



RECORD OF DISCUSSION

Planning & Zoning Commission

Thursday, May 20, 2021 | 6:30 pm

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

**1. Hyland Glen at 7270 Hyland-Croy Road
21-058INF**

Informal Review

Proposal: Development of a residential Planned Unit Development neighborhood consisting of 102 single-family lots with 12.8 acres of open space on a 42.2-acre site.

Location: Northeast of the intersection of Hyland-Croy Road with Post Road and zoned Rural District.

Request: Informal review and non-binding feedback for a future development application under the provisions of Zoning Code Sections 153.050 – 153.056.

Applicant: The Paragon Building Group DBA Virginia Homes

Planning Contact: Nichole Martin, AICP, Senior Planner

Contact Information: 614.410.4635, nmartin@dublin.oh.us

Case Information: www.dublinohiousa.gov/pzc/21-058

RESULT: The Commission conducted an informal review and provided non-binding feedback on a proposal to develop a new single-family neighborhood. The Commission expressed appreciation to the applicant for incorporating previous feedback from the neighborhood regarding a desire for all single-family lots. The Commission acknowledged the street layout remains largely the same and the traffic study will need to be finalized with a formal application. The Commission discussed preservation of the historic farmstead site along Post Road. Members of the Commission identified that the Community Plan recommends the farmstead be preserved. Members discussed they would look to Staff for a recommendation regarding which structures should be preserved. The Commission expressed a desire for usable open spaces as an amenity to complement the single-family development.

MEMBERS PRESENT:

Jane Fox	Yes
Warren Fishman	Yes
Mark Supelak	Yes
Rebecca Call	Yes
Leo Grimes	Yes
Lance Schneier	Yes
Kim Way	Yes

STAFF CERTIFICATION

DocuSigned by:

Nichole M. Martin

Nichole Martin, AICP, Senior Planner





MEETING MINUTES

Planning & Zoning Commission

Thursday, May 20, 2021

CALL TO ORDER

~~Ms. Call, Chair, called the meeting to order at 6:30 p.m. and noted that due to the pandemic, the City of Dublin is currently holding public meetings online and live streaming to YouTube. The meeting live-stream can be accessed at the City's website. Public comments on the cases are welcome. To submit any questions or comments during the meeting, please use the form under the streaming video on the City's website. Questions and comments will be relayed to the Commission by the meeting moderator. The City desires to accommodate public participation to the greatest extent possible.~~

PLEDGE OF ALLEGIANCE

~~Ms. Call led the Pledge of Allegiance.~~

ROLL CALL

~~Commission members present: Warren Fishman, Lance Schneier, Rebecca Call, Lee Grimes, Kim Way, Mark Supelak, Jane Fox~~

~~Staff members present: Jennifer Rauch, Nichole Martin, Thaddeus Boggs, Megan O'Callaghan, Michael Hendershot, Colleen Gilger, Rachel Ray~~

ACCEPTANCE OF DOCUMENTS AND APPROVAL OF MINUTES

~~Mr. Grimes moved, Mr. Fishman seconded acceptance of the documents into the record and approval of the April 15, 2021 meeting minutes.~~

~~Vote: Mr. Supelak, yes; Mr. Way, yes; Ms. Call, yes; Mr. Fishman, yes; Mr. Schneier, yes; Mr. Grimes, yes; Ms. Fox, yes.~~

~~[Motion approved 7-0.]~~

~~Ms. Call stated that the Planning and Zoning Commission is an advisory board to City Council when rezoning and platting of property are under consideration. In such cases, City Council will receive recommendations from the Commission. In other cases, the Commission has the final decision-making responsibility. Anyone who intends to address the Commission on administrative cases must be sworn in. Ms. Call swore in individuals intending to address the Commission on tonight's cases.~~

~~Ms. Call stated that there are no cases eligible for the Consent Agenda this evening.~~

INFORMAL REVIEW CASES

1. Hyland Glen at 7270 Hyland-Croy Road, 21-058INF, Informal Review

A request for the development of a residential Planned Unit Development neighborhood consisting of 102 single-family lots with 12.8 acres of open space. The 42.2-acre site is zoned Rural District and is northeast of the intersection of Hyland-Croy Road with Post Road.

Staff Presentation

Ms. Martin stated that this is a request for an Informal Review, an optional step in the Planned Unit Development process. This site currently is zoned Rural. The anticipated request will be for a rezoning of the site to a Planned Unit Development (PUD). The site is located northeast of the intersection of Post Road and Hyland-Croy Road and is approximately 42 acres in size. The site has 3,000 feet of frontage along Hyland-Croy Road and presently contains two residences with access from Hyland-Croy Road, and a historic farmstead located along Post Road. The remainder of the site is farmed. The Community Plan is a guiding document that is referred to when rezoning of property is being considered. The Future Land Use for this site has two designations – one is Suburban Residential, Low Density; the other is Mixed Residential, Low Density. The Mixed Residential Low Density recommends up to 3 dwelling units (du)/per acre; Suburban Residential recommends 1 – 2 du/acre. The Community Plan also includes Special Area Plan, where special attention is given to unique site characteristics, as well as corridors. The Northwest Glacier Ridge Special Area Plan has both general and specific recommendations. Single-family, detached residential lots are contemplated adjacent to existing single-family residential. Additionally, there are clustered homes along the Hyland-Croy Road frontage adjacent to Post Road and the US33 Interchange. That Special Area Plan also included a rural roadway character recommendation. That character is already implemented in a number of neighborhoods along Hyland-Croy Road, having generous setbacks from 100-200 feet. Additionally, the Community Plan recommends preservation of the historic farmstead or a portion thereof. The farmstead on this site enhances the rural roadway character and contributes to the overall history of Dublin.

