

CITY OF DUBLIN

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**DUBLIN PLANNING AND ZONING COMMISSION
RECORD OF ACTION
March 20, 1997**

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

- 4. Final Development Plan 97-019FDP - Village at Balgriffin Condominiums**
Location: 7.46 acres located on the northeast corner of Avery Road and Rings Road.
Existing Zoning: PUD, Planned Unit Development District (Balgriffin Plan).
Request: Review and approval of a final development plan under the provisions of Section 153.056.
Proposed Use: A multi-family development of 56 units.
Applicant: Scott A. Rubin, President, SAR Construction Company, 6079 Northgate Road, Columbus, Ohio 43229-2481.

MOTION: To approve this application with ten conditions:

- 1) That rear building elevations be revised to reflect the same quality of materials and detailing as front elevations;
- 2) That right-of-way for Avery Road which complies with the MS Consultants Avery Road Alignment Study, (62 feet from centerline), be deeded to the City prior to the issuance of a building permit;
- 3) That right-of-way along Rings Road consistent with the Thoroughfare Plan (30 feet from centerline) be deeded to the City prior to the issuance of a building permit;
- 4) That an eight-foot bikepath be provided within the building setback area on the north side of Rings Road and on the west side of Norn Street (within easements if necessary), acceptable to staff;
- 5) That a five-foot-wide pedestrian path connect with the path from the Balgriffin Apartments Phase 2, and be acceptable to staff;
- 6) That a revised landscape plan that meets Code and incorporates the changes requested be submitted and be acceptable to staff;
- 7) That all lighting meet the requirements of the development plan text, and Dublin Lighting Guidelines;
- 8) That all Engineering Division requirements be met on design of public roads, private drives, public and private utilities, and stormwater management;
- 9) That a plan incorporating all of the changes required above be submitted to staff within two weeks; and

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4. Final Development Plan 97-019FDP - Village at Balgriffin Condominiums (Continued)


- 10) That a permanent secondary grass-surfaced emergency access be provided to Rings Road or Norn Street, as approved by staff.

* Scott Rubin agreed to the above conditions.

VOTE: 7-0.

RESULT: This application was approved.

STAFF CERTIFICATION



John D. Talentino
Planner

Ms. Boring seconded the motion and the vote was as follows: Mr. Harian, yes; Mr. Peppow, yes; Mr. Locklinder, yes; Mr. Sprague, yes; Ms. Chinnici-Zuercher, yes; Ms. Boring, yes; Ms. Chinnici-Zuercher, yes; and Mr. Ferrara, yes. (Approved 7-0.)

4. Final Development Plan 97-019FDP - Village at Balgriffin Condominiums

John Talentino presented this final development plan for 56 townhouse condominiums on 8.5 acres of the 74-acre Balgriffin PUD. A 65-foot right-of-way from centerline on Avery Road, a bikepath along Norn Street and the north side of Rings Road, a single access drive as recommended by the City Engineer, and a pedestrian connection to the apartments are being reviewed. The exteriors are stucco stone and stucco. The general architectural design is based on the Balgriffin apartments. The text requires same finish quality on all building sides, and staff requests revised elevations to reflect this, especially on the rear elevations facing the street. The landscaping plan needs changes to meet screening and regarding the species of shade trees in the parking areas.

This proposal has been coordinated with the adjacent apartments and meets the requirements of the preliminary development plan. Staff recommends approval with nine conditions:

- 1) That rear building elevations be revised to reflect the same level of quality of materials and detailing as front elevations;
- 2) That right-of-way for Avery Road which complies with the MS Consultants Avery Road Alignment Study be deeded to the City prior to the issuance of a building permit;
- 3) That right-of-way along Rings Road consistent with the Thoroughfare Plan (30 feet from centerline) be deeded to the City prior to the issuance of a building permit;
- 4) That an 8-foot bikepath be provided within the building setback area on the north side of Rings Road (within easement if necessary) and on the west side of Norn Street, and a bikepath easement be provided along Norn Street, acceptable to staff;
- 5) That a five-foot-wide pedestrian path connect with the path from the Balgriffin Apartments Phase 2, and be acceptable to staff;
- 6) That a revised landscape plan that meets Code and incorporates the changes requested be submitted and be acceptable to staff;
- 7) That all lighting meet the requirements of the development plan text, and Dublin Lighting Guidelines;
- 8) That all Engineering Division requirements be met on design of public roads, private drives, public and private utilities, and stormwater management; and
- 9) That a plan incorporating all of the changes required above be submitted to staff within two weeks.

Mr. Talentino said the site is on the northeast corner of Avery Road and Rings Road. The pedestrian path from the apartments splits between two buildings.

Ms. Boring said the Engineering Division stated firmly last month that Dublin always requires two access points for multi-family sites. This proposal only has one, and it is inconsistent with the policy. She cannot assess it properly until it has a second emergency access. Not even emergency

access is shown. Mr. Talentino said staff had recommended a second access from the apartment site to connect with this *condominium* site, but the Commission disapproved it. He said a second driveway was discouraged due to the curve in the road and a possibly dangerous situation. He said the Rings Road/Avery Road intersection will be signalized. Ms. Boring said she was told at the last meeting that Dublin would never, without exception, approve a single access.

