



MEETING MINUTES

Planning & Zoning Commission

Thursday, January 9, 2020

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, Warren Fishman and Rebecca Call

Staff members present: Nichole Martin, Jennifer Rauch, Claudia Husak, Thaddeus Boggs, Zachary Hounshell, Chase Ridge, Donna Goss, Aaron Stanford, Tina Wawszkiewicz

ACCEPTANCE OF DOCUMENTS

Ms. Kennedy moved, Ms. Call seconded to accept the documents into the record.

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

[Motion passed 6-0]

APPROVAL OF MINUTES

Ms. Call requested that her remark in paragraph 2, page 10 be amended to clarify that she was referring to her secondary property.

Ms. Kennedy moved, Ms. Call seconded to approve the December 12, 2019 meeting minutes.

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

[Motion passed 6-0]

Ms. Newell stated the Planning and Zoning Commission is an advisory board to City Council when rezoning and platting of property is under consideration. In such 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, Conditional Use – Brutus Custom Coatings – 6355 Avery Road, with no conditions, is tentatively scheduled for consideration by consent. Does any Commission member

or member of the public wish to discuss or comment on the item? [There were no requests to comment on the item.] Ms. Newell indicated that the cases would be heard in the following order:

1. Conditional Use – Brutus Custom Coatings – 6355 Avery Road
2. Concept Plan - Bright Road Senior Housing & Healthcare Residences
3. Dublin Gateway (Gorden Development), 7270 & 7150 Hyland-Croy Road, Rezoning with Preliminary Development Plan, and
4. Dublin Gateway (Gorden Development), 7270 & 7150 Hyland-Croy Road, Preliminary Plat

CONSENT AGENDA

Case 4: Brutus Custom Coatings – 6355 Avery Road, 19-107CU, Conditional Use

Ms. Newell stated that this is a request to allow a personal service use within an existing 1,500-sq. ft. tenant space zoned ID-1 Research Office District. The site is west of Old Avery Road, approximately 750 feet northwest of the intersection with Shier Rings Road.

Ms. Call moved, Ms. Fox seconded to approve the Conditional Use request with no conditions.

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

[Motion passed 6-0]

CASES

Case 3: Bright Road Senior Housing & Healthcare Residences, 19-115CP, Concept Plan

Ms. Newell stated that this is a request for Concept Plan review of a potential development of ±22 acres for a variety of residential and healthcare uses geared toward the senior population. The site is north of Bright Road, east of Emerald Parkway and west of Sawmill Road.

Staff Presentation

Mr. Hounshell stated that this is an application for consideration and feedback of a Concept Plan for the Bright Road Senior Housing and Healthcare Residences. The 22-acre site, located at the northeast corner of the intersection of Emerald Parkway and Bright Road, was annexed into the City in 1974. The site has a variety of zoning districts. The City owns three parcels located at the southwest corner of the site. These were purchased for the completion of the last section of Emerald Parkway and the new roundabout with Bright Road. In 2015, PZC reviewed a rezoning proposal and conditional use to permit the relocation of the COTA Park and Ride development. The application was met with opposition from surrounding residents due to the perceived impact to traffic, the timing of the project, and neighborhood involvement, which later caused the application to be withdrawn.

Existing Zoning

The site is included in the Northeast Quad Subarea 5C, which was zoned in 1995. The PUD permits medical office, assisted living and daycare at a density of 10,000 sq. feet with a height limitation of two stories. The Commission approved a rezoning in 2005 for Lifetime Fitness, located north of this site, which eliminated a large portion of Subarea 5C. 7315 Sawmill Road was zoned to PCD in 1993 to permit the existing residential structure to be used for office space, but is currently

not occupied. The remaining portion has remained zoned R1 since the site was annexed in 1974. According to the Future Land Use Plan, the site is included as part of the Bright Road Area Plan. The Bright Road Area Plan has designated this site for Neighborhood Office and Institutional Uses. Neighborhood Office/Institutional is designated for locations adjacent to residential areas where land use transitions or buffers are necessary. The northwest portion of the site is designated for parks and open space. However, this area has not been designated as a key public acquisition for parkland by the City. Natural Features on this site include Billingsley Creek, which runs along the north side of the property, separates the northwest portion of the site from the remainder of the site. The creek is protected by a 100-year floodplain; a 100-year floodplain operates as a no-build zone. The site also includes large, densely wooded spaces that would be impacted with the proposed development. The applicant would be required to compensate for the removal of protected trees by replacing trees inch-for-inch, or paying a fee in lieu of the removed trees. The proposed Bright Road Senior Housing and Healthcare Residence is a 22-acre, full-service 55 and over community. The proposal offers a variety of housing options ranging from independent living to full-service assisted living.

Proposed Accesses

1. A right in/right out off Sawmill Road;
2. A right in/right out from Bright Road;
3. A right in/right out from Emerald Parkway;
4. A potential fourth access through the Millco Office Complex from Bright Road.
5. A walking path is proposed to connect Emerald Parkway and Sawmill Roads, which would circulate throughout the site.

Subareas

The Concept Plan would encompass five subareas. Subarea 1 – on the east, approximately 5.03 acres, is proposed to include a three and four-story nursing home and assisted living facility. Subarea 2, located at the center of the site, is approximately 5.59 acres and would include a four-five story independent living facility. Subarea 3, located southeast of Subarea 2, is approximately 2.15 acres, and would house a two-story, assisted-living memory care facility. Subarea 4, located in the southwest portion of the site, is 3.91 acres and includes the proposed detention pond, and six, 3-story, independent loft facilities. Subarea 5, located to the northwest, is separated from the rest of the site by Billingsley Creek. It is approximately 5.12 acres and would house a four or five-story, independent-living apartment complex. This is the most heavily wooded portion of the site.

Architecture

The applicant has provided examples of the proposed architecture, which would have a soft, contemporary aesthetic. There will be shared terrace spaces for community involvement. Different water features that could be used for the proposed retention pond that is shown at the corner of Bright Road and Emerald Parkway.

Six discussion questions are provided to assist the Commission's review.

- 1) Does the Commission support the proposed land use at this location?
- 2) Is the proposed layout and distribution of uses appropriate for the site?
- 3) Can the Commission support the proposed building architecture and heights?
- 4) Is the Commission supportive of the proposed four and five-story buildings, and how do they fit within the context of the surrounding areas?
- 5) Is the applicant preserving an adequate amount of open space with this proposal?
- 6) Other considerations by the Commission.

Commission Questions

Ms. Call inquired if, with the types of uses in this proposal, staff has identified an existing standard zoning with an equivalent impact.

Ms. Husak responded that the Zoning Code does not address these uses in any of the standard districts. All of these facilities within the City are in planned districts.

Ms. Call inquired what the equivalent ERU utilization would be for something of this size. She is trying to see what the impact zoning would be if there was a parallel that was not a PUD.

Mr. Supelak stated that a certain portion of the proposed PUD would be assisted living, and a certain portion is multifamily -- perhaps multifamily would be a good reference?

Ms. Husak requested clarification of the question.

Ms. Call stated that, currently, part of the parcel is zoned R1, which is typically one dwelling unit (du)/acre. Looking at the proposed 5-story, 100-bed building -- she is unable to tell on how many acres that structure would be located, but it is probably not more than two acres.

Ms. Husak confirmed that is correct.

Ms. Call stated that would then be 100 ERUs per the acreage -- a significant increase in density in that one particular area. She is trying to determine the difference between the current zoning and what is being requested.

Ms. Husak stated that R1 was the initial zoning when all of the parcels in this area were annexed. The Community Plan contemplates different future land uses that will not be R1. As Office and Institutional, the Community Plan contemplates a density cap of 10,000 sq. feet per acre, but it does not provide a density cap for number of du/acre. The Community Plan contemplates some areas with a higher density. Outside of the West Innovation District and Bridge Park, it is probably closer to 10-15 du/acre in high-density areas elsewhere in the City. The Bridge Street District and West Innovation District have higher densities.

Mr. Supelak inquired if the use was a multifamily, apartment complex, would there be a prescribed du/acre.

Ms. Husak responded there would not be. Per the Zoning Code, R12 is the highest multifamily district, Craughwell Village is a PUD, but has an underlying zoning of R12. There is an area with apartments on the south side of Post Road that has a straight R12 zoning.

Ms. Call stated that Craughwell Village has 199 units. If we knew the amount of land area, it would be possible to calculate an equivalent.

Mr. Fishman stated if the concern with the proposed development is the amount of traffic -- a senior living area would not be comparable to Craughwell Village.

Mr. Supelak stated that although the proposed use is assisted living, we would want it to align with other comparable developments that may be more prescriptive relative to the Code.

Ms. Call stated that she is not looking specifically at traffic but at impact. A five-story building is proposed. Not far away are single-family homes. There should be a buffer zone. She is concerned about the intensity of use.