Proposal

The proposal is for development of a PUD neighborhood on the 42.2-acre site that would consist of 102 single-family residential lots, 12.8 acres of open space and 6 new public rights-of-way. The site access aligns with previously established access plans as well as previous proposals reviewed by the Commission. The Conceptual Plan includes the extension of the ML "Red" Trabue Nature Reserve along the South Fork of Indian Run, and the preservation of one historic barn at the intersection of Post Road and Hyland Croy Road, as well as a detention basin and gateway landscape feature. The proposed density is 2.4 du/per acre, which aligns with the Community Plan recommendations. Generally, lot sizes are proposed to transition from larger in the north and east boundaries of the site to smaller in the south and west portions of the site. Lots along the margins of the site will be similar in size to adjacent lots in Post Preserve and Park Place. Smaller lots will be along the Post Road and Hyland-Croy Road interchange. This is consistent with the Community Plan's recommendations. All lots are a minimum of 110 feet in depth, with those adjacent to Post Preserve being 130 feet in depth. Lot widths will vary, with those next to single-family neighborhoods being 75-80 feet in width. The smaller lots in the center of site will be 60 feet in width.

Staff recommends the Commission consider the following discussion questions in their review:

- 1) Is the Commission supportive of the single-family land use and overall density?
- 2) Does the Commission support the conceptual site layout including streets and lots?
- 3) Is the Commission supportive of the conceptual open spaces including preservation of natural feature and cultural resources?
- 4) Other considerations by the Commission.

Applicant Presentation

Charles Ruma, Jr., president, Virginia Homes, 485 Metro Place S., Dublin, OH stated that they were approached with the owners of the Gorden property after the Schottenstein Real Estate Group's previous unsuccessful attempts to develop the property. Before getting involved, they spent time reviewing the previous rezoning proposal to determine how they could create a successful project that would solve the issues that were raised. This is a challenging site to develop creatively, as there is development on all

four sides; essentially this would be an infill development. The Autumn Rose residential development is to the north; plans for retail and commercial in Jerome Township exists to the west; commercial exists to the south; and a substantial SR161 highway ramp exits to Post Road. In addition, Post Preserve is immediately adjacent to the east with three predetermined stubstreets that will connect through this infill property to Hyland-Croy Road. With all those factors, the layout of this site is fairly constrictive. They have focused on lowering the density and creating a consistent product throughout this transitional site. They have been working with staff, who is familiar with the site's issues. They also have been communicating with the residents in the area, sharing their plans with the Post Preserve HOA to ensure they address all their concerns. Looking at the previous issues raised, they believe they have succeeded in creating a vastly improved Concept Plan. They have attempted to address the following concerns:

- 1) Land use. This is a single-family subdivision with homes averaging from \$600,000-\$700,000.
- 2) Density. The density in this development has been reduced to 102 units, which lowers the density by almost 140 units from the previous application. No lots will be less than 60 feet wide. Lot lines will be retained with the Post Preserve neighborhood.
- 3) Open space. They will have 12.8 acres of open space spread throughout the community. The open spaces will be usable, complement the site, and preserve the rural character along Hyland-Croy Road.
- 4) Preservation of the historic barn. They have reworked the storm basin to be able to retain the historic barn with this project.
- 5) Hyland-Croy Road setbacks. There will be a 100-foot setback along the roadway. There will be extensive landscaping and mounding along the roadway, preserving the rural character. The homes will front onto a secondary street that will connect with Hyland-Croy Road.
- 6) Community engagement. That has occurred.

They believe they are proposing a plan that meets the desired goals for this site.

Charles Ruma, Sr., Virginia Homes, 485 Metro Place S., Dublin, OH, stated that the only additional item he would point out is that the interchange that is being built will end up at the intersection of Hyland-Croy and Post roads. That will necessitate the closing of Post Preserve Blvd., which will eliminate the neighborhood's Post Road access. The neighborhood's access will be through this proposed development to Hyland-Croy Road. The location of the ingress and egress through their site has been determined by the City's Engineering Department

Commission Questions

Ms. Fox stated that the northernmost 1/3 of the site that has larger lots will have a lower density than the remainder of the site. What would be the density of that northern section?

Ms. Martin responded that the Community Plan recommends 1 – 2 du/acre in the upper, northern portion and up to 3 du/acre in the lower portion. She has not calculated the density separately. However, as a 45-acre site, prior to the right-of-way take, she had calculated the distribution as 121 single-family units.

Mr. Grimes requested Engineering's overview of the intersection with Hyland-Croy Road and the flow of traffic on that road and the adjacent neighborhoods.

Michael Hendershot, City Engineer, stated that with any proposed development, there are concerns with the traffic that will be generated. There are requirements in place in order to handle those concerns properly. Those details will be part of the Rezoning/Preliminary Development Plan stage. That will include a Traffic Impact Study, conducted by professional engineers, which models the traffic on the existing roadways, evaluates the impact of the anticipated additional traffic on the surrounding roadway network, and recommends mitigation measures for that impact.

Mr. Grimes stated that as he understands it, that evaluation has yet to occur.

Mr. Hendershot responded affirmatively. Discussions regarding projected traffic flows and any recommended mitigation measures would be part of a rezoning application. However, there are current CIP projects scheduled to handle the Post Preserve neighborhood access prior to the completion of the interchange construction. Part of the necessary modification will be the extension of Springview Lane and Stillhouse Lane to a single street creating a new access point onto Hyland-Croy Road. This project is required by ODOT to eliminate the Post Preserve Blvd. intersection with Post Road, due to the change and limited access right-of-way created by the US33/SR161/Post Road interchange. The current CIP also contains an intersection improvement project for that newly created entry onto Hyland-Croy Road. The CIP and the anticipated development will accommodate the necessary improvements.

Mr. Supelak inquired if the new on/off ramp construction has a timeframe.