Mr. Lecklider said in September 1993, at Council, the developer agreed to enclose the ditch along Rings Road. Mr. Talentino said this is included in Condition 8.

Mr. Lecklider asked about the 140-space parking requirement and 136 spaces provided. He asked if stacking spaces in front of garages are counted. Mr. Talentino said some stacking was included.

Ms. Chinnici-Zuercher asked if including stacking spaces is typical. Mr. Talentino said stacking spaces were not generally counted. He said it is a balance between meeting Code and providing excess asphalt that is not needed. Mr. Banchefsky mentioned that the Sumeral Tire Store used stacking spaces to meet Code.

Mr. Ferrara wanted an explanation of the single access. Randy Bowman said if a second curbcut were to be placed onto the Rings/Norn alignment, it would likely have to be aligned with Rings Road. When an access is on a curve, sight distance should be considered. Conditions such as street trees and landscaping interfere with the sight triangle. Mr. Ferrara asked if an access along Norn Street where the detention pond was considered for a second access. Mr. Bowman said this causes an offset intersection situation. Mr. Ferrara suggested that an second emergency-only access. Randy Bowman said staff did not consider this to be worthwhile. He said providing a second curbcut for the sake of a second curbcut causes a safety problem.

Mr. Ferrara asked if the Fire Chief looked at the plan and accept it with one access. Mr. Talentino said no comments to that effect were received.

Randy Bowman said this is not inconsistent with the dual access requests in past developments. In this instance the City Engineer is comfortable with one access point. A second access point causes a safety problem and a dilemma. The City Engineer feels this is the safest compromise.

Mr. Peplow asked about Condition 1. Mr. Talentino said the text requires the same quality and detailing on both the front and rear elevations. The applicant needs to enhance the rear elevations. In the past, the Commission has asked for added window detailing, architecture details, gables etc. The rear cannot be an afterthought, as every rear building faces the public street in this case.

Mr. Sprague shared concerns about the vehicular access. He said the problem needs revisiting by the City Engineer, and he personally favors providing a second access where ever feasible.

Mr. Sprague asked about the six inch fire water line. Mr. Talentino said the Washington Township Fire Department said the "T", as it went west to the hydrant, needed to be eight inches in diameter. The water line will have to meet the fire department requirements.

**Italics indicate correction to minutes made by Commission vote on April 10, 1997.*

Ms. Boring asked if a left turn lane going into the site was being constructed as part of the stacking lane off Rings Road. Randy Bowman said building left-turn stacking was not the policy when this site was zoned in 1993, and it is too late to require it.

Scott Rubin, Gemstar Homes, agreed with the above conditions. He said the main entry, Balgriffin Lane, was boulevarded. An accident would have block both lanes and the island to cause a problem. He said the design lent itself to a quasi-dual curbcut, doubling the entry access.

Mr. Rubin said there were four-unit and six-unit ranch and town home buildings. Mr. Rubin said stucco stone would be used with a 25-year heavyweight saddle gray shingle (not dark brown as reported). He showed samples of materials.

Mr. Rubin said there were several points for emergency-only access, constructed of brick pavers where grass grows through. He said it could be done in the retention pond area or closer to Avery Road and Rings Road. He said the pond could be made deeper or the stormwater storage could be picked up in the pavement area.

Mr. Ferrara asked if the Avery Road ditch would be piped and graded. Mr. Rubin said yes.

Ms. Boring was comfortable with paver brick for emergency vehicle access. She said Engineering should see that trees and preserves need protection also when discussing vehicular access.

Mr. Harian agreed that Condition 1 was needed and was glad the applicant is working to add more interest. Mr. Rubin said he understands what was wanted and is agreeable.

Mr. Lecklider agreed that the ditch should be piped and graded.

Randy Bowman said grass pavers were installed in the median on Concord Road to provide better access to Muirfield Phase 42. He said they would be considered here.

Randy Bowman said this was the first time that staff had encountered a set of conditions that interfered with the usual requirement of two access points. When the street frontage is curved, safety problems are compounded.

Ms. Chinnici-Zuercher said the Commission was cognizant of this road being substantially different from normal. Staff should determine the safest location for the emergency access.

Randy Bowman asked if in the future, for non-conforming type of factors, if the Commission favored, emergency accesses using grass pavers. Ms. Chinnici-Zuercher said yes.

Ms. Boring said staff needs to consider the serious nature protection issues in engineering design.

Mr. Lecklider preferred the second emergency access point closer to Avery Road. He also wants consistency in whether stacking spaces are counted toward Code compliance. Ms. Chinnici-Zuercher agreed.

