of Dublin and Union County to develop an Infrastructure Agreement for consideration by City Council. This should be submitted in conjunction with the submission of the rezoning to City Council.

- 9) *The relationship of buildings and structures to each other and to such other facilities provides for the coordination and integration of this development within the PD and the larger community and maintains the image of Dublin as a quality community;*

Criterion met. The applicant has made revisions to the proposed plans and development text to address staff's concerns regarding compatibility to surrounding development.

- 10) *The density, building gross floor area, building heights, setbacks, distances between buildings and structures, yard space, design and layout of open space systems and parking areas, traffic accessibility and other elements having a bearing on the overall acceptability of the development plans contribute to the orderly development of land within the city;*

Criterion met with conditions. The proposed density of the AFCL has been revised to be more compatible with surrounding development, setback inconsistencies within Subarea B, lot development standards, and outstanding traffic impacts do not contribute the orderly development of the property at this time. Staff has outlined a number of conditions that the applicant could address to remedy these concerns moving forward; however, given the significant number of items staff does not find this criterion met at this time.

11) *Adequate provision is made for storm drainage within and through the site so as to maintain, as far as practicable, usual and normal swales, water courses and drainage areas;*

Criterion met. The proposal will meet the requirements of the City of Dublin Chapter 53 Stormwater Management and Stream Protection Code by constructing multiple stormwater management retention basins, storm sewer pipes, and associated structures.

12) *The design, site arrangement, and anticipated benefits of the proposed development justify any deviation from the standard development regulations included in the Zoning Code or Subdivision Regulation, and that any such deviations are consistent with the intent of the Planned Development District regulations;*

Criterion met. The proposed development text and preliminary development plan includes a number of items outlined in the report related to signs, setbacks, landscaping, lot development standards that do not justify a deviation from the standard development regulations included in the Zoning Code. Staff has outlined a number of conditions that the applicant could address to remedy these inconsistencies moving forward.

13) *The proposed building design meets or exceeds the quality of the building designs in the surrounding area and all applicable appearance standards of the city;*

Criterion met. The development text includes material and designs standards. The applicant revised the proposed building materials to meet the appearance standards and the quality compatible with the surrounding neighborhoods.

14) *The proposed phasing of development is appropriate for the existing and proposed infrastructure and is sufficiently coordinated among the various phases to ultimately yield the intended overall development;*

Criterion met. The development will be completed in multiple phases.

15) *The proposed development can be adequately serviced by existing or planned public improvements and not impair the existing public service system for the area;*

Criterion met with condition. The Traffic Impact Study has been submitted but not accepted by the City of Dublin or Union County Engineer's Offices. The Engineering Offices has identified a number of outstanding items that will need to be addressed to their satisfaction, prior to acceptance. The applicant continue to work with the City and Union County to complete the traffic impact study to the satisfaction of the City Engineer and the Union County Engineer, prior to submitting the rezoning for consideration by City Council.

16) *The applicant's contributions to the public infrastructure are consistent with the Thoroughfare Plan and are sufficient to service the new development.*

Criterion met with condition. The Traffic Impact Study has been submitted but not accepted by the City of Dublin or Union County Engineer's Offices. The Engineering Offices has identified a number of outstanding items that will need to be addressed to their satisfaction, prior to acceptance. The acceptance of the Traffic Impact Study would then allow for the creation of the Infrastructure Agreement that would accompany the rezoning/preliminary development plan to City Council for final determination. The

applicant should work with the City of Dublin and Union County to develop an Infrastructure Agreement for consideration by City Council. This should be submitted in conjunction with the submission of the rezoning to City Council.

6. Recommendation

Staff recommends **approval** of the **Rezoning/Preliminary Development Plan** finding that the proposal does not meet the review criteria as outlined above, without significant revision.

Should the Commission consider a recommendation of approval, Staff recommends the following 11 conditions:

- 1) For Subarea B, the applicant revise the development text to eliminate all encroachments into required side yard setbacks.
- 2) The applicant coordinate with Engineering to establish final approved street names and the applicant update the plans and development text prior to Council.
- 3) The development text should be updated to reflect that "street trees shall be installed in accordance with the City of Dublin Code. The City Forester shall determine final type and location".
- 4) The applicant revise the development text to require that a detailed maintenance plan is required to be provided at the final development plan stage, which clearly identifies the level of maintenance the HOA is responsible for with cost estimates.
- 5) The applicant revise the plans and text for open space ownership and maintenance, as outlined in the staff report.
- 6) For Subarea A, the applicant update the development text to limit the maximum building height of the ACLF building to 35 feet, and the maximum height for accessory structures associated with the ACLF to 25 feet.
- 7) The development text be revised to permit front loaded garages to make up 50 percent of the linear façade of the front elevation.
- 8) The applicant revise the development text to provide the same sign allowances for the Post Preserve subdivision sign as for the Dublin Gateway subdivision signs; and that the development text be updated to require the Post Preserve sign be substantially similar in character and design to the sign previously approve by City Council.
- 9) The applicant update the development text prior to submittal to City Council including all typos and inconsistencies.
- 10) The applicant continue to work with the City and Union County to complete the traffic impact study to the satisfaction of the City Engineer and the Union County Engineer, prior to submitting the rezoning for consideration by City Council.
- 11) That the applicant work with the City of Dublin and Union County to develop an Infrastructure Agreement for consideration by City Council. This should be submitted in conjunction with the submission of the rezoning to City Council.