Mr. Hendershot responded that the US33/SR161/Post Road interchange project is expected to be bid in early 2022. The tentative construction completion date is June 2025.

Mr. Schneier requested clarification of the preservation consultant's and staff's recommendations regarding the historic buildings.

Ms. Martin responded that the property located along Post Road is included in the City's Historic and Cultural Assessment, which was adopted in 2017. A specific review prepared by the City's consultant was based on a site visit, including a review of the barn and other structures. The consultant's recommendation based on the seven integrity markers of the National Parks Service was that, ideally, the entire farmstead would be preserved intact. However, if only one structure were to be preserved, the largest barn alone meets all the eligibility criteria to be considered historic. Staff is supportive of the recommendations and acknowledges that the applicant has selected the latter of the two. That item has been suggested as a discussion question for the Commission.

Mr. Schneier inquired if it was staff's position that retaining only the barn would be sufficient.

Ms. Martin responded that staff has no position at this time. After tonight's discussion, they would be able to solidify a direction.

Mr. Way inquired if the intersections with Hyland-Croy Road were predetermined and fixed, or if flexibility existed concerning the intersections.

Ms. Martin stated that for the most part, they are predetermined and consistent with the City's Access Management Plan that was adopted by City Council in 2006.

Mr. Ruma, Sr. noted that Jerome Township retains some jurisdiction along Hyland-Croy Road, so was involved in determining the access points for this site to Hyland-Croy Road.

Ms. Martin stated that, as part of the previous development proposal, there was significant coordination between City of Dublin Engineering and Union County Engineering to reach agreement on the access points.

Mr. Way stated that the reason he asked was that it would appear if the Hyland Glen Drive were moved further north, it would create more equal spacing between the intersections, potentially creating a safer circulation. Did the developer give any consideration to locating the large vs. small lots differently?

Mr. Ruma, Sr. responded that the intent is for the 60-foot wide lots to be one, empty-nester project, much like the Riviera home products. They would prefer those homes to be located back to back.

Mr. Ruma, Jr. stated that part of that intent also was to locate the larger lots adjacent to the Post Preserve neighborhood.

Mr. Fishman requested clarification of the preservation intent. Would the home also be preserved or perhaps the entire farmstead? If so, who will be responsible for restoring it? What are the plans?

Ms. Martin responded that based on the information currently available, there are no specific plans. In other neighborhoods that have been developed that contained historic structures, if the structures are

preserved, they are dedicated to the City in a reserve of open space. The City would become the owner and be responsible for maintaining that historic and cultural resource. Which or how many structures will be preserved is part of the Commission's discussion tonight. The location of the stormwater basin will be generally in the location shown; however, as the site layout is refined with the Preliminary Development Plan and further engineering studies are done regarding the necessary volume, re-configuration of the stormwater basin could occur.

Mr. Fishman inquired if the decision regarding the historical properties would be the City's.

Ms. Martin responded that it would be the decision of PZC and City Council with the rezoning. However, historically, responsibility of the preservation of historic properties retained has been the City's.

Mr. Ruma, Sr. pointed out that the lowest portion of the property, where the house and barn are located, is adjacent to Post Road. Originally, their plan did not include preservation of any of those buildings due to their state of disrepair, the barn being in better shape than the other structures. After reviewing the previous proposal's discussion regarding preservation of the historic barn, they decided to re-shape the pond along Post Road to provide adequate space to retain the barn.

Ms. Call requested clarification of the process and timing when a historic preservation resource is dedicated to the City.

Ms. Martin responded that the City has not had a case like this in recent history, and some processes have changed over time. The process would need to be coordinated with the Directors of Development and Facilities. The framework is established with the Preliminary Development Plan and Preliminary Plat, but the actual dedication of open space occurs when the Final Plat is recorded with Union County.

Mr. Ruma, Sr. stated that they were involved with the preservation of a historic barn in a similar situation – the Conine Farm, Wedgewood Glen, off Smoky Row in Dublin. They were able to proceed by protecting the barn structure during development. After it was completed, the City rehabilitated the structure for preservation purposes over the next few years. They have done this previously and are confident with that process.

Mr. Supelak stated that the City would be placing the property owner in a double jeopardy position in asking for the land to be dedicated to the City but also penalizing them for giving up the open space.

Ms. Martin responded that the land would still count toward the required open space.

Mr. Supelak inquired, whatever the preservation ultimately consists of, who would design the site. Would a decision be made to preserve the site without knowing its intended design?

Ms. Martin responded that a conceptual open space would be provided with the Preliminary Development Plan, but open space is not fully designed until the Final Development Plan. The developer and staff are experienced in defining those details. The Commission is asked for feedback regarding the land use and the site layout. It appears the Commission is indicating there should be some preservation of the historic structures.

Ms. Rauch stated that Commission feedback is requested whether the proposal meets the criteria of the Code and the Community Plan, and if the Commission desires preservation of one or all of the historic structures.

Mr. Fishman inquired if whatever decision is made regarding the historical structures would affect the size of the retention pond.

Ms. Martin responded that all of those items would require further study. The development team has engaged a civil engineer. With a formal application, more details would be provided; however, all stormwater on the site would be managed per the City of Dublin Stormwater Regulations.

Mr. Fishman inquired if the pond would be a detention, not retention pond.

Mr. Hendershot clarified that retention ponds are the wet basins; detention ponds are the dry basins. There are other stormwater measures that could be proposed. Permeable pavers and underground storage facilities are options that could be considered with a design engineer, as the project moves forward.

Commission Discussion

Ms. Call asked the Commission members to provide input on the following discussion questions.

- 1) Is the Commission supportive of the single-family land use and overall density?
- 2) Does the Commission support the conceptual site layout including streets and lots?
- 3) Is the Commission supportive of the conceptual open spaces including preservation of natural feature and cultural resources?
- 4) Other considerations by the Commission.