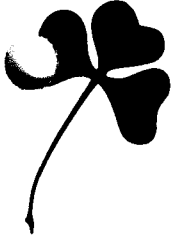
Mr. Ferrara made a motion to approve this application with ten conditions:

- 1) That rear building elevations be revised to reflect the same quality of materials and detailing as front elevations;
- 2) That right-of-way for Avery Road which complies with the MS Consultants Avery Road Alignment Study, (62 feet from centerline), be deeded to the City prior to the issuance of a building permit;
- 3) That right-of-way along Rings Road consistent with the Thoroughfare Plan (30 feet from centerline) be deeded to the City prior to the issuance of a building permit;
- 4) That an eight-foot bikepath be provided within the building setback area on the north side of Rings Road and on the west side of Norn Street (within easements if necessary), acceptable to staff;
- 5) That a five-foot-wide pedestrian path connect with the path from the Balgriffin Apartments Phase 2, and be acceptable to staff;
- 6) That a revised landscape plan that meets Code and incorporates the changes requested be submitted and be acceptable to staff;
- 7) That all lighting meet the requirements of the development plan text, and Dublin Lighting Guidelines;
- 8) That all Engineering Division requirements be met on design of public roads, private drives, public and private utilities, and stormwater management;
- 9) That a plan incorporating all of the changes required above be submitted to staff within two weeks; and
- 10) That a permanent secondary grass-surfaced emergency access be provided to Rings Road or Norn Street, as approved by staff.

Ms. Boring seconded the motion. Mr. Rubin agreed to the above conditions. The vote was as follows: Mr. Harian, yes; Mr. Peplow, yes; Mr. Lecklider, yes; Mr. Sprague, yes; Ms. Chinnici-Zuercher, yes; Ms. Boring, yes; and Mr. Ferrara, yes. (Approved 7-0.)

~~5. Final Development Plan OT-565 - Indian Run Meadows - Liberty Health Care Assisted Living Facility - 7220 Muirfield Drive~~

~~John Talentino distributed an update of the staff report to the Commissioners. In 1986, within the Indian Run Meadows PUD, a seven-acre office/institutional site on the east side of Muirfield Drive. This application is a final development plan for 3.37 acres for an assisted living and Alzheimer's facility. The predominant building materials include a light gray synthetic limestone, sandstone stained cedar siding, and a shingled roof.~~



**AMENDED
RECORD OF ACTION
DUBLIN PLANNING AND ZONING COMMISSION
JULY 8, 1993**

CITY OF DUBLIN

5800 Shier Rings Road
Dublin, OH 43017-1236
Phone/TDD: 614/761-6550
Fax: 614/761-6506

The Planning and Zoning Commission took the following action in the application below at its regular meeting:

1. Rezoning Application Z93-001 - Balgriffin (Formerly known as Avery Road Mixed Use)

APPLICANT: Avery Road, Ltd. and Mid-States Development Corporation and Charles R. Davis, c/o Robert A. Meyer, Jr., Attorney, Porter, Wright, Morris & Arthur, 41 South High Street, Columbus, OH 43215.

REQUEST: To rezone a 74-acre site located on the northeast corner of Rings and Avery Roads from R-1B, Restricted Suburban Residential District and LI, Limited Industrial District (both Washington Township zones) to PUD, Planned Unit Development District and PCD, Planned Commerce District to permit the construction of 60 single-family lots, 280** multi-family units, with 13.9 acres of parkland and 5.6 acres of office and light industrial use.

MOTION: To approve this rezoning application with the following fifteen conditions:

- 1) That a new legal description be submitted for the PUD and PCD areas before this case is scheduled for review by City Council;
- 2) That a bond or other legal tool be used to secure sidewalk improvements along the Avery Road frontage until the Avery Road Corridor Overlay is completed;
- 3) That the applicant submit revised text with development standards and preliminary development plan with all completed requirements within 30 days, including buffering between different uses, refined list of requested uses, architectural details, and coordination for the commercial site;
- 4) That streets, sidewalks and bikeways, utilities, easements, stormwater management, vehicular access and rights-of-way as described above be designed to the requirements of the City Engineer;
- 5) That street cross-sections and pavement design be submitted to the City Engineer and conform to the design standards of the City of Dublin;
- 6) That the maintenance of private streets and stormwater detention areas not in parkland be the responsibility of the homeowners association and be indicated as such on the final plat;
- 7) That the intersection of Rings Road and Malahide Road be designed for staged construction to the satisfaction of the City Engineer and that the funding for the ultimate alignment of that intersection be established in a manner acceptable to the City;

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- 8) That the construction or funding of the extension of Malahide Road north of Woerner-Temple be established and/or designed in a manner acceptable to the City;
- 9) That the applicant make a contribution to the construction of the Woerner-Temple extension;
- 10) That the applicant provide a traffic study to outline an appropriate level of roadway service for the construction of proportions of multi-family units, some of which may be built before road improvements. The scope of service is to be reviewed by the City Engineer;
- 11) That the number of curb cuts along Avery Road be limited to one where the proposed private access drive within the planned commercial piece is located;
- 12) That the need for traffic signals and/or street lights be addressed to the satisfaction of the City Engineer;
- 13) That Malahide Road be renamed Norn Road;
- 14) That all private streets be constructed to meet City Standards; and
- 15) That Norn Road be extended through the northeastern part of the parkland.

* Jeff Glavan, representing the applicant, agreed to the above conditions.

** The unit count in the request was corrected from 223 to 280 on June 20, 1996, and this revision should be reflected in the permanent record.

VOTE: 4-0.

RESULT: This rezoning application was approved with conditions.