Mr. Fishman agreed. It is important to look at the impact on the people living in those existing single-family homes.

Ms. Husak noted that Craughwell Village is comprised of 12+ acres. Across the road from Craughwell Village is Perimeter Lakes, which has standard R12 zoning.

Ms. Fox inquired if National Church Residences would be a development with a similar density. It has a multifamily component -- cottages, which are 2-3+ stories in height. Is there an associated density?

Ms. Husak responded that she believes it is 11 du/acre on Avery Road.

Ms. Kennedy inquired, for purposes of perspective, what are the adjacent building heights, specifically, the Lifetime Fitness building.

Mr. Hounshell responded that per the 2015 rezoning, the maximum building height was 42 feet, with a skylight of 57 feet. For height perspective, that building would be the closest to these in height.

Applicant Presentation

Randall Woodings, Principal, Kontogiannis & Associates, 400 South Fifth Street – Suite 400, Columbus, Ohio, stated that they are seeking the Planning and Zoning Commission's input on their proposed project at Bright Road. They have been working on the project the past seven-eight months. They met with City planners and engineers in an attempt to formulate the right plan for this site. They spoke with Amy Krumb, East Dublin Civic Association president. The apartment portion of the project will be for individuals 55 and over, which will permit those residents to be independent with full services. There also will be a nursing home and an assisted living and memory care facility. Traffic generated by this type of facility is minimal. There will be under-unit podium parking for the residential component. Most individuals 55 and over desire to have a secure path into their building. This development will be handled by different operators and co-developers.

Questions for Applicant

Ms. Fox inquired about the phasing of the project, and their philosophy related to this type of development. The City is focusing on best practices for senior living facilities in Dublin. She was impressed by the social areas and rooftop terraces. This is a very large parcel. How would they utilize the open spaces?

Mr. Woodings responded that they are unsure of the phasing, as this is the beginning of the project. If they have independent living and assisted living, they want a place for them to go as they age in place and may need additional or more intensive care. Therefore, a nursing home is a key component. The nursing home will be comprised of private units with an extensive rehabilitation component.

Ms. Fox inquired if they are pursuing a preferred architectural style. The City is interested in having an interesting variety of architecture. There is a particular style of architecture in Bridge Park, but the Commission would welcome something different in architectural style.

Mr. Woodings stated that they have no preference. They looked at Bridge Park as the most up-to-date cue for the City's preference. The older part of the City is very traditional, but they are not opposed to having a different type of architecture on this site, such as a more urban type. They proposed a soft contemporary style, emulating the successful architecture in Bridge Park.

Ms. Kennedy inquired about the connectivity in the proposed development. How would it connect to the existing infrastructure?

Mr. Woodings stated there would be connectivity all the way from Sawmill Road to Emerald Parkway. The site is bisected by a creek, so when they put the parcels together, a large piece was separated from the rest. In terms of building connectivity, the independent living facility will have a connection to the nursing home and assisted living. Not many independent living, assisted living and nursing homes are completely connected; that connection will be provided here. If a resident's partner becomes ill and needs to be moved to a facility with more care, it will be easy for the couple to see each other. In terms of pedestrian connectivity, they will provide the same level of connectivity that is typical within the City.

Mr. Fishman inquired if they have spoken to Lifetime Fitness regarding connectivity to their facility. Mr. Woodings responded that the developer has had discussions with them.

Steve Newcomb, 10368 Forest Glen Place, Powell, stated that he would be working with Schottenstein Real Estate to develop the project. He has spoken with Lifetime Fitness, which has programs in place for seniors. They negotiate with insurance companies to be able to have affordable programs to offer to seniors. They are supportive of this project. In terms of density, this project would be similar to Friendship Village. Although the density is high, they do not anticipate the traffic will be an issue. If the concern is with Cardinal Health traffic on Bright Road, any traffic generated by the senior housing will not conflict with those peak times. The density will be a positive for the project. The goal is for these residents is to have an active lifestyle, so having more people in their community will be good. The balconies and terraces will attract senior residents.

Mr. Fishman stated that he was interested in whether there would be a pedestrian connection to Lifetime Fitness for the residents.

Mr. Newcomb responded affirmatively. This will be a very high-end senior project, for which there is a demand.

Ms. Fox stated that there are a variety of senior living facilities in Dublin. Some are very successful for particular reasons. A feature of National Church Residences is their community gathering space, where the City Recreation Department holds classes. They would be creating a 22-acre campus. She did not see plans for a communal gathering space or activity area, an area where residents from another building could come to gather.

Mr. Newcomb stated that they want to provide whatever the residents would want. Plans are in the beginning stages, so they are open to suggestions.

Ms. Fox suggested that it may be able to pursue a program provided by Lifetime Fitness.

Mr. Woodings stated that they have done many studies. Tentatively, they have considered a central community building/clubhouse overlooking the pond area at Emerald Parkway. Because they wanted to make sure there would be a full service kitchen, an independent building was preferred. However, the slate is essentially blank. Their intent is to integrate the Concept Plan feedback to the extent possible.

Public Comment

Amy Kramb, president, East Dublin Civic Association, 7511 Riverside Drive, Dublin, stated that they met with the applicant earlier in the summer. At that time, there was no Concept Plan; the applicant was inquiring what the main concerns or issues had been with past applications on this parcel, and she pointed out several issues. One is the traffic. Although the residents prefer that nothing be built there until the Bright Road/Sawmill intersection is fixed, they know it is unlikely that will happen. Something will be built before the traffic issue is solved. The second issue shared was that the creek frequently floods to the south. Whatever is built there would have to accommodate the stormwater onsite. The outcome of their meeting was that this would be a good use. Senior living facilities are a low traffic generator, and they do not add students to the school system. For the latter reason, a multifamily use would be undesirable here. She heard nothing more about potential plans until receiving a postcard notification two weeks ago that there was a Concept Plan. When she looked at the Concept Plan, she was very disappointed to see the building heights and density. At the earlier meeting, there had been a brief mention of a potential three-story building at Sawmill Road, from which the development then would be stepped down. There was no mention of four and five-story buildings. Her answers to the questions that were suggested for the Commission follow:

1. Use - senior living is appropriate here.
2. Layout - Subarea 5 is a concern. The Community Plan designates that area as parkland/open space, but the Concept Plan has placed a five-story building there. However, the layout can be worked out later.
3. Architecture – In her opinion, the architecture is completely wrong. This is a suburban area, not Bridge Street. There should never be four and five-story buildings that look like Bridge Park. In context with the surrounding neighbors – there is a one-story office building on the southeast corner; a one-story residential on the south side; one and two-story residential buildings immediately to the west; and Lifetime Fitness to the north, which is considered a three-story building. Nothing on this site should be taller than Lifetime Fitness. The issue is not number of stories, but height. For example, Lifetime Fitness is two stories, but its height is 42 feet. From the residential community on Macduff Way, it is possible to see the top third of the Lifetime Fitness building. That is the case, although Lifetime Fitness is surrounded by trees. That building is 200 yards away; the proposed buildings in this development will be immediately across the street. If they want to build urban buildings, do so in Bridge Street, not here. In Subarea 1, a three-story building next to Sawmill Road and Lifetime Fitness is fine. There can be a two-story building in Subarea 2, but there should only be one-story buildings in Subareas 3 and 4. The proposed 3-story building in Subarea 4 immediately adjacent to the one-story residential community is not acceptable. She is not aware of any other residential area in the City with a four or five-story building immediately next to a residential use. For comparison purposes, the Emerald Campus, XPO Logistics and Cardinal Health are four-story buildings on Emerald Parkway. Buildings of that height should not be built next to residential homes.

Randy Roth, Vice President, East Dublin Civic Association, 6987 Grandee Cliffs Drive, Dublin, stated that the applicant has not met with the homeowners. In earlier years, he and Mr. Fishman served on the Community Plan Committee and helped form the Bright Road Area Plan. There is an issue with using Lifetime Fitness as a precedent for this development. Lifetime Fitness was exceptionally good about screening and tree preservation. They worked with the neighbors and

ensured that the site could not be seen. Lifetime Fitness has been a great neighbor. The Bright Road Plan provides for some very high density by the interstate, but that kind of height would be transitioned gradually from the residential neighborhood to the intersection. A previous plan for a COTA Park and Ride on the site was rejected by City Council, because this is a very particular piece of land, and Dublin is a green city. This plan will turn Billingsley Creek into a drainage ditch. There are many beautiful trees here. Condominiums and light office were envisioned on this site. This Concept Plan violates everything they would like to see in this area. Their idea was that a developer would be found who would really respect this beautiful piece of property, appreciate how beautiful Millco and the Inverness community are, and build something on a similar scale. In his opinion, even a three-story on Sawmill Road and two-story buildings elsewhere on the site is not a green development. This is a very precious piece of property, and they are attempting to restore the creek on it.