Ms. Fox thanked the applicants for engaging the Post Preserve residents. That is one of the first items the Commission looks for and appreciates. It is reassuring that the layout was initiated with the intent to address the concerns previously raised. While she is happy to see that the proposal includes single-family homes, she is also supportive of cluster homes. She would not be opposed to a little more density in the southern portion of the site. Although there is not much opportunity for a different layout in the northern portion, is there any opportunity for cluster housing in the lower portion of the site, breaking up the linear layout of the typical suburban development? Although the site is constricted by its long and narrow dimensions, there are two great amenities on this property:

- 1) The historic farmstead is a gateway entrance to Hyland-Croy Road, and provides the neighborhood a buffer between the nearby commercial site and the roadway. She would prefer the entire homestead be preserved, excluding the toolshed. What opportunities could exist with preservation of the farmstead for future social connection purposes? The City is looking for infill developments to offer walkable amenities, places around which a sense of community can be created.
- 2) The greenway leading to the Red Trabue Preserve. With the contemplation of the 2035 Framework Plan, Council is considering formation of a major east-west greenway across the City. The Preserve could be an entrance to that greenway. Would it be possible to incorporate a layout that would take advantage of an opportunity to view this amenity?

Ms. Fox invited the applicant to comment on the potential of the above opportunities.

Mr. Ruma, Sr. responded that Post Preserve is adamant about having adjacent single-family that is similar in nature to the existing homes in Post Preserve, and they have attempted to ensure that occurs. On the east boundary adjacent to Post Preserve, the lots have a 130-foot depth. This will preserve the existing tree line, but it will also preserve the ability to build homes similar to those adjacent in Post Preserve. In regard to the other point, there are three points of access predetermined by the City, which dictate how traffic must flow through this subdivision. Not only must that roadway be maintained, but due to their concern about traffic, Post Preserve residents are opposed to a roadway directly to Hyland-Croy Road. Currently, the neighborhood is comprised of stub streets. Altering that to a more direct route is a matter of concern to those residents. Finally, as was pointed out, this site is very narrow. Taking into consideration the required streets, size of the lots, the 100-foot setback off Hyland-Croy Road, and the need to preserve consistency of the lots adjacent to the existing neighborhood, there is not much room. Adjusting it differently would require marginalizing the product. Incorporating high-density cluster housing will require multi-family development, which is strongly objected to by Post Preserve.

Ms. Fox stated that Post Preserve residents may be concerned about the construction of an apartment complex. With cottage cluster units, it might be possible to have more attached, 1.0 or 1.5 story units. They could then focus on providing the homestead within the cottage community.

Mr. Ruma responded that might be possible, if they did not retain the 11 lots that are adjacent to Post Preserve, which are the larger lots. Because there must be a roadway to service those lots, not much

latitude remains to include cluster housing. However, in reality, 60-foot lots are essentially cluster housing.

Ms. Fox responded that she is not opposed to that density. What she is looking for are more usable, walkable, socially connected spaces that will encourage the residents to walk down the street and talk to their neighbors. In some 55+ communities with smaller homes, the residents appreciate being able to take a walk to a community center, pool or a garden. With the farmstead amenity and the greenway to Red Trabue Preserve, it would be nice to orient the lots to be more amenity-focused than street focused. She understands the constrictions of the site and is just putting forth the challenge. She would like to see the entire farmstead preserved, as it is a great opportunity for the City, a gateway to Hyland-Croy Road and an amenity for the neighborhood by fostering social connectivity.

Mr. Ruma stated that the report calls for the farmstead to be preserved; is she calling for something more?

Ms. Fox clarified that it would include the house and the barn.

Mr. Ruma responded that he has a different position regarding the house, because it is in serious disrepair to the point of being dangerous. It would require significant work to enable utilization of that structure.

Mr. Grimes stated that, in general, he likes the number of lots and the layout, which would be good for the adjacent Post Preserve neighborhood. His concern is what effect would preservation of the barn or additional structures have on the City's long-term plans for the farmstead. That would impact how the lots on that end of the property would be laid out. If only the barn is retained, how would it be utilized? It would need to be a "walk to" only feature, as parking in that area is not desired. He is concerned about long-term plans with the preservation of that or more structures. He is also concerned about traffic. Hyland-Croy Road is becoming increasingly busy, particularly with the very busy Post Road-Hyland-Croy intersection. Currently, the streets that will empty into Hyland-Croy Road are very quiet, narrow, stub streets. There now will be three access points to Hyland-Croy Road. He is in support of the single-family land use and overall density; however, he would like to see the details of the Traffic Impact Study. In regard to retention of the cultural resources, he might be supportive of retaining the barn only, if there were a long-term City plan for that resource.

Mr. Ruma clarified that the most southern point of ingress/egress is a right-turn in and right-turn out.

Mr. Schneier stated that he is supportive of the proposed plan, although he could also be supportive of increased density, if it could be accomplished in a creative manner. With respect to preservation, the applicant is willing to preserve the barn. The question is if the City wants to accept that offer. If the applicant does not want to preserve anything else, he would not be supportive of requiring it. Without the City's acceptance of the barn and the terms and conditions therewith, he would not be interested in seeing even the barn preserved.

Mr. Way stated that he is supportive of the proposed plan and density. This is a very tight site, and the linear plan is dictated by that. Having followed this site for a number of years, he believes this is the solution ultimately necessary to enable development of this site. He believes the existing homestead and pond could be a design opportunity. He would not preclude what should be saved without first considering the open space design opportunities with the potential preservation of the structures. It could be an exciting amenity. It is a valuable piece of land that should have some specific design considerations. Such consideration would clarify what structures could be restored, and if restored, how they would be a positive component of the design and plan.