STAFF CERTIFICATION:



Lisa Fierce
Senior Planner

CITY COUNCIL NOTES:

The public hearing was conducted on September 13, 1993. The rezoning application (Ord. No. 06-93) was approved by Dublin City Council by a vote of 5-1 on September 20, subject to the 15 conditions listed above, plus two additional conditions:

- 16) *That the developer construct a bikepath across the entire Rings Road frontage (north side), to Avery Road; and*
- 17) *That the amended text and Appendix C (referencing commitment to building 765 feet of roadway 41 feet in width) be incorporated into the rezoning text.*

The Commission reconvened after the executive session at 7:20 p.m.

* **1. Rezoning Application Z93-001 - Balgriffin (formerly known as Avery Road Mixed Use)**

Lisa Fierce presented the Staff Report. The case had been tabled in March so that the applicant could provide additional engineering and text detail. She emphasized that the applicant had been very cooperative throughout the process. The plan de-emphasized Rings Road and provides for a new north-south road (Malahide Road) and for rebuilding the intersection of Rings/Malahide. The Malahide Road should, in the view of Staff, align with Norn Street. The new Woerner-Temple/Rings Road Connection will provide for most of the east-west traffic movement in the area, and the Staff believes that this developer should contribute to this road construction, in addition to providing the right-of-way. The land uses proposed include 60 single-family lots on the east side of the site with a density of 3.1 units per acre. The minimum lot will be 70 feet by 120 feet, except along Rings Road where the abutting lots will have a minimum frontage of 100 feet. There will be 223 apartments and 57 condominiums, with no three-story units and natural materials. Additional text refinements are needed on the multi-family section. A planned commercial area of 5.6 acres that includes an existing office building is located on Avery Road. A private road onto Avery Road may be utilized for it as well as the multi-family to its east. Permitted uses include SO uses and some warehousing, wholesale and transportation uses. Architectural details are still needed. The required park dedication is 13 acres, and the proposal shows 13.9 acres including the woods at the center of the site. The bike paths proposed include the north side of Rings Road and the west side of Malahide Road. The project may begin next year probably with the single-family area.

Randy Bowman commented that Dublin will be building a 20-inch water line along the north side of Rings Road from Wilcox to Dublin Road. The developer will be extending it to Avery Road. The sanitary service will be provided by a 21-inch line currently at the corner of Wilcox and Rings.

Lisa Fierce stated the staff recommends approval based on the 12 conditions from the Staff Report:

- 1) That a new legal description be submitted for the PUD and PCD areas before this case is scheduled for review by City Council;
- 2) That a bond or other legal tool be used to secure sidewalk improvements along the Avery Road frontage until the Avery Road Corridor Overlay is completed;
- 3) That the applicant submit revised text with development standards and preliminary development plan with all completed requirements within 30 days, including buffering between different uses, refined list of requested uses, architectural details, and coordination for the commercial site;
- 4) That streets, sidewalks and bikeways, utilities, easements, stormwater management, vehicular access and rights-of-way as described above be designed to the requirements of the City Engineer;

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- 5) That street cross-sections and pavement design be submitted to the City Engineer and conform to the design standards of the City of Dublin;
- 6) That the maintenance of private streets and stormwater detention areas not in parkland be the responsibility of the homeowners association and be indicated as such on the final plat;
- 7) That the intersection of Rings Road and Malahide Road be designed for staged construction to the satisfaction of the City Engineer and that the funding for the ultimate alignment of that intersection be established in a manner acceptable to the City;
- 8) That the construction or funding of the extension of Malahide Road north of Woerner-Temple be established and/or designed in a manner acceptable to the City;
- 9) That the applicant make a contribution to the construction of the Woerner-Temple extension;
- 10) That the applicant provide a traffic study to outline an appropriate level of roadway service for the construction of proportions of multi-family units, some of which may be built before road improvements. The scope of service is to be reviewed by the City Engineer;
- 11) That the number of curb cuts along Avery Road be limited to one where the proposed private access drive within the planned commercial piece is located; and
- 12) That the need for traffic signals and/or street lights be addressed to the satisfaction of the City Engineer.

Mr. Sutphen stated that the road should not change names in the middle--from Norn Street to Malahide Road.

Randy Bowman asked that two additional conditions be applied:

- 13) That Malahide Road be renamed to Norn Street; and
- 14) That the private streets be constructed to City standards.

Mr. Jeff Glavan introduced himself as the architect for the project and introduced Randy Asmo and the project engineer Jason Coffee. As a result of the extensive negotiation and resulting changes, they feel this is consistent with the Southwest Area Plan. The site is now smaller, being 74 acres. The plan includes 223 units of apartments, 57 condos, and 60 single-family lots. The total is 340 units, or 4.6 units per acre. The Southwest Area Plan shows 5 units per acre in this subarea.

Mr. Glavan said the residential area has expanded; it features a loop and cul de sac street arrangement internally and 100-foot lots along Rings Road. The condo area has 7 units per acre and is in the location requested by the neighbors. The parkland exceeds the requirement and includes the existing stand of trees. The 5.6 acres is light industrial along Avery Road. Right-of-way is provided for the Woerner-Temple connector. The developer will redo the Rings/Malahide intersection to interrupt Rings Road after the Woerner-Temple Connector is constructed. The east/west road (Blunden Road) will extend to Avery Road. Malahide Road

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will be built to Blunden, but not through the park until later. Curb cuts on Avery Road will be limited to two. We appreciate Dublin's aesthetic concerns and expect to comply with them.