John Wreathall, 4157 MacDuff Way, Dublin, stated that his property, one building to the west on Emerald Parkway, neighbors this site. Their land abuts Billingsley Creek at its border with Emerald Parkway. Initially, they were interested in the proposed use, but when they saw the density and size of the buildings provided in the Concept Plan, they became very concerned. From their home, they can see the Lifetime Fitness building, but it is set well back, is substantially screened and offers little intrusion. In the Concept Plan, the proposed building on the northwest corner in Subarea 5 is five stories tall with architecture similar to that in Bridge Park. Such a building would be obtrusive on Emerald Parkway and out of character with the whole neighborhood. From his property, they would also be able to see the area to the southwest. In the original document provided at the website, the proposed building was two-story; now it is three-story. That would be a concern even if it were set back somewhat from Emerald Parkway due to the pond. The proposed building height and style in Subarea 5 are very concerning. The Bridge Street development style is exciting, energetic and good for young people; a senior living facility in a similar architectural style is totally incongruous. If necessary, they will fight to prevent this type of development.

Linda Annette, 7195 Inverness Court, Dublin, stated that her concern is the number of emergency vehicles that would be accessing this type of use. Currently, there may be an emergency vehicle in the neighborhood every 3-4 months, which is very noisy. The level of intrusion from the many emergency vehicles that would be accessing this adjacent site is a concern. The Inverness community is very beautiful. She is hopeful it is not ruined by this type of development next door.

Nan Still, 3888 Inverness Circle, Dublin, stated that her condominium unit is located on Bright Road southwest of the proposed Bright Road Senior Living development. She believes the main entrance will be off Bright Road. An access point is also proposed through the office development adjacent to Bright Road. There is a high level of traffic in this neighborhood, and it is no longer just the two-hour morning and evening peak traffic. When the roundabout was constructed, the roadway became a major thoroughfare with 3,000-4,000 vehicles per day. The proposed parking spaces in this development are 731 spaces. Active 55+ seniors will travel to and from their homes several times a day and will drive to most of their destinations. The right in/right out accesses will result in a circular traffic condition. Drivers have a difficult time accessing Sawmill Road from Bright Road. She is very unhappy about the proposed height and density, and the architecture does not attempt to complement the surrounding neighborhood.

Megan Theis, 7225 Riverside Drive, Dublin, inquired how many people would be employed by this facility.

The applicant indicated that the number would be approximately 75.

Ms. Theis inquired why the site could not be utilized as a park and retain the greenspace.

Ms. Newell stated that this is only a Concept Plan. The applicant is obtaining feedback from the Commission and the public and will decide whether to pursue a development. They would asking to rezone the property to a PUD, a planned unit development. PUDS in the City give the Commission more control over the architectural style, land density and building placement.

Stewart Meyer, 4025 Bright Road, Dublin stated that they attended three City meetings regarding the COTA project previously proposed for this site. When Emerald Parkway was constructed, the City of Dublin opened up 115 acres for development. Eventually, development will happen, and development means more traffic. He assumes the residents who opposed the COTA development realize now that they may have "shot themselves in the foot." Hopefully, a compromise is possible with whatever develops on the site.

Commission Discussion

Ms. Call stated that she would address the discussion questions. First, this type of use is fitting for the City and appropriate for this location. The open space with the use is sufficient. She does not have a strong objection to the architectural style, although it does not provide her any sense of warmth. The primary issue is the density. Calculating all the subareas together, the result is 25 du/acre, which is significantly more intensive. Craughwell Village is 15 du/acre. The proposed density of this development is 70% higher than the City's currently most intensive density. Looking at the proposed subareas individually, the highest is 35 du/acre. That is too intensive. In regard to the building heights – the City requires transition zones between single-family residential areas and taller buildings and higher density uses, increasing as they approach major intersections. Open space is provided next to major thoroughfares so that multifamily developments are not adjacent to major roads. From multifamily, the heights transition to townhomes, then to single-family homes. There is no transition here. There is an abrupt change from single-family, duplex and triplex products to 5-story buildings. She is not supportive of that. Providing parking under the buildings is also a concern due to the water tables, and it would turn a 3-story building into a 4-story building. Overall, the product, land use and open space is good; it is just too much in this space.

Mr. Fishman stated that he is supportive of this land use. In the past, the residents on the east side of the river have pointed out that, compared to the west side, they have less green space. Subarea 5 is a heavily wooded, beautiful piece of property, and it should be retained as such. Perhaps it could be made a recreation area; many of these trees should be saved. No building should be placed in that subarea. The layout needs a significant amount of work. In regard to the architecture – the Bridge Street District is great, but the City has a sufficient amount of Bridge Street architecture. This is a unique area on the east side of the river, where the City has a chance to do something equally unique. He does not believe a soft and contemporary architectural style is appropriate here, but rather something more traditional or unique, not more of the same. The most building height he would support here is three stories, even as a buffer. The goal is to have a unique development that will blend with the Inverness community and surrounding architecture.

The use, concept, pedestrian connectivity, and the Sawmill Road access -- if well planned, are good. The plan does need a significant amount of work; however.

Ms. Kennedy stated she is supportive of the proposed land use. This will fill a current need in the City. In regard to layout and distribution -- she agrees with her fellow Commissioners, the density is too much for this amount of land. The proposed architecture is similar to Bridge Park and is a mismatch for this area. She is not supportive of four or five-story buildings here. In regard to open space – Subarea 5 was originally designated as greenspace, and she believes it should remain as such. She would prefer a staged development approach, transitioning from low density to a higher density along the major roadways. In regard to traffic, she uses this route to return home in the evening. That area has traffic issues now. The staff who will be working here will increase the traffic volume, as well. It is important to ensure the site access works well for everyone.

Mr. Supelak stated that the building height and density are major issues here. He is not supportive of four and five stories on this site. Two-story buildings would be more consistent with what exists in the City. In the site layout, he appreciates that certain sensitivities were acknowledged – the water features, the creek, pedestrian access through the site, social gathering spaces and the open space. However, most of the traffic will flow through the Bright Road access, which will be an issue. There is a floodplain around Billingsley Creek; perhaps bridging the creek would be helpful. At this point, he has no significant objection to the architecture.

Ms. Fox stated that she agrees that the use is appropriate for the site. Its proximity to Lifetime Fitness will offer opportunities to the seniors to be active. There will be pedestrian connectivity to nearby personal services and the grocery store. Engineering and Planning will have to study the traffic implications of a use on this site because of Bright Road. This plan cannot proceed unless there is assurance that traffic is managed. The proposed density here is significantly greater than elsewhere in the City. This is a sensitive site. She agrees with Commissioner Fishman regarding Subarea 5, which is heavily wooded. Our Thoroughfare Plan emphasizes the need of maintaining a continuous visual appeal along the roadway. Eliminating the treed area on the east, leaving the treed area on the west, would break up the view. Historically, the City has required developers to maintain greenspaces along Emerald Parkway. It would be a mistake to eliminate it there. With the amount of density in the remaining site, utilizing that northwest treed area as a natural amenity to the development would be preferable. The Commission is also cautioned to consider the impact of a proposed development on the natural environment. Billingsley Creek is a beautiful area, and this area could be developed in a manner that would benefit the neighborhood and the development and protect the visual landscape along Emerald Parkway. She likes the Concept Plan's suggestions concerning water features and the open, social gathering spaces within the buildings. Courtyards provide safe area for the residents. That is a contemporary best use practice, and she encourages it. She also would encourage more spaces outside the buildings, taking advantage of the walking paths. In regard to the building heights, three stories is the maximum she would support. She is not opposed to rooftop gardens on top of a three-story building. In regard to the architecture, what Dublin is not seeing is a soft contemporary style blended with natural materials. Because the land here is so beautiful, something with a lodge-like look might be good. The architecture should provide a sense of living within a natural environment with the trees, creek, and other water features. Something that is soft and blends with the natural environment would not only attract the desired clientele, but it would complement the neighborhood.

Ms. Newell stated that she believes this would be a good use for this site. She is concerned with the proposed four and five-story buildings. She is more comfortable with a taller structure closer to Sawmill Road and better screening provided for the neighboring residential community. Subarea 5 is currently designated as park space in the City Community Plan. She is concerned with the loss of those trees. However, City Council would have to be willing to purchase the site as parkland. If not, ultimately, she would support the development of that parcel but with preservation of as much of the wooded area as possible. A smaller footprint building would be a better fit. In regard to the architecture -- she is familiar with Mr. Woodings' capabilities, and is confident of his ability to address her colleagues' remarks.

Mr. Woodings stated that they have been working on the Concept Plan for eight-nine months. Initially, traditional architecture was envisioned, which is more typical for Dublin. Ultimately, images of a more contemporary architecture were provided to learn what the response of the Commission and public would be. They have learned what they needed in regard to use, density and height, and received helpful direction. They will try to incorporate it into the project.