Mr. Fishman expressed agreement with Mr. Way's comments. This is a narrow site. He would not be in favor of any greater density due to Post Preserve's concerns about traffic. This site is very close to US33. He viewed the historic homestead and read the consultant's review. The house was added to as late as 1970. The existing structure is no longer a true historic structure. We should look at the opportunities of preservation of the buildings, which would require the input of some design experts. Open space can

be very important in this neighborhood. He would be supportive of elimination of the lot next to the pond, as it would provide a better open space. He is supportive of the single-family use and the lot layout.

Mr. Supelak expressed support of the single-family development, density and layout. He complimented the applicants on the proposal. This is not an easy lot to develop, as there are many prescribed moves. They have arrived at a nice treatment of the site with the density adjusting as it converges with the main thoroughfares. He is not yet willing to express support of preserving only the barn. He would prefer to understand what could be done with the site. He agrees that the design of that must be parallel with the proposed development for the Commission to be supportive of the overall proposal. Perhaps this would require involvement of the City's Parks and Recreation Department. When it is designed, he could be amenable to reducing the number of structures preserved. Although at this point the plan is only conceptual, he is supportive of the stonewall, a buffering element by the interchange exit ramp. There is a great opportunity for a gateway element at that arrival point into Dublin. It is more of an opportunity for Dublin than for this particular community, and we need to be mindful of that in considering the potential design of the homestead.

Ms. Call stated that her thoughts were very similar to Mr. Way's, so she would not re-state them. Summarizing the Commission's responses to the four discussion questions: the Commission is generally supportive of the single-family land use, density, layout, conceptual open spaces and preservation of the natural spaces. As the conceptual design progresses, the Commission and the applicant will work together to achieve a plan that the developer is proud to build and the City is proud to showcase. It is apparent that the record of the discussion from the previous proposal for this site was studied, because the applicant addressed many of the concerns accurately. Engagement of the community was very important and appreciated. Does the applicant request additional clarity on any of the items? The applicants thanked the Commission for their helpful feedback. They will attempt to make any necessary adjustments to the plan to ensure it is the product they want to present and the City desires.

Ms. Call reiterated that the Informal Review provides a concept; the traffic details will be addressed in the next step of the review process.

Mr. Way noted that in response to the previous suggestion to eliminate the one lot next to the retention basin – if that were to occur, the road could be pulled to the north, away from the homestead.

Mr. Ruma reminded the Commission that the previous application had 250 units, 150 of which were an assisted living facility. The remainder of the units were crowded into the remaining portion of the site. They have attempted to meet the concerns and objectives of Post Preserve, and giving up another lot would be difficult.

Ms. Fox stated that it would be important to engage either Council or Parks and Recreation staff to answer some of the questions raised. She would prefer to preserve the entire homestead, if possible, as it would be consistent with the direction of the Community Plan.

Mr. Ruma stated that retaining all the buildings, some of which have no merit, would not work with the site drainage facilities and the intersection. Preserving the homestead would require moving the retention pond further north, which would result in a loss of more lots.

Mr. Supelak inquired what would happen with the land resulting from the vacation of Post Preserve Blvd. Would that land be available, if more area were needed for the pond?

Ms. Martin responded that staff had already explored that idea. However, Post Preserve Blvd. contains a number of utilities within its right-of-way. Even though that access point will be closed, the City will

retain the right-of-way for utilities. There is also a waterline on the north side of that roadway. It would not be possible to locate a retention basin over a waterline.

Mr. Ruma thanked Commissioners for their time and very helpful feedback

Public Comment

No public comments were received on the case.

2. Flex/Industrial Building at 6777 Crosby Court, 21-061INF, Informal Review

A request for the construction of an approximately 140,000-square-foot flex/industrial building located within the West Innovation District. The 9.3-acre site is zoned ID-3 Research Assembly District and is southwest of the intersection of Crosby Court with Dublin Plain City Road.

Staff Presentation

Ms. Rauch stated that this is a request for an Informal Review of an application for construction of an approximately 140,000-square-foot flex/industrial building located on a 9.34-acre site within the West Innovation District. 6777 Crosby Court is located on the western boundary of the City of Dublin within the West Innovation District (WID). The site is north of VA Data, which is developed with four data center buildings, and west of Command Alkon an office/warehouse building. The West Innovation District (WID) is similar to the Bridge Street District in that it was implemented to allow for flexibility in design and to expedite review procedures within a specific area of the City. Applications within the WID that meet the requirements listed in Zoning Code Sections 153.036 – 153.042 are eligible for review and approval by the Administrative Review Team (ART). The ART has the ability to approve Administrative Departures, which are procedures that allow the flexibility necessary to permit minor deviation from the Zoning Code to address unusual conditions, both known and unforeseen, under circumstances that do not alter the permitted uses. In the event that an application varies from the requirements of the Code or is denied approval of an Administrative Departure, applications would be reviewed and determined by the Planning and Zoning Commission (PZC). The site is owned by the City of Dublin and is currently vacant. This is a joint application between the City of Dublin and VanTrust Real Estate, who would develop the site in partnership with the City.

Proposal

This is a request for non-binding feedback on the site layout, particularly the number of parking spaces and the parking locations. The proposal is for a 140,000-square-foot multi-tenant flex/industrial building. The building will be comprised of warehouse and office uses, with the significant majority of it being warehouse use. The proposed building is centrally located on the site, with two vehicular access points located along Crosby Court. Vehicular access to the site is only permitted along Crosby Court, as access is prohibited along Houchard Road and Dublin Plain City Road/SR 161 by the recorded plat. The site plan depicts parking along the north, west, and east sides of the building, with several loading docks to the south of the building. The WID Code requires all parking, except for visitor parking, to be located along the side or rear of the structure. The site has three street frontages. The multiple street frontages create a challenge in locating parking on the site that meets zoning requirements. Based on the uses and the WID parking requirements, 56 parking spaces would be required; the proposal is for 163 parking spaces. The intent of that number is to provide maximum flexibility and marketability for a future tenant. At this point, the tenant is unknown. This proposal meets the pavement setbacks, acreage and lot coverage requirements, with the exception of the parking setbacks. Based on Code, the parking requirement must be 30 feet; the proposal encroaches within 15 feet of pavement. One linear retention basin is provided along the southern property line of the site. The orientation of the pond is conceptual and will need to be modified to meet the needs of the site and the requirements of the City Stormwater regulations.