Mr. Steve Krzykoski of the Southwest Area Residents Association commented that the developer had cooperated with them. The land uses are the result of a compromise with the developer, but they continue to be concerned about the density.

Janet Jordan asked if the right-of-way shown on the east side of the park and the detention basin shown were included in the 13.9 acres of park and if a fee in lieu of land would be paid. Mr. Glavan said that the detention was not included in the park, and the road was about an acre--leaving the required amount.

Mr. Rauh disliked the detention pond shown on Wilcox Road. Mr. Jason Coffee, project engineer, stated this was the low point of the site, and this would be an outlet. The detention pond is needed for the single-family area. Over detention will be difficult on this site. The Staff Report recommends that this detention facility be maintained by the homeowners association.

Mr. Sutphen asked if the pipe in the area of Wilcox Road could be cleaned out. Mr. Coffee said it could be, and he said the Wilcox Road pond was expected to be a wet pond, an aesthetic feature. Mr. Sutphen asked when Norn would be completed to the north property line. Mr. Glavan stated that Norn would be built to Blunden in connection with the development, and only beyond that when the Woerner-Temple connection was done. Mr. Glavan said that the construction of Blunden would be dependent upon other factors. He also stated that the Rings Road intersection would be redone once the new Woerner-Temple connection is completed. Mr. Sutphen said he thought the developer should build the road through the park at the time of development, not at some later date. Access is needed to the park. Mr. Glavan agreed to that.

Mr. Geese thanked the developer for agreeing to construct the proposed roads. He was displeased with the proposed detention basins and the maintenance for them. Mr. Glavan said that the pond could be expanded with next development. Mr. Coffee stated it would depend on the timing of development and what is to be developed to the east of Wilcox Road, mostly it is dependent upon the restricted outlet at that point.

Mr. Geese made a motion to approve Rezoning Application Z93-001 with the following fifteen conditions:

- 1) That a new legal description be submitted for the PUD and PCD areas before this case is scheduled for review by City Council;
- 2) That a bond or other legal tool be used to secure sidewalk improvements along the Avery Road frontage until the Avery Road Corridor Overlay is completed;

99-003RFDP

Revised Final Development Plan
Balgriffin Condominiums

- 3) That the applicant submit revised text with development standards and preliminary development plan with all completed requirements within 30 days, including buffering between different uses, refined list of requested uses, architectural details, and coordination for the commercial site;
- 4) That streets, sidewalks and bikeways, utilities, easements, stormwater management, vehicular access and rights-of-way as described above be designed to the requirements of the City Engineer;
- 5) That street cross-sections and pavement design be submitted to the City Engineer and conform to the design standards of the City of Dublin;
- 6) That the maintenance of private streets and stormwater detention areas not in parkland be the responsibility of the homeowners association and be indicated as such on the final plat;
- 7) That the intersection of Rings Road and Malahide Road be designed for staged construction to the satisfaction of the City Engineer and that the funding for the ultimate alignment of that intersection be established in a manner acceptable to the City;
- 8) That the construction or funding of the extension of Malahide Road north of Woerner-Temple be established and/or designed in a manner acceptable to the City;
- 9) That the applicant make a contribution to the construction of the Woerner-Temple extension;
- 10) That the applicant provide a traffic study to outline an appropriate level of roadway service for the construction of proportions of multi-family units, some of which may be built before road improvements. The scope of service is to be reviewed by the City Engineer;
- 11) That the number of curb cuts along Avery Road be limited to one where the proposed private access drive within the planned commercial piece is located;
- 12) That the need for traffic signals and/or street lights be addressed to the satisfaction of the City Engineer;
- 13) That Malahide Road be renamed to Norm Street;
- 14) The private streets be constructed to City standards; and
- 15) That the road shown as Malahide be built to the northeast portion of the parkland.

Mr. Coffee asked for a clarification on the engineer's requirement regarding the pavement of private streets. Mr. Randy Bowman stated that the City would prefer these all to be curb and gutter design with the specified pavement thickness.

Mr. Rauh seconded the motion. The vote was as follows: Mr. Rauh, yes; Mr. Sutphen, yes; Mr. Manus, yes; Mr. Geese, yes. (Approved 4-0).

~~2. Preliminary Plat - Dublinshire Section 6~~

~~Tom Rubey presented slides of the site and the staff report. The site contains 9.9 acres located on the northeast and southeast corners of Muirfield Drive and Dublinshire Drive, mostly to the~~



C I T Y O F D U B L I N
Department of Planning & Development

RECORD OF ACTION
DUBLIN PLANNING AND ZONING COMMISSION
JUNE 4, 1992

The Planning and Zoning Commission took the following action in the application below at its regular meeting:



- 1. **Revised Concept Plan - Avery Road Mixed Use**
Location: 94.392 acres located on the northeast corner of Rings Road and Avery Road, extending northward along Avery Road approximately 1,850 feet and extending eastward to Wilcox Road at a point approximately 1,040 feet north of Rings Road.
Existing Zoning: LI, Limited Industrial (Washington Township) and R1-B, Restricted Suburban Residential District (Washington Township), as accepted on annexation in 1990.
Request: Review and approval of revised Concept Plan under PUD regulations.
Proposed Use: Mixed use development of limited industrial, neighborhood commercial, multi-family and single-family residential and park uses.
Applicant: Avery Road, Ltd. and Wilcox Road Associates, c/o Robert A. Meyer, Jr., attorney, Porter, Wright, Morris & Arthur, 41 South High Street, Columbus, OH 43215.