Mr. Fishman stated that for some years, there has been discussion about potential Bright Road improvements to Sawmill Road. It would be helpful for the residents to know if there are any such plans.

Ms. Husak responded that construction of the cul de sac off Bright Road near Riverside Drive would occur before summer 2020. The project is programmed and approved. Nothing else in that corridor is programmed or funded. The study conducted by the City of Columbus, ODOT and City of Dublin has been accepted, but nothing further has advanced.

Mr. Fishman inquired if closing the Bright Road access to Riverside Drive would put more stress on the Sawmill Road access.

Ms. Husak stated that the intent is for that traffic to use Emerald Parkway.

Mr. Fishman stated that the Community Plan designated Subarea 5 as open space. Whether or not the City would be willing to purchase it as parkland, he wants to see it remain untouched. That can be achieved by having that area count as the applicant's open space, and the remainder of the open space rearranged.

Mr. Woodings stated that on the Site Plan, they provided a dotted line designating a crossing over Billingsley Creek. The intent was to have a pedestrian bridge over the stream to provide access to Lifetime Fitness. Mr. Supelak mentioned a potential vehicular connection there -- what are the Commissioners' views on such a connection?

Mr. Supelak noted that he is not advocating for that. Due to the 100-year floodplain there, it would have to be done carefully. Putting all the traffic from this development onto Bright Road will overburden that route. To alleviate some of the heavy traffic on Bright Road, it would be desirable to identify a way to divert some of it to Emerald Parkway a distance away from the roundabout.

Mr. Woodings stated that they could consider it along with the rest of the Site Plan. Do Commissioners have any objection to that?

Mr. Fishman inquired if that option would be a cut-through to Lifetime Fitness.

Mr. Woodings responded that it would not; it would be a cut-through to Emerald Parkway. Currently, their plan proposes a 100-ft. right-of-way onto Bright Road. He assumes that would be two lanes of traffic separated by an island, then another two lanes of traffic from Sawmill Road to the roundabout.

Mr. Fishman stated that could destroy part of the wood.

Mr. Woodings responded that it would destroy it by a distance of 26 feet wide.

Mr. Fishman advised looking at that idea with caution. It is not consistent with the Community Plan, and the neighbors highly value that property.

Mr. Supelak stated that it becomes a value judgment of routing some of the traffic out to Emerald Parkway versus the roundabout below. Such a consideration would have to be done carefully, and it would not work with the proposed layout.

Ms. Newell stated that Cases 1 and 2 would be heard together.

1. Dublin Gateway (Gorden Development), 7270 & 7150 Hyland-Croy Road 17-061, Rezoning with Preliminary Development Plan

Ms. Newell stated that this is a request for a recommendation of approval to City Council of a rezoning with a Preliminary Development Plan of ±45.4 acres from Rural District to Planned Unit Development District to permit the future development of 90 single-family homes and up to 200 living units for seniors with varying levels of care in one or more buildings and approximately 12 acres of open space. The site is northeast of the intersection of Hyland-Croy Road and Post Road.

2. Dublin Gateway (Gorden Development), 7270 & 7150 Hyland-Croy Road 17-061, Preliminary Plat

Ms. Newell stated that this application for the same site is a request for recommendation of approval to City Council of a Preliminary Plat subdividing the site.

Ms. Newell swore in staff and members of the public who intended to address the Commission on this case.

Staff Presentation

Ms. Martin stated that this is a request for review and recommendation to City Council of a Rezoning/Preliminary Development Plan (PDP) and Preliminary Plat for a residential development of 90 single-family lots and a 200-unit Adult Congregate Living Facility (ACLF) with 12.4 acres of open space and six public streets. The 45.5-acre site is located on the east side of Hyland-Croy Road at the intersection with Post Road. The site is surrounded by existing developments, including Post Preserve, Park Place and Jerome Grand. The site is comprised of two parcels totaling approximately 45.5 acres in size. The site is rectangular with 3,300 feet of frontage along Hyland-Croy Road and 500 feet of frontage along Post Road. As it exists today, a farmhouse and outbuildings are located on the south side of the property near Post Road and two houses are 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.

History

This application was previously scheduled on the Commission's December 12, 2019 meeting agenda, but was tabled at the applicant's request. On January 9, 2018, City Council passed Ordinance 87-17, accepting the annexation of the property from Jerome Township, Union County to the City of Dublin. 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. At the time, the Commission encouraged the applicant to meet with residents to address their concerns with the three-story height of the independent living facility as well as the proposed road connections through the site. The applicant met with the neighbors in 2015 and again in December 2019.

Community Plan

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). When calculated, the Community Plan's recommendation would be 121 residential units, either single family or single-family attached or low-density multifamily units on the 45.5 acres.

Proposal

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-acre site. An ACLF-type facility is considered a commercial use in the Zoning Code, which would have a Future Land Use classification of General Institutional. It can also be residential in nature.

Ms. Fox inquired how many acres are in Subarea B.

Ms. Martin responded that Subarea B is comprised of 35.5 acres. Subarea A is 9.9 acres.

Ms. Call inquired how many units are permitted in General Institutional.

Ms. Martin responded that the General Institutional classification does not designate a density. The reviewing body would review and make a determination on a case-by-case basis. The proposal is for 200 units.

Ms. Martin stated that the Northwest/Glacier Ridge Special Area Plan recommends detached single-family homes adjacent to the existing, established neighborhoods. It also recommends the rural roadway character, which has been observed by the majority of the neighborhoods that have been developed along Hyland-Croy Road. This proposal complies with the rural roadway character. The Thoroughfare Plan designates Hyland-Croy Road as a Minor Arterial Road. Hyland-Croy Road is located within the Union County jurisdiction. That plan does make recommendations for future rights-of-way. The City and Union County coordinate in the review of applications adjacent to both jurisdictions. Therefore, the applicant is dedicating an additional 50 feet of right-of-way. In 2016, the City, 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 Crossroads Area Plan Land Use recommendations for this site align with Dublin's Community Plan recommendations.

Site Plan

Size:

The site is 45.5 acres in size; Subarea A is approximately 10 acres and is where the Adult Congregate Living Facility (ACLF) is proposed to be located, which will have up to 200 residential units. Subarea B is approximately 35 acres and will have 90 single-family lots. Subarea B will be developed in two sections. The delineation between those sections is the North Fork of Indian Run. The southern portion of the site will have 54 lots; the northern portion will have 36 lots.

Access:

Three new access points on Hyland-Croy Road are proposed. The southern-most point is in Subarea A, and is a right in/right out, intended to provide access to ACLF. There are two access points in Subarea B, one north of the stream and one south. These will be full access points. This proposal depicts future public rights-of-way that will be dedicated with the plat. It also shows the extension of the existing street stubs from Post Preserve through the Dublin Gateway Development to Hyland-Croy Road. The alignment shown is consistent with the City's 2006 approval of additional connectivity in the area due to anticipated improvements at SR161/Post Road interchange.

Subareas:

The Preliminary Development Plan establishes uses and development standards for each subarea. Subarea A is the ACLF with supporting uses, including open space and parking spaces. Subarea B is the single-family detached homes, including open space, parking space, model home and home occupation. Specific development standards, including setbacks, lot coverages and parking requirements are provided in the development text. Staff has recommended that all encroachments be eliminated from the residential sideyard setback. Varying residential lot standards are provided for perimeter versus interior lots. Perimeter lots, adjacent to Post Preserve and Park Place, will be larger, have greater setbacks and a lot coverage of up to 60%. The interior, new lots will be significantly smaller, have reduced setbacks and an increased lot coverage of up to 70%. Code permits up to 45% for PUDs unless otherwise approved by the Commission.

Architecture:

The applicant has also provided proposed architectural and building standards for the two subareas. In Subarea A, it is anticipated the ACLF will be a three-story structure with 200 units. The proposed maximum height is up to 45 feet. Staff is recommending the maximum height be reduced to 35 feet, and that there be a maximum height of 25 feet for accessory structures, which may be located closer to property lines than the primary structure. In regard to the building standards for Subarea B, the maximum height is 35 feet. Primary and secondary materials are designated; dimensional shingles are required; metal standing seam roofs are permitted. Garages are limited to 47.5% of the front façade of the home. Staff recommends that number be rounded to 50%, as it is more easily administered.