RECORD OF PROCEEDINGS

Held

December 7, 2020

Page 6 of 25

~~Mr. Stiffler stated there is no additional information to report. Staff recommends approval.~~

~~Ms. Burness and the Clerk reported that no public comments have been received regarding this matter.~~

~~Vote on the Ordinance: Mr. Keeler, yes; Vice Mayor De Rosa, yes; Mayor Amorose Groomes, yes; Ms. Fox, yes; Ms. Alutto, yes; Mr. Peterson, yes; Mr. Reiner, yes.~~

Ordinance 48-20

Determining to Proceed with the Acquisition, Construction, and Improvement of Certain Public Improvements in the City of Dublin, Ohio in Cooperation with The Columbus Regional Energy Special Improvement District. (600 Metro Place North, Dublin, Ohio Project)

Ms. O'Malley stated that the applicant representing the property at 600 Metro Place North has requested that the three Ordinances before Council tonight be tabled.

Ms. Alutto move to table Ordinance 48-20.

Mr. Keeler seconded the motion.

Vote on the motion: Ms. Fox, yes; Mr. Keeler, yes; Mayor Amorose Groomes, yes; Ms. Alutto, yes; Mr. Reiner, yes; Mr. Peterson, yes; Vice Mayor De Rosa, yes.

Ordinance 49-20

Levying Special Assessments for the Purpose of Acquiring, Constructing, and Improving Certain Public Improvements in the City of Dublin, Ohio in Cooperation with The Columbus Regional Energy Special Improvement District. (600 Metro Place North, Dublin, Ohio Project)

Mayor Amorose Groomes moved to table Ordinance 49-20.

Ms. Alutto seconded the motion.

Vote on the motion: Mr. Reiner, yes; Ms. Fox, yes; Mayor Amorose Groomes, yes; Vice Mayor De Rosa, yes; Mr. Peterson, yes; Mr. Keeler, yes; Ms. Alutto, yes.

Ordinance 50-20

Authorizing and Approving an Energy Project Cooperative Agreement by and between the City of Dublin, Ohio, The Columbus Regional Energy Special Improvement District Inc., Dublin Witness, LLC and Twain Community Partners III LLC, A Special Assessment Agreement by and between The City of Dublin, Ohio, The County Treasurer of Franklin County, Ohio, The Columbus Regional Energy Special Improvement District, Inc., Dublin Witness, LLC, and Twain Community Partners III LLC, and Related Agreements, All of Which Provide for the Financing of Special Energy Improvements Projects. (600 Metro Place North, Dublin, Ohio Project)

Mayor Amorose Groomes moved to table Ordinance 50-20.

Ms. Fox seconded the motion.

Vote on the motion: Ms. Fox, yes; Vice Mayor De Rosa, yes; Ms. Alutto, yes; Mr. Reiner, yes; Mr. Peterson, yes; Mayor Amorose Groomes, yes; Mr. Keeler, yes.

Mayor Amorose Groomes stated it is Council's understanding that the applicant simply needs additional time to work on some of the procedural requirements and they anticipate returning to Council for a final vote on these.

Ms. O'Malley stated that is correct.

Ordinance 51-20

Rezoning 45.4 Acres, More or Less, from R, Rural District to PUD, Planned Unit Development District to Facilitate the Future Development of 90 Single-family Homes and up to 150 Living Units at a Maximum Density of 14,500 Square-Feet-per-Acre for Seniors with Varying Levels of Care in One or More Buildings with 12.5 Acres, More or Less, of Open Space. (Dublin Gateway) (CASE #17-061Z/PDP)

Ms. Martin stated this is the second reading of a rezoning for a 45.5-acre site northeast of the intersection of Post and Hyland-Croy. An update memo was provided in the packet that addressed questions raised by Council at the November 16 meeting and issues identified by the applicant.

1. The items in the memo related to the review process, the Community Plan recommendations, a summary of the modifications to the project over time, housing type, age targeted versus age restricted, neighborhood engagement that has taken place over the last five years and traffic analysis.

RECORD OF PROCEEDINGS

Minutes of

Dublin City Council

Meeting

BARRETT BROTHERS - DAYTON, OHIO

Form 6101

Held

December 7, 2020

Page 7 of 25

2. Staff highlighted the 16 conditions for the PUD/Preliminary Development Plan and rezoning. The Planning & Zoning Commission previously reviewed this and recommended disapproval to City Council.
3. The conditions highlighted on the screen are those that were cited by the PZC at the time of their review.
4. As noted in the memo, PZC had concerns with the lack of alignment between the proposal and the Community Plan, as well as questions regarding the compatibility with the surrounding area.
5. Additionally, PZC cited criteria 8 and 9 with concerns regarding the status of the traffic impact study, which has now been resolved with the Union County Engineer and the City of Dublin Engineer.
6. PZC also expressed concern regarding the proposed development standards and the integration with the Special Area Plan and surrounding neighborhoods.
7. Finally, PZC cited criteria 10 and 12, which identify concerns with density, building heights, gross floor area for the institutional use as well as setbacks and yard space. Criteria 12 refers to the overall site arrangement and anticipated benefit of the development within the City of Dublin.
8. Shown on the screen are criteria 13 through 16.