MOTION: To approve this revised concept plan realizing this is a non-binding review. The plan is subject to the review of the staff and Commission before submitting the preliminary development plan that specifically needs modification with respect to the thoroughfare, layout, and the density issues.

VOTE: 6-0

RESULT: This revised concept plan was approved.

STAFF CERTIFICATION:

Lisa Fierce

Lisa Fierce
Planner

Z93.001
BALGRIFFIN
3/9



1. Revised Concept Plan - Avery Road Mixed Use

Mr. Manus made a motion to take the Revised Concept Plan for Avery Road Mixed Use off the table. The motion was seconded by Mr. Fishman. The vote was as follows: Mr. Campbell, yes; Mr. Fishman, yes; Mr. Geese, yes; Mr. Manus, yes; Mr. Rauh, yes; and Mrs. Stillwell, yes. (Motion approved 6-0.)

Ms. Fierce presented the staff report and slides of the site. She said the main concerns from the previous Planning and Zoning meeting were density, parkland placement and proportion of multi-family and single-family uses. The Southwest Area Civic Association would address traffic issues along Rings Road. The surrounding properties include the Heather Glen subdivision, the Northwest Corporate Center and the proposed Brighton Park subdivision. The new plan is similar to those seen in the past. It includes a new east/west road running from Avery Road to Wilcox Road, as well as similar land uses. There is neighborhood commercial along Avery Road, predominantly multi-family and park within the central part of the site and single-family uses along Wilcox Road. Some of the changes seen with this proposal include a reduction in the number of multi-family units. The previous density was reduced from 12 units per acre to 9 per acre for multi-family and 7 for the condominium area. The single-family area actually has increased to 29.3 acres. The new plan also shows an interruption of existing Rings Road by curving it to the north to intersect with the new east/west road. The neighborhood commercial area and the parkland are the same. The only change in parkland is the inclusion of the wooded area within the middle of the site. Staff feels that this plan has some merit to it. There are a number of areas where it can be improved, i.e. the density issues and circulation pattern. Staff recommends that this case be tabled until some of those other issues can be resolved.

Mr. Olausen said the traffic issues should be studied.

Mr. Rob Meyer, attorney for the applicant, said they have toned down the multi-family, recognizing the input received to date. They have removed the lot lines and the internal streets of the plan. The major thoroughfares have been shown as well as the minimum lot size, average lot size, and areas of 100-foot lots. The park areas permit use by single-family and multi-family components, provide buffering and preserve trees. A condominium area has been located that extends out to Avery Road to satisfy St. John's Church. Density has been reduced considerably. The private road is shown in schematic form which would access some of the multi-family out to Avery Road in response to a request from staff. A t-intersection in Rings Road that breaks this road has been shown. This is an important component of this plan to the applicant and the neighborhood.

Mr. Bill Yoder, representative of the Southwest Area Civic Association, said this group has the following concerns and solutions:

Concern #1: The amount of single-family should be increased at least to the level

293.001
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indicated on the Southwest Area Plan. The single-family area included on this proposal provides approximately 29.3 acres of housing area, plus 4.6 acres of parkland for a total of 33.9 acres. This is four acres less than the 38 acres suggested by the master plan. As a compromise, the developer agreed to change four acres of the designated industrial ground for condominium use.

Concern #2: Provision needs to be made for a reasonable transition of lot sizes. The plan provides 100-foot wide lots on Wilcox and Rings Roads. Lot sizes were then reduced in increments to transition and blend into the multi-family rezoning.

Concern #3: An interruption of Rings Road should be provided to slow and control traffic. Waterford Village is the model for our neighborhood. It is bounded by main roads and more intense zonings and has thrived to become the anchor for the area. Without the development of a solid core, our area could become an unsafe downgraded area.

Concern #4: The east/west connector road should be aligned with possible future development to the east. The roadway termination has been relocated at a possible future alignment. The larger corner lots in this plan provide alignment flexibility.

Concern #5: Office use at the west side of this site, as indicated on the master plan, may better suit the area. The commercial acreage of the April 16th "Plan A" was reduced from 10.2 acres to 7.9. The location for the commercial area was moved away from St. John's Church and replaced by condominium areas.

Concern #6: A package of development standards needs to be provided. The applicant has agreed to work with the neighborhood on development standards for the preliminary plan.

Concern #7: We want a commitment to parallel construction of multi-family and single-family development. The applicant will address this during the preliminary zoning phase.