Open Space/Signage:

An open space and connectivity plan has been provided. There is a total of 12.4 acres of open space, a portion in each Subarea and a continuous section along Hyland-Croy Road. Per the rural roadway corridor recommendation, a 100-ft. setback will provide a green buffer. There are two reserves in Subarea A, which will be owned and maintained by the ACLF, which is typical for commercial facilities. There are six reserves in Subarea B, which the applicant has proposed to

be owned and maintained by the HOA. Staff has recommended that these reserves be owned by the City and maintained by the HOA, with the exception that the City will maintain the stormwater retention basins and the shared use paths. The shared use path along Hyland-Croy will connect to the regional network and to Glacier Ridge Metro Park. Sidewalks will provide connectivity within the neighborhood. The development text provides sign allowances for each Subarea; four signs are proposed. The applicant has the opportunity to submit a comprehensive sign package requesting additional signage with the Final Development Plan.

Traffic Impact Study:

A Traffic Impact Study (TIS) is being conducted, as required for proposed rezonings. The applicant is working with the Union County and City of Dublin engineers to finalize the study. The TIS will make recommendations to mitigate the traffic impacts of this neighborhood on the larger road network. Those mitigations will be included in an infrastructure agreement for Council's approval. The TIS is looking at eight intersections along the Hyland-Croy corridor; three are new intersections provided by this development, and five are existing intersections. The TIS looks at daily trips generated. Included are some of the preliminary improvements that may occur as a result of the TIS findings. The TIS must be finalized prior to City Council's review. The outcome of that study will result in the final recommendations for mitigation.

Preliminary Plat

Ms. Martin stated that the Preliminary Plat for the 45.5 acres depicts Subarea A with 9.9 acres and creates a developable area for the ACLF. Subarea B depicts 90 lots for the residential single-family homes, six public streets and six reserves of open space. The required parkland dedication is 5+ acres; however, approximately 10 acres are provided. Staff recommends the acreage be dedicated to the City and maintained by the HOA. It also recommended that the applicant work with the City Engineer regarding the street names.

This application has been reviewed against the Code review criteria, and staff recommends a recommendation of approval of the Rezoning and Preliminary Development Plan with 11 conditions to City Council, and a recommendation of approval of the Preliminary Plat with four conditions to City Council.

Commission Questions

Ms. Fox stated that the development text indicated that the responsibility for maintenance of the open space would be provided by more than one HOA. She requested clarification. Staff indicated the applicant would provide clarification with their presentation.

Ms. Fox stated that the Thoroughfare Plan talks about the continuity of the visual elements along Hyland-Croy Road. The developer was requested to use a masonry and open metal fencing. How does that create a continuous, unified look up Hyland-Croy Road? What was requested of the other developments along the road in regard to fencing?

Ms. Martin responded that the condition referred to fences within Subarea A that were over six feet in height. She would expect those to be behind the building. With assisted care facilities, the City has granted requests for fences that are taller than Code. In those cases, the fences were required to be open fences that periodically were broken up with piers. They would be

consistent with what currently exists – a split rail fence with stone piers. The preliminary landscape plan will be further developed in the Final Development Plan.

Ms. Kennedy inquired if this becomes its own neighborhood, effectively, or is it part of the adjacent neighborhood.

Ms. Martin responded that it would become its own neighborhood, called Dublin Gateway.

Mr. Fishman inquired if, per Conservation Design Guidelines, 50% open space was being provided.

Ms. Martin responded that it is not.

Mr. Fishman inquired if 75% of the lots would be adjacent to open spaces.

Ms. Martin responded that they would not.

Mr. Fishman inquired if 100-200 ft. setbacks are provided.

Ms. Martin responded affirmatively.

Mr. Fishman inquired if curvilinear streets would be provided.

Ms. Martin responded affirmatively.

Mr. Fishman stated that Lots 1-37 have nothing but road frontage along the backyards of those lots. Essentially, the Conservation Design requirements are not being met at all.

Ms. Martin responded that it is correct that they are not met here fully. Typically, compliance with Conservation Design Guidelines has been required with larger-scale neighborhoods, where there is more opportunity to vary the site layout.

Ms. Husak noted that because this is a field, there is nothing to conserve. The Conservation Design resolution refers to heavily wooded areas on the outskirts of town in the northern portion of the City, i.e. Tartan Ridge, Oak Park and Tartan West to some extent. This site is not a prime site for applying those requirements.

Mr. Fishman inquired if those guidelines were applied here whatsoever.

Ms. Husak responded that they were not.

Ms. Call stated that one of the benefits of a PUD is that it provides more flexibility in how the requirements are met. There is a reduction in the number of ERUs from the 121 they are entitled to on this size property to 90 single-family homes and 200 additional units. That is a huge give. The zoning classifications of the adjacent neighborhoods are very similar to the R2 and R3 to which this parcel is entitled. Most of the Union County lots hover around 10,000 sq. feet. A few are 9,300 sq. feet in the lowlands; some are 14,000 sq. feet. In this plan, there are five lots exceeding 10,000 sq. feet; the remainder are 5,800 sq. feet, which is a significant reduction in lot size. If this area is being addressed as an R4 or R5, we need to be clear about what we are trying to accomplish. As it appears, the developer is getting the benefit in the residential area and also getting 200 ACLF units. We need to be clear as to what is being granted here. Currently, she is not supportive of this rezoning and preliminary plat. This will have a significant impact on the neighbors immediately adjacent. Three entrances are being introduced on an already congested road. Although the spirit of a PUD permits flexibility, all that is being provided here is increased density.

Ms. Newell inquired if Engineering anticipates turn lanes based on the preliminary TIS report that would ultimately affect this proposed plan.

Ms. Martin responded that turn lane improvements are anticipated, but the number and length has yet to be finalized.

Ms. Newell stated that factor could change the plan significantly, depending upon how much space they would take from this site. In regard to the lot width of 53 feet, there are a number of projects around the City where senior living type residences have been permitted on small lots. Are these comparable in size?

Ms. Martin responded that the most comparable development is The Hamlet, which was recently approved. Those lots are nearly identical in size with similar setbacks and lot coverages. However, that neighborhood is much smaller.

Ms. Newell stated that with that particular development, very detailed architecture was provided to illustrate how well-designed buildings on very small lots would be accomplished.

Applicant Presentation

Don Hunter, 4936 Pesaro Way, Dublin requested that the Commission consider this application in context with the City's roadway system and goals. They have been working diligently with staff this past year on this plan. The first staff report for the Commission contained 37 conditions, which they accepted. The report for this meeting has 11 conditions, and they have accepted those, as well. The roundabout at Hyland-Croy Road is immediately southwest of this site. He described the anticipated roadway changes in the area, including the US33 interchange modification, which will result in the closing of the Post Preserve access from Post Road, per ODOT regulations. As part of the planned interchange, a new residential street will provide access to the Post Preserve neighborhood from Hyland-Croy Road, as approved by City Council in 2006. This proposed development must be designed to integrate with the Post Preserve neighborhood, and the City has required that the proposed roadway system will separate the site into three sections. That is the non-negotiable difficulty of this site. This development plan is based upon the City's roadway plans. The single-family homes in the plan are targeted toward empty nesters. With a density of 2.5 du/acre, it is consistent with the Community Plan. Although Subarea A would be a logical location for retail, that use would not be responsive to the community's needs. They do not believe that single-family homes would be appropriate in Subarea A. He asks the Commission to consider the fixed points for this site – the roundabout, the closing of the Post Preserve Boulevard access and the connections with the three existing stub roads in Post Preserve. The facility in Subarea A will provide memory care and independent senior living. They are confident that this development on this site will provide the appropriate transition that will protect the property values of the single-family homeowners; have a low impact on the school system; and provide the transportation system required by the City.

Commission Questions for the Applicant

Ms. Fox stated that the development text indicates there will be more than one HOA.

Mr. Hunter responded that there will be a master HOA and a separate HOA for each of the subareas.

Ms. Fox inquired if there are any private streets within this development.

Mr. Hunter responded that within the residential area in Subarea B, the streets are all public. In Subarea A, there would be one private street.

Ms. Husak clarified that it is not considered a street; it is a private access drive to Subarea A.

Ms. Fox stated that there appear to be only four architectural styles for 90 homes. What is the possibility of increasing the number of architectural design styles?

Mr. Hunter responded that he does not believe they have submitted architectural styles with this application.

Ms. Fox stated that the text indicates there will be a variety of four different house styles. Mr. Hunter indicated that he agrees with her concern. Those styles will be submitted for the Final Development Plan, and they would work with staff to add clarifying language.

Ms. Fox requested clarification of the "0" setbacks. If Subarea A were to develop into assisted living utilizing more than one building, the setbacks would have to change. The development text is very vague about what could happen in Subarea A.

Mr. Hunter stated that he does not believe her concern is with the perimeter setback. It is with the setbacks between buildings.

Ms. Fox stated that in Subarea A, it is indicated that interior setbacks would be "0." She assumes that is between buildings, not side setbacks. More specificity is needed in the text regarding Subarea A.