Staff did recommend approval to the PZC at the April 30, 2020 meeting with several conditions. In review of staff's recommendation, PZC made an independent recommendation, based upon their evaluation of the review criteria as well as the consideration of public comment that is not available to City staff in review of an application. As PZC recommended disapproval, a supermajority decision of City Council, five of seven Council members, is required to approve the rezoning with preliminary development plan. Should Council wish to approve the application this evening, staff recommends the following two conditions be carried forward:

1. The applicant coordinate with Engineering to establish final approved street names and the applicant update the plans and development text accordingly.
2. The applicant update the development text to include all City Council conditions.

She offered to respond to any questions Council may have.

Mayor Amorose Groomes invited Ms. Comek, representing the applicant to comment.

Ms. Comek stated that at the November 16 meeting, a thorough discussion of the analysis of the staff report occurred. They have provided a memo to address the specifics and to reconcile how they view the Community Plan and how staff is interpreting that Plan. To the extent the street names have not been identified, they defer to whatever Council desires and would make any changes requested by Council. Mr. Hunter will make brief comments as well.

Don Hunter, Senior VP, Schottenstein Real Estate Group, 2 Easton Oval #510, Columbus, OH 43219 stated that the two things they wanted to share with Council are the analysis of the Community Plan and how their application complies with it as well as the Northwest Glacier Ridge Special Area Plan and the Thoroughfare Plan. They want to reserve the right after hearing Council comments to go back and share a chart they prepared about how they meet the various Plans. The other point is that the intersection of Hyland-Croy/Post Road – where the new interchange ramp will be exiting onto the property – has a current average daily traffic count of 22,000 – 25,000 vehicles that travel through the intersection. What is relevant about that is the intersection is the front door to their property and is where the assisted living use (ACLF) is to be located. The high traffic counts make the ACLK use the most appropriate, low impact use. The chart depicts scores for their development plan based against the Community Plan.

Mayor Amorose Groomes checked to see if Kishore Donepudi of 7183 Springview Lane had joined the meeting to testify.

Ms. Renzetti stated she has not joined the meeting.

Ms. Burness confirmed that no public comments have been submitted through the website, and the Clerk confirmed her office has not received other public comments tonight.

RECORD OF PROCEEDINGS

Minutes of

Dublin City Council

Meeting

BARRETT BROTHERS - DAYTON, OHIO

Form 6101

Held

December 7, 2020

Page 8 of 25

Mayor Amorose Groomes invited Council questions and comments.

Vice Mayor De Rosa asked what changes, if any, have been made to the rezoning application since the lengthy discussion at the November 16 meeting.

Mr. Hunter stated no changes were made to the rezoning application. They have worked extensively with staff on the infrastructure agreement.

Vice Mayor De Rosa stated that for the residential portions, the anticipated size of the residences on the lots are equivalent across the residential units – the lot sizes are different, but the square footage of the homes are roughly the same.

Mr. Hunter responded that they don't know the specific square footage of individual homes at this point. That would come with the final development plan submission. The control mechanisms are lot coverage and setbacks. On the perimeter lots, those that are the eastern border of the property and the western border of Post Preserve – those are larger lots to match in size with those existing adjacent homes.

Vice Mayor De Rosa asked for confirmation that there is no square footage maximum for the homes on the smaller lots.

Mr. Hunter confirmed that is correct.

Ms. Alutto stated that the ACLF is an acceptable use for the space and that does not give her concern. The concern she has from a density/intensity perspective is the narrow distance between the homes and locating HVAC units in that space. There was discussion of requiring those units to be located at the back of homes. She wanted confirmation of that commitment.

Ms. Comek stated that she and Wes Smith are present to respond to questions specific to the site. The HVAC units will all be located in the rear yards.

Ms. Alutto appreciates the additional information provided. This particular development is difficult because of the awkward size, shape and location of the property. It is a transition area between the neighborhood and what is not in the City of Dublin. She does not like the street names, but that can be worked out. The nomenclature of "gateway" needs to change, in her opinion. The density itself is not a problem for her, but she wants to hear more about the architecture being proposed. The Mayor brought this up and she would like to hear her thoughts on this matter.

Mayor Amorose Groomes agrees that density can be done well or be done poorly. We want this project to be something we can all be proud of – the applicant, the City and the neighbors. There are some things that can help. It is coming in as a PUD, so the zoning code is merely a guide or starting point for residential architecture. The text governs the architecture and it is appropriate to focus our energy on the text so that when the application goes to the PZC to approve the individual architecture, PZC has latitude. Moving the HVAC units to the rear of the buildings is a start. Since they will be at the rear, it is more appropriate that they be building mounted versus ground mounted, which will help the yards look more well-kept. We have few high-density neighborhoods in the City that have endured the test of time. There are some at Tartan Ridge, but one that has stood the test of time is in Muirfield. She asked Ms. Martin to review the densities in the cluster homes and asked her to share it.

Ms. Martin stated that there is a history in Dublin of providing a mix of housing types. This includes some of the early neighborhoods in Dublin such as Muirfield. On the east side of Muirfield Drive, there are some cluster, single-family neighborhoods and staff's calculated density for that area is 4.6 units per acre. It should be noted that the surrounding densities are significantly less. She added that Ms. Comek had stated that the HVAC units would be located at the rear of the homes, but there is nothing in the development text that compels that. If Council desires that to be in place, the development text needs to be amended.

Mayor Amorose Groomes asked Ms. Martin to keep a list of conditions that would need to be added, based on the discussion tonight.

Mayor Amorose Groomes commented regarding the architectural standards.