Concern #8: The multi-family buildings should be limited to one story. A fifty-foot strip of parkland between the new single-family and multi-family insures a reasonable setback. This negates the need for the single-story requirement mentioned. The multi-family buildings will be limited to two stories. One exception noted is at the northern edge of the northern group of multi-family. It needs a landscape buffer and 50-foot minimum setback from the northern property line to protect future single-family zonings in this area.

Concern #9: Decrease the area of multi-family to match the suggested levels of the master plan. The number of multi-family units was decreased from 552 to 284 units.

Concern #10: The plan submitted tonight has fewer acres of parkland than the plan neighborhood residents approved. According to the developer, the staff said to

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eliminate green space corridors and parkland connectors. The result is to increase the multi-family acreage which is already a burden to our area. We want a buffering system. Without buffering, the neighborhood risks being overwhelmed. Mr. Yoder presented a color-coded sketch of the neighborhood. It shows a green belt around the residential core. It can also provide additional pedestrian pathways.

Concern #11: The cul-de-sacs near the center of the southern residential area miss proper alignment at the intersection by approximately 75 feet. Several of the lot depths are less than 120 feet in depth. This can be corrected on the preliminary plan.

Concern #12: It has been suggested that a multi-family outlet be provided onto Rings Road. Multi-family should access Avery Road or neighborhood center.

They feel the Community Plan provides the method to resolve the development issues of road growth versus residential development. The Southwest Area Plan was then developed to provide the solution. Mr. Yoder said the intent of the plan is to protect the fragile single-family area by insulating it from the heavier traffic streets.

They suggested that the future westbound extended Rings Road be redirected to Tuttle Road or Enterprise Drive. Another alternative is to diffuse the traffic through the area by providing several routes with lower speed and controlled traffic.

Locating houses on Rings Road has already been established on the east side of the freeway at the Llewellyn Farms. They feel it is important to maintain this on Rings and Wilcox Roads. Mr. Yoder suggests that before this proposal be rejected for roadway issues that a formal change of the Master Plan would be needed.

Ms. Fierce said staff's basic concern is that the plan, as proposed, does not demonstrate integration with the overall southwest area with respect to land uses and densities. Staff is concerned with the commercial element of the plan, as well as the overall residential density. The overall density of this plan is 5.8 dwelling units per acre; Waterford's density is 3.99. The Southwest Area Plan is being re-evaluated by staff. Originally it did not include detailed planning of the thoroughfares, of specific land uses, and of appropriate densities. She said planning staff has still not seen the plan proposed by the applicant this evening.

Mr. Manus asked what is the reason for departure from original intent of this road structure as it was shown prior to their annexation. Ms. Clarke said there were different circumstances at the time, and the plan was drafted and reviewed in a hurried fashion without traffic engineering input. The plan was a response to a major developer who was not sure he wanted to have his land annexed to Dublin. It was specifically laid out to provide a clarification of the City's best intentions with regard to the conceptual development of this property. It has limited utility and was a pre-annexation declaration as to the City's intentions. No traffic engineering data went into it. There weren't many public hearings or much public debate. She said the new plan for the larger area will be done in open session with public hearings. A

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consulting traffic engineer has been hired. No data is yet available as to whether the neighborhood's view of Rings Road will be something that can be accommodated. Before changes are made to limit the road system, there should be enough through-road and remaining lanes to provide adequate access in, out and through. The Southwest Area Plan is something that every proposal is judged against. There were only a few parcels on which the density was stated. These were discussed up front along with agreements on a park fee. However, there was not a density specified on the balance of the parcels, because there was no agreement at that time.

Ms. Stillwell asked about the discussion in April of the expansion of the planning area for this plan of 90-120 days. Is it now closer to completion? Ms. Fierce said it is progressing but will still take some time. It will be discussed at land use committee meetings initially, and then it will be brought forward to the Planning Commission in a few months. Ms. Clarke said 90-120 days was too optimistic given both the level of current applications and the staffing level. As a major planning document, it will take time to coordinate with Washington Township, the City of Columbus, and the City of Hilliard. Ms. Fierce has been working with the school districts and the other areas involved. There will be meetings with a sub-committee of the Planning Commission and with a land use committee next month.

Mr. Meyer said the area plan is something that the people in the area relied on with respect to the land uses. He said he is asking for approval of a concept plan. The Code is very specific in saying that approval of a concept plan is not binding. It merely allows work to continue. He asked that this concept plan be approved and any changes be made in the preliminary development plan.

Mr. Campbell said that when the annexation proceeding was taking place, it was to the mutual benefit of the City and the residents. It was a general plan which was subject to review and modification but only in the process where it would be done through hearings. What is being discussed tonight doesn't match the plan in two respects. One is that the road network on the original plan shows Rings Road being straight through. The compromise arrangement between the developer and the residents shows that Rings Road has a couple of t-intersections. The second thing is that the plan shows a relatively large section along Avery Road of office planned light industrial and office multi-family as the next segment to the east. Again, those aren't proposed tonight. The proposed plan shows substantial multi-family and condominiums in that area. There is an additional road in the plan that doesn't show up in the original plan. It is the request of everyone to periodically review and modify this Southwest Area Plan. It may not be fair to the developer to hold up his concept plan. It's a rare occasion to have the residents and the developer in agreement. Do staff's concerns of the density issue and the actual configuration of Rings Road have to be resolved prior to approval of the concept plan? The residents want the lot lines addressed in the concept plan but this is not done.