Mr. Hunter stated that he would refer to the Catholic Diocese development across the street as a reference. They are developing a 75-unit independent living facility and a 45-unit assisted living facility. There are two separate buildings on two separate lots, yet they are physically connected. They may be financing the independent living under one HUD loan, and the assisted living structure under a second HUD loan. Because the two structures are physically connected, there is a "0" setback. With this case, he is not the developer of this project. They will be purchasing the 10-acre site and selling lots off to potential developers.

Mr. Fishman stated that there is a long materials list, including vinyl and artificial stucco.

Mr. Hunter responded that those materials are in Subarea A only.

Mr. Fishman stated that he would like to see the materials list tightened up.

Mr. Hunter stated that they are willing to do so, but requested that he specify the materials of concern.

Mr. Fishman stated that some of the following materials should be clarified or eliminated -- synthetic millwork, synthetic stone, synthetic stucco, and vinyl. He would like that list to be tightened so the materials are only those expected to be used. He wants to ensure that this community will still be a quality community 20 years from now.

Mr. Hunter agreed that the list would be tightened up.

Ms. Newell stated that she has concerns about some of the building materials. She has no problem with brick, stone, synthetic stone, stucco, wood siding or fibrous cement. Synthetic stucco, however, could be panels -- with this product, you do not know what you are getting. She has the same issue with decorative, synthetic millwork for exterior applications, composite trim and vinyl trim. It is possible to have both good and poor versions of the materials. The text indicates the windows can be vinyl or alternatives, which essentially allows anything and everything. In previous applications, the Commission has required that those materials be removed from the list unless the applicant can provide a sample of the specific product that is requested. Once the Commission approves the development text, the architecture proposed with the Final Development Plan will be judged against the text. She supports rezoning the property and the proposed use for Subarea A. She understands the proposed drive configurations. What she is concerned with are the 53-foot interior lots. When the Commission has approved buildings on smaller footprints such as these in the past, the Commission was certain what it would be getting architecturally. They knew how the buildings would fit on the site and where the landscaping would go. The applicant addressed the small parcels in a very sensitive manner. Ultimately, she may be able to approve this rezoning, but at this point, there is insufficient information.

Mr. Hunter stated that none of those items is approved prior to the Final Development Plan approval.

Ms. Husak clarified that Subarea A is a commercial development, which will require Commission review and approval of the Final Development Plan. The Final Development Plan for a commercial development includes every architectural elevation with design drawings and material specifications. Subarea B is different. With a Final Development Plan for a residential development, the architectural details for the homes do not require Commission approval.

Ms. Newell stated that, previously, if the development had very small lots, such as these, there was some control of the architecture in the PUD. The Commission saw and reviewed those details.

Ms. Husak stated that The Hamlet provided character drawings of the front elevation, as did Romanelli and Hughes for their recent development.

Ms. Newell stated that those visual character elevations defined the architecture against which the architecture could be judged.

Ms. Husak stated that the Commission could request that character detail with the Preliminary Development Plan or with the Final Development Plan, but it would not have the level of detail provided for a commercial development.

Ms. Newell stated that, as an architect looking at the text, it appears that anything "under the sun" could end up here, which has not been typical for other small-lot developments.

Mr. Hunter stated that they are willing to commit to all natural materials for the residential development component.

Mr. Fishman stated that the materials list is too lengthy. His experience is that when a lengthy list of building materials is provided, the developer chooses to use the less expensive or synthetic materials because they were included in the list. The list needs to be tightened.

Ms. Call requested that the Future Land Use Plan be provided. She inquired where the Catholic Diocese development, which is a comparable use, is located on that plan.

Ms. Martin indicated its location.

Ms. Call stated it is indicated within the Premium Office/Institutional area, which is a more intensive use.

Ms. Martin stated that the City designates future land uses outside its jurisdiction, but cannot require they be followed. The Crossroads Area Plan provides the most up-to-date land uses for the west side of Hyland-Croy Road.

Ms. Call stated that in regard to the parcels in question, per the City's Future Land Use designations, this area is designated Low Density/Residential. The proposed plan is requesting a Medium Density Residential subarea and a High Density Institutional use subarea. The property owner is entitled to Low Density/Residential. If it makes sense for the Commission to entertain a different type of project, that can occur. However, the Commission's role is to consider the text, maps and legislation that designates the Future Land Use for this particular area as Residential/Low Density. As a Commission member, she is tasked with enforcing what City Council has designated for the City; it is not within her purview to decide to rezone the area differently. The request is for a density of 200 units on the outparcel. She encourages the applicant to approach City Council with that request. She is not supportive of the project.

Public Comment

Bill Razor, 6857 Holbein Drive, Dublin stated that the residents are concerned that the proposed plans lack specificity. Too much is left to chance. The lot sizes also are a concern. He would prefer to see larger lots and architecture with more character. Where he lives on Holbein Drive, there is a substantial tree line with a five to ten-foot setback. With only a ten-foot setback, some of the trees will be damaged. His home was built with a five-foot setback from the treeline, and many of the trees were damaged during the construction process. How will they protect the root systems of those trees?

Mr. Supelak stated that there is a robust tree line. With the ten-foot setback on the lots in the new development, there is concern that the trees are in danger.

Ms. Newell stated that there is nothing in the proposed text that would preserve those trees if they were actually located on the property that is being rezoned.

Ms. Martin stated that within Subarea A, the setback from the east property line is 30 feet. Within Subarea B, the rear yard setbacks along that east property line are also 30 feet. The intent was to match the rear yard setbacks in the adjacent neighborhood. The only time there is a 10-foot setback adjacent to Post Preserve is between the sideyards of two homes.

Mr. Razor stated that one of those lots is heavily wooded. That would not be an appropriate setback there. Would it be evaluated before proceeding?

Ms. Newell responded that once the setbacks are established in the text, no changes could be made.

Mr. Razor stated that the sideyard setbacks there should be increased slightly. There is a very nice tree line there, and it is likely some of the trees would not survive.

Ms. Martin responded that it could be easily resolved by the applicant's agreement that the sideyard setback along the east property line for those two lots be increased to 15 feet, which is generous setback for a sideyard.

Mr. Razor inquired if fences would be permitted in this neighborhood.

Ms. Martin responded that fences would be permitted in Subarea B; however, they would need to meet Code requirements for an open fence, a maximum of four feet in height.

Mr. Razor stated that it not consistent with what is in Post Preserve.

Ms. Martin stated that it can vary between neighborhoods.

Mr. Razor stated that he would assume they would want to make the fences consistent. He does not think the fences look good, particularly not along Hyland-Croy Road. Another issue is the size of the homes – 2,000-2,500 sq. feet. Homes of that size are obviously intended to be at a very low price point. This is concerning to the residents of his neighborhood. He believes the Commission's emphasis on higher-end, all natural materials is important. The other issues are the proposed level of density and the lack of character in the lots.

Jodie Bahnum, 6849 Holbein Drive, Dublin, stated that her concern is the same as Ms. Call's. How can Subarea A be approved with such little information? How can the residents provide any feedback on a 200-unit proposal with parking spaces? She is concerned about the appearance of that parking area behind these homes. Equally concerning is the level of traffic. When is construction of the roundabout scheduled? Will that coincide with the construction of this development?

Tina Wawszkiewicz, Traffic Engineer responded that the roundabout is a joint effort of ODOT, MORPC, Union County and the City of Dublin. Their most recent funding award filled the final funding gap for construction, and construction is scheduled to begin 2022.

Ms. Bahhub stated that it is likely the roundabout construction would begin after this proposed project. That intersection is very dangerous. The City has placed a traffic signal there, which is appreciated, but the intersection remains difficult. The residents are unable to exit Post Preserve due to the traffic backup. Adding all these new homes and the units in Subarea A will increase the existing congestion, particularly since the roundabout construction is not intended to begin for a couple of years. Although they have indicated the new homes will target empty nesters, it would be better to make it a 55+ community. Otherwise, empty nesters will not be the only buyers of these homes. They could be considered starter homes, and there would be children – the same as in any other development. If the intent of the small lots is to fit the empty nester profile, then it should be made a 55+ community with corresponding requirements. Otherwise, it is not consistent with the Low Density zoning in their neighborhood.

Keith Hammond, 6965 Post Preserve Boulevard, Dublin, stated that his property abuts the proposed Subarea A. When the Post Preserve Boulevard entrance/exit is sealed off, their neighborhood will become completely isolated. Their access will be through the proposed development, so these small lots and homes will impact the character and property values in their neighborhood. As proposed, Subarea A is vague – will there be a three-story retirement home in their backyards? They are concerned that from their backyards, there will be a parking lot view. Nowhere else in Dublin has a retirement home been placed in the middle of a neighborhood. The one across the street is fine.

Nan Li, 6864 Royal Plume Drive, Dublin, stated that her home is in the adjacent neighborhood. She is concerned about the increase in traffic on Hyland-Croy Road. Did the traffic study look at the ingress/egress traffic from this community only? There is a significant level of development occurring to the north, which will put more traffic on Hyland-Croy Road. How much backup can be expected at the roundabout? During peak hours, it is difficult to exit Post Preserve Boulevard. Will residents be able to turn left out of the community? Will there be a traffic signal, or four-way stops to facilitate their access? In addition, a new middle school to the north would additionally impact the traffic.

Mr. Razor requested clarification about the review process. Is a separate rezoning and Preliminary Development Plan necessary or could all be done with the Final Development Plan?

Ms. Newell stated that they can be scheduled for review at the same meeting, but the Commission would vote on each separately. Two of the review items were scheduled for this meeting.

Mr. Razor stated that it would be easier if the details provided with the Final Development Plan were known, as well. Otherwise, there is distrust. It seems that the Commission has to approve something without knowing what they will get, and later, they could discover they will get something that was not anticipated. Presently, the plan is too vague. It would be helpful if the Preliminary and Final Development steps could be combined.

Mr. Boggs stated that with the PUD process provided by the City's Code, applicants could choose to bring both together and provide as much detail as possible. However, this is the rezoning

stage. The Commission's vote is to make a recommendation to City Council, then Council will conduct a separate public meeting review and vote on the rezoning. After that, a Final Development Plan containing more detailed drawings is brought to the Commission. That plan must be consistent with the rezoning. This process is not atypical.

Mr. Razor stated that, regardless, it would be easier to know what you will be getting. He inquired if the requested rezoning is not approved, would it remain zoned as it is?

Ms. Newell responded affirmatively.

Mr. Razor inquired what the current zoning is.

Ms. Martin responded that it is currently zoned Rural.

Ms. Newell stated that when any land is annexed into the City, it is initially zoned Rural. Typically, the property owner will request a rezoning in the future. At that time, the Community Plan analysis for future development within the City is considered. The Community Plan designates this area as either Suburban Residential/Low Density or Mixed Residential/Low Density, which provides up to 3 du/acre. The proposed plan would increase it above that density.

Ms. Li inquired about the possible expansion of Hyland-Croy Road.

Ms. Newell stated that consideration is not before the Commission tonight.

Ms. Li inquired if this is being considered independent of any possible expansion of Hyland-Croy Road.

Ms. Newell responded affirmatively.

Ms. Li inquired if the City is also working with Dublin City Schools to apprise them of potentially additional students. Although redistricting recently occurred, if this community is not limited to 55+, there is a potential that the increased students would result in Karrer Middle School being over capacity. If that is the case, redistricting may be needed again.

Ms. Kennedy stated that the Commission has had that question for previous cases. These developments are not part of the redistricting plans.

Ms. Husak clarified that the Dublin Schools' redistricting considerations factor in the maximum density permitted by the Community Plan's Future Land Use map.

Ms. Call stated that per the Community Plan, this area is designated as R1, R2, or R3. Dublin Schools do stay cognizant of what development applications are coming before the City, and if anything should be approved that is inconsistent with the existing Land Use map, staff would reach out to the Schools to make them aware. Therefore, it could be expected that Dublin Schools would not have forecasted for more than 3 du/acre on this parcel.

Mr. Hunter stated that this land is projected for growth by Dublin Schools, and it is consistent with the Community Plan, which allows multifamily here. On 35 acres, there are 90 homes. In recent years, Council has discussed the need for empty nester housing; that is what will be provided here, and no students would be generated from a retirement community in Subarea A.

Ms. Fox inquired about the size and price points of the homes on those smaller lots.

Mr. Hunter stated that the homes would range from 2,000 to 2,500 sq. feet. They have not yet priced the homes. Currently, they are in discussions with several homebuilders.

Ms. Newell stated that the development text does not indicate the homes would be designated for empty nesters. The introduction states, "this community will provide for the development of

single-family homes, varying lot sizes, as well as an Adult Congregate Living Facility. The ACLF will provide senior residential opportunities, as detailed in the zoning text being filed with this application." There is no limitation provided for senior housing, only an opportunity for it. There is nothing limiting this development to an age classification in Subarea A. It would appear that adults of any age could live in that building.

Ms. Martin responded that, based on the definition for ACLF, she does not foresee anyone else living there. It indicates that there would be "one or more levels of care, including, but not limited to, nursing care, onsite dispensary facilities for medications prescribed by a physician, providing care only to resident onsite dining facilities and assistance with other activities of daily living..."

Ms. Newell stated that description satisfies her concern.

Mr. Fishman stated that in Subarea B, the single-family homes, there is no guarantee that families with children will not move there, regardless of the lot size. This site is in the Jerome High School district, and many people are looking for homes to have their children in that school district. Would he be willing to dedicate that subdivision to be a 55+ community?

Mr. Hunter responded that he was not willing to do so.

Mr. Fishman stated that he is acknowledging that there will be children there. Previously, he indicated that this development would have no impact on the school system.

Mr. Hunter stated that it would have a low impact. He lives in Cortona, which is an age-targeted community, not an age-limited community. That has worked; there are no children in that community.

Mr. Fishman noted that the price ranges of the homes in Cortona are different than will exist here.

Mr. Hunter stated that the primary factors are not the cost, but the home size, lot size and desire for a maintenance-free lifestyle.

Ms. Call inquired about the definition of an ACLF in the Code.

Ms. Fox stated that the development text identifies an ACLF use. Once the PUD is approved, the development follows the text. She understands the concern, because the term ACLF is defined as "shall include but not necessarily be limited to...independent living, and assisted living facilities, field nursing, memory care, license care, and/or age-restricted congregate living apartments, nursing homes, medical rehabilitation facilities, either individually or in some combination thereof." That is an important paragraph, and its potential interpretation is a concern, as well as the 70 percent lot coverage. Does the 17,000 sq. feet indicated apply only to the building or is it across the subarea?

Ms. Martin responded that it is across the subarea, but that amount has been revised to 15,000 sq. feet per acre within that subarea. If they want to have 17,000 sq. feet, they would be required to submit a request for a Conditional Use to the Commission to ask for the additional density.

Ms. Fox stated that she is clarifying that a subarea can develop in a variety of ways with an assisted living use there.

Ms. Martin responded that density for a care facility is consistent with what currently exists in other areas of Dublin.

Mr. Hunter stated that they are willing to limit Subarea A to age 55+ and to a two-story building.

Commission Discussion

Ms. Kennedy stated that the Community Plan permits a total of 120 single-family residences on the parcel. This proposal places 90 single-family residences in one subarea and an additional 200 units for senior living in a second subarea. Traffic is a concern. This intersection and area is very congested during peak hours. In general, she is supportive of rezoning Rural to Residential; however, the proposed density is high, when assessed against the Community Plan.

Mr. Supelak stated that this plan leaves a lot to chance. Generally, the Commission has some sense of what is proposed, and we do not have that with this proposal. He is concerned that this body will be deceived, and when the site is developed, it will not match the expectations. In addition to the 11 conditions staff recommended for the rezoning, another three have been suggested during this discussion. The number of conditions give him pause. He agrees that there are certain communities where a certain buyer is targeted, and the homes are designed accordingly, but that does not necessarily restrict buyers. However, the City has a couple of communities with small lots and quality, high price-point homes. If that can be achieved here, as well, he has no objection.

Ms. Fox stated that the use of single-family homes here is good. However, she has concerns about Subarea A. Determining the density based on the entire acreage can be misleading. There are two separate parcels involved. In Subarea B, per the Low Density requirements, the density should be 2.0 du/acre, not 2.5, which would reduce the number of lots by 18. With past residential developments, the City has required varying lot widths. With this proposal, each lot is 53 feet along the roadway. There is the same lot width and same rear yard setback, which creates a homogenous, "cookie cutter" look down the roadway. She appreciates that the applicant indicates a willingness to offer more than four architectural designs. With The Hamlet application, the applicant provided well-articulated architectural styles, which provided assurance of the particular product that would be provided. The Commission does not see that here. She does not understand the reason Post Preserve's access must be changed to be through another neighborhood. That concerns her, but she understands that is a Council issue, not a Commission issue. She believes the developer would have to agree to that access. She is concerned about the level of density in Subarea A and the vagueness of what can develop there. Approving 70% lot coverage immediately next to a residential neighborhood is concerning. She would reduce the size of that lot coverage and tighten up the language on the expectations. It is currently zoned R1, which is the most open, least dense residential zoning. The proposal is to change that to the greatest lot coverage and density. She does not believe that is fair to the neighboring residents. They have no understanding of what will be provided in regard to lighting and buffering along their perimeter. Those are her primary concerns, but she also has concerns about the landscape layout. As stormwater ponds are developed, they should be attractively designed landscape features. Often, a stormwater pond can be just a dry pond. Stormwater ponds should not be recognizable as such. Next to this site will be one of the largest roundabouts and busiest intersections in the area, flowing into a rural corridor. The manner in which that area is planned is very important. In summary, her main concerns are the amount of density, the vagueness of Subarea A, and the proposed access points.