Mr. Yoder said the roadway issue is the issue. To divide the area in half will hurt the possibility of good quality single-family in the area. He believes the master plan for

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this area was very carefully thought through. Staff has had two years since annexation to do a new plan.

Mr. Meyer said discussions were started with the staff back in November with generally positive feedback. Mr. Meyer said the Southwest Area Plan has been promised since that time.

Mr. Rauh feels this process cannot proceed further without resolving the density issue and the traffic network for the Southwest area. Mr. Meyer said the Code says nothing about the word density in its discussion of concept plan. The concept plan does speak of major thoroughfares and those have been addressed.

Mr. Geese asked if there will be some consistency in the single-family and multi-family development and the applicant has to be willing to present development standards on such items as house size, materials, and roof. Mr. Meyer said these will be addressed in the preliminary development plan stage or the PLDR for the single-family. Mr. Geese asked if single-family will be the first process or will multi-family. Mr. Meyer said they have withdrawn a few of their proposals because they are further along than the concept plan stage.

Mr. Campbell said if the concept plan is approved tonight with the developer's submitted uses, is the City committed to this particular configuration? Mr. Banchefsky said no because this is a non-binding approval process. The Code section says general location of principal thoroughfares and open space.

Ms. Fierce said that by Code, the applicant is entitled to a non-binding vote tonight by the Commission. Staff would have to recommend disapproval of the plan as submitted because it does not correspond to the existing Southwest Area Plan for a number of reasons. Those are that the land use does not meet the existing Southwest Area Plan with respect to commercial land uses. There are no commercial land uses shown on the Southwest Area Plan. The single-family area, as proposed, is smaller than the Southwest Area Plan. The circulation pattern does not work the same way. There is no interruption of Rings Road to the west of Wilcox Road. The Limited Industrial parcel that was originally included within the application has been excluded and the original Southwest Area Plan suggests that be included within a Planned Office Industrial District. In addition to this, the plan does not meet all of the requirements of the Concept Plan proposal within the Code. It does not include the relationship of the proposal to the surrounding areas. Staff would like to have the ability to do a more detailed analysis of the area.

Mr. Campbell made a motion to approve this revised concept plan realizing this is a non-binding review. The plan is subject to the review of the staff and Commission before submitting the preliminary development plan that specifically needs modification with respect to the thoroughfare, layout, and the density issues.

Mr. Rauh asked Mr. Yoder if he was aware that there is more single-family required

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in the Southwest Area Plan than is being proposed in this concept plan. Mr. Yoder said there was a compromise made between the developer and the neighborhood. Mr. Rauh said there are some uses shown on the Southwest Area Plan that differ from the main uses that we see in this Concept Plan. Also, this Concept Plan does not relate to the other areas around it in the Southwest Area Plan now.

Mrs. Stillwell seconded the motion. The vote was as follows: Mr. Manus, yes; Mrs. Stillwell, yes; Mr. Campbell, yes; Mr. Fishman, yes; Mr. Geese, yes; and Mr. Rauh, yes. (Approved 6-0.)

Mr. Geese told the audience that the Revised Preliminary Plat for Coventry Woods would be heard seventh on the agenda rather than last.

2. Rezoning Application Z92-012 - Erwin Tract

Ms. Clarke presented the staff report and showed slides of the site. She said this is a rezoning application for a parcel which fronts on Brand Road. This is a rezoning application to rezone to the PLR, Planned Low Density Residential District for single-family subdivision. The area is very flat with the exception of the Indian Run which runs through it. The proposal is to construct 109 single-family lots with 9.16 acres of park. The Code requires parkland of 6.89 acres. Staff has suggested dedicating more of the wooded area which abuts Avery Park instead of the proposal for habitat and natural purposes. The northern portion of the site and the southern portion are in different tributary areas. There has been a diversion for sanitary sewer granted by the Acting City Engineer and the letter was distributed in the packets. The area to the north of the Indian Run, the applicant's last phase, will be developed when the appropriate sanitary sewer is extended into this area. The linear nature of the site makes an imaginative layout very difficult. The staff is concerned that although the applicant has combined 70, 80, and 90-foot lots to give a variation in lot size. There are problems with many corner lots, being difficult to develop. The west of Avery corridor has been set aside for and planned for maximum density of two units per acre. This proposal shows a gross density of 2.41 units per acre. The applicant has asked for a density trade-off for the bridge across the Indian Run to extend the roadway to Brand Road. The last time this was reviewed, staff made it clear that extension of the road to Brand Road is essential access for this land to develop properly. A density trade-off is not appropriate for something that is essential for this site's development. Staff can't endorse the plan as it has been submitted and staff recommends disapproval on the following bases:

- 1) The density is inconsistent with the Community Plan.
- 2) The plan does not demonstrate a desirable layout for a residential area.
- 3) The lot width in the wooded area is inconsistent with other projects in the area and with the goal of preserving trees.
- 4) The park is larger than required but does not meet greenspace goals for the area.

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