Ms. Call inquired fellow Commissioners' thoughts about the proposed 5,300 sq. ft. minimum lot size within the single-family subarea.

Mr. Supelak responded that he could be agreeable to it, but previously, applicants have demonstrated the high quality architecture of the proposed homes. Without having that assurance here, it is difficult to be comfortable with it.

Mr. Hunter stated that the road system has been imposed by the City and ODOT. An interstate off ramp dumps onto this property. Would the Commission be supportive of a 120-unit empty-nester product without an age restriction here? If so, they could attempt to come up with such a plan. Without an understanding of the seven-year history of this property, Commissioners may be unaware of the hurdles they have attempted to jump through to develop it. At this point, they need specific direction to be able to continue that effort. They cannot spend hundreds of thousands of dollars on architectural plans without direction. The proposed plan is the result of direction they were given previously. They have satisfied all of staff's previous conditions. They are attempting to meet the needs of the community, yet be fair to the property owner, with whom they have been in contract since 2012. The difficulty is due to the different interests that need to be satisfied. He requests that the Commission tell them if they will support an assisted-living type of development here, where the interstate ramp empties, and if not, if they would be supportive of 121 single-family homes here. It is important to point out that the development cost includes extending the road extension through the site. The proposed plan has been vetted thoroughly, and it is a good plan, but if the Commission does not support it, he requests clear direction on what can be pursued here.

Ms. Call stated that the Commission is looking at a land development plan against what has been envisioned here. Low Density and Mid-density Residential were envisioned, which would be 121 units. His question is if the Commission would support 121 high-quality single-family units here. That is what the Future Land Use map indicates should be entertained, and if the Commission were viewing an application with 121 units that met Code requirements for open space, setbacks, roadway buffer, etc. – the discussion would be quite different. Conditions are typically placed on an application because either the text requires additional clarity, or the first choice was not the optimal choice for some reason.

Mr. Hunter stated that they could put 31 of the same type of units that are in Subarea B in Subarea A. Would that be an acceptable plan to bring back to the Commission? He needs clear direction. He noted that Community Plans are established to provide guidance, and there are significant mitigating circumstances here, including the road system that cuts through the site. They need to have a development that works; otherwise, the property owner is being deprived of his land value.

Mr. Hunter requested the Commission to table the application. They will return with a revised plan.

Mr. Fishman stated that he likes the assisted living concept, although perhaps not 200 units. He also likes the single-family units, but there is a need to be much more creative there. Previously, these types of applications were not stacked lots; they were more creative with courtyards and common space. It may be necessary to eliminate a few lots to achieve more creativity within the residential component and make the homes a more expensive product. The concept makes sense, but it is important to achieve the best plan for the residents and the City.

Mr. Newell stated that the purpose of a PUD is to give better control over the architecture within a project. Sometimes tighter lot lines are permitted in a PUD because, in return, the City will be getting something back. However, the proposed development text does not indicate that approving the rezoning would result in anything better than leaving the zoning as is. That said, she is supportive of rezoning this property, and ultimately, perhaps the smaller lot sizes, but only if we can be assured of the product. Currently, the text is too open. She is supportive of the proposed assisted living facility. She could be supportive of the plan, but at this time, the text has not been developed sufficiently.

Laura MacGregor Comek, Laura M. Comek Law LLC, 17 S. High Street - Suite 700, Columbus, Ohio 43215, stated that she is representing the Schottenstein Real Estate Group. She requested clarification of the Commission's guidance.

Ms. Newell provided clarity regarding the building materials, specifically the vinyl trim. In the past, where there was no assurance of the actual product that would be used, the Commission requested the product be eliminated from the text. The applicant can provide a sample of the actual product later and request that the text be amended to include the material. The issue is that, currently, the materials portion of this text limits nothing.

Ms. Comek responded that they would add the additional clarity to the text.

Mr. Boggs stated that the Chair has suggested that the vinyl material be removed from the Preliminary Development Plan phase. Later, if the applicant discovers an excellent grade of vinyl that they would like to use, they can bring back a sample and request that the text be amended, and include it in the Final Development Plan. The applicant has the ability to provide a sample of the material later.

Mr. Fishman stated that Mr. Hunter has requested that the application be tabled. Several Commission members are in favor of the proposed plan, but believe the residential lots need to be more creative.

Ms. Comek stated the Community Plan provides opportunity for Residential Low Density or for Residential Medium Density, which can be multifamily. The Community Plan recognized that this is not only the last piece of property in this corridor, it is a transition piece between the residents and the interstate highway. Typically, that last piece is different as it tries to accommodate that transition.

Ms. Newell stated that she is a proponent of Concept Plans, and the Commission has not seen a Concept Plan for this particular plan.

Ms. Comek stated that the Commission reviewed earlier plans for the site in 2012 and 2015. This application was re-filed and reviewed by the Commission in 2017. Perhaps if there is no clear policy stated, it is a policy issue for City Council.

Mr. Fishman stated that this is a PUD application, and the Commission has a good amount of flexibility with a PUD. He likes the concept, but much more creativity with the lots is necessary. He would suggest that they discuss the plan with the residents in the neighborhood and address their concerns.

Ms. Comek indicated that they would do so.

Ms. Fox stated that this site will be developed, and the Commissioners believe a good use here is single family. Putting 200 units in Subarea A is a different land use, which creates a need for other items, such as lighting and parking. The existing residential community would be bumping up against a different land use. There will be higher density here because of that land use. Mr. Hunter has inquired about the possibility of placing 121 units across the entire site. She would be in favor of allowing more density here if the development was something more consistent with the existing residential environment. She also understands the difficulty in selling units close to that roundabout and highway. Perhaps the lots in Subarea A could be the smaller, 55+ lots, and make the lots in Subarea A larger, single-family lots – as that subarea is the front door to the Post Preserve neighborhood. That could be a better option for Subarea A. It would be much more difficult for the neighbors to live next to a 2-story building with parking lot, lights and staff coming and going all hours of the day and night. That would be a different use in this area.

Ms. Comek stated the Community Plan acknowledges that this is a transition property and permits mixed uses. A senior-living facility would be a good neighbor to the residential community. Perhaps this application should be kicked up to Council and let them decide if there is a tolerance for a buffering use with low traffic impact here.

Ms. Call requested that for this application, and any future applications, if there are items, such as the ACLF, that are not defined in the Code, could there be an accompanying request to amend Code to include that definition. This would mediate the vagueness upfront.

Ms. Boggs stated that in the Development Text that he viewed, there was a definition for an ACLF. It is not codified Citywide, but it would be the codified definition of that use for Subarea A. Ms. Call inquired if it would be location-specific or zone-specific.

Mr. Boggs stated that it would be PUD-specific. For Subarea A of the Gateway PUD, ACLF is defined to mean, "one or more buildings providing assisted living accommodations for senior citizens and the elderly with one or more levels of care...."

Ms. Call stated that in an application it is possible to define things differently. For instance, they can define a hospital as senior care facility. She would like to have the parallel in the Code.

Mr. Supelak stated that this would apply to multiple cases. There were multiple building types in the Bright Road development. In both cases, we were asking for density comparables. With this plan, the 200-unit building and 70% lot coverage is a concern. That does not mean there is no appreciation for the project. At this point, perhaps the need is to fine-tune the plan and eliminate the vagueness of what will be on Subarea A and the vagueness of the architecture in Subarea B. There is a need for additional references to be provided for the architecture and for comparable uses.

Mr. Boggs stated that the Zoning Code generally does not define an analogous use. It does mention the type of use without defining it in the context of parking requirements. If this definition were to be codified for the entire City, it might not work in another PUD.

Ms. Call stated that what she is looking for is definitions in the Land Development Code. She sees a definition for a townhouse. If an applicant comes forward with an application for a townhouse, we have a definition that applies. If they were proposing a six-unit townhouse, but a townhouse is defined in Code as a two-unit building, staff could indicate the application does not meet Code. In the Code, that number of units would be a multi-family dwelling.

Mr. Boggs stated that in the context of a PUD, a flexibility in the definition might be desirable for those items that are not the basic building blocks -- for those items that are not analogous.

Ms. Fox moved, Mr. Fishman seconded to table the Dublin Gateway Rezoning with Preliminary Development Plan and Dublin Gateway Preliminary Plat.

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


[Motion approved 6-0]

COMMUNICATIONS

Ms. Rauch reported that staff is attempting to schedule a joint meeting with City Council, the Planning and Zoning Commission and the Architectural Review Board, potentially in February. That group is anticipated to meet quarterly.

ADJOURNMENT

The meeting was adjourned at 10:25 p.m.



Chair, Planning and Zoning Commission



Deputy Clerk of Council