1. On page 11 of 14 of the development text, under H, Architectural Standards, it states "All single-family homes in this subarea shall meet" She proposed

RECORD OF PROCEEDINGS

Held

December 7, 2020

Page 9 of 25

adding "or exceed" the residential appearance standards in the Dublin City Code. The increased density justifies that simply meeting the standards is a starting point.

2. She also suggested adding that thoughtful consideration should be given to require architectural relief and fenestration of building elevations and that there would be some consistency that would be delineated in that vein. She would suggest adding that the PZC can hold them to a higher architectural standard. This should not necessarily add more cost to the house – this is simply attention to detail and avoiding repetition of the houses on the street. What she wants to do, if Council would approve the rezoning, is to give the PZC some latitude on requiring those things.
3. Materials are imperative. Use of good materials applied artfully can make for a great residential development, even though the density may be more significant than neighboring developments.
4. On page 12 of 14, the size of the home. They are limited to two stories. The trim materials permitted as listed are wood, aluminum, PVC, urethane foam, EIFS, copper and fiber cement products. She would eliminate the aluminum, PVC and urethane foam and make those a conditional use. The PZC could review them to ensure they are appropriate.
5. Likewise, on page 5 of 14, it talks of materials and architectural standards. For both the ACLF and the individual homes, the primary materials are listed but not the percentages. The list includes brick, stone, synthetic stone, stucco, synthetic stucco, wood siding, fiber cement siding and additional materials deemed acceptable by PZC. She wants to add a minimum of 80 percent of the unit would consist of the primary materials, leaving 20 percent to the secondary materials. Of that list, the gypsum reinforced fiber cement trim – sometimes referred to as hardi plank – is appropriate. Decorative synthetic millwork for exterior applications – those become valuable when trying to create architectural interest. Of composite trim and metal trim, she would advise making those conditional and not permitted. The PZC could approve them if the PZC felt it was appropriate. That leaves stucco and EIFS as permitted materials. Therefore, there would be four permitted materials and then two conditional materials.

Mayor Amorose Groomes stated these are her initial thoughts, if Council were to approve this rezoning and send it to PZC for the next steps.

Ms. Comek stated that she has kept a list of the Mayor's suggestions. They agree to all of them. With regard to Ms. Martin's comments about the HVAC units to be located at the rear, they thought it was because it is not a permitted encroachment. However, they are willing to make that language very clear. The "meet or exceed" language is fine with them. The concept of thoughtful consideration for the architecture and style seems appropriate. For materials, they agree with the conditional use of the materials as presented to PZC. For subarea A (ACLF) and B (residential) the materials are considered primary and 80 percent of the total of the exterior surface area needs to be comprised of those primary materials. For the composite metal and regular metal in the ACLF, similarly be conditionally approved, subject to an appropriate demonstration by the applicant that the use of that material is adequate. These changes can all be made to the text.

Ms. Fox stated that we are "missing the forest for the trees," in this case. These are great suggestions for changes, if the rezoning were to move forward. The PZC was very specific in citing the criteria not met by the plan. All of those criteria are illustrated in the notes, according to Code Section 153.055, in developing a criteria review for the preliminary development plan. As staff has pointed out, PZC considers the Code criteria, the Community Plan, the long-range plan, the Thoroughfare Plan, and citizen and neighborhood comments. The PZC role is to take a comprehensive approach to ensure that the recommendations made to this Council not only apply to the Code and the law, but to the Community Plan, as the City's agreed statement of general principles of how future development in the City should be based. There are density issues with the application, design issues and use issues. The Community Plan is used

RECORD OF PROCEEDINGS

Minutes of

Dublin City Council

Meeting

BARRETT BROTHERS - DAYTON, OHIO

Form 6101

Held

December 7, 2020

Page 10 of 25

by PZC as a guiding document to ensure consistency in decision-making. The Plan is the PZC's reference guide for a variety of development aspects, such as the community character, land use, transportation, community and public facilities, historic preservation and open space. All of that is the "forest" – it is not just about the architectural details. In this case, the plan speaks specifically to the Northwest Glacier area. In implementing the Plan, it instructs the PZC to clearly place within the public record their interpretation of compliance and non-compliance with the Plan. In 2015, during the concept plan review, comments were made about mixing of the housing styles and integrating seniors within the neighborhood. If increased densities were considered, they should be designated as 55 plus. PZC recommended including senior housing styles and development design that encouraged social interaction and a focus on connecting seniors to the neighborhood amenities and including them within the residential neighborhood – not isolating them in building locations. In January of 2019, PZC also commented on concerns with aspects of the proposal without any beneficial tradeoff in the character of the development and/or the plat design that created a justifiable variance from the Community Plan as well as agreeing with the neighbors on their specific concerns about the vagueness of the ACLF and its totally unknown impact on the adjacent property. Two different PZCs have made similar comments on the proposals presented. As a Council member, she believes they have studied it, reviewed it and made the recommendation. She sees no clear reason not to follow their recommendations. For this plan, it is not about the architectural details. It is twice the maximum density and the design proposal does not do anything toward integrating seniors or offering a variety of housing styles. That would normally call for two-family detached. She is not opposed to having a senior living facility and she is not opposed to the cottages originally mentioned as part of this. Nor were the residents opposed to that. However, to then isolate a senior in a two story building without any information about what that will look like on a front highway – this is not fair to the work of two separate Commissions. She believes it would not be to the benefit of this Council to ignore the work of the PZCs. There are very strong criteria review citations as to why it is not appropriate to change the zoning.

Mr. Peterson stated Ms. Fox's commitment to serving on Council as well as PZC is extraordinary. He has not served on PZC, so he defers to others' expertise. In order for him to overrule the recommendations of PZC, he would not do that lightly. In listening to the applicant and to Ms. Fox as a PZC member, PZC clearly believes this proposal does not meet the spirit of the Community Plan or the goals of the Plan as much as PZC hoped it would. Mr. Hunter has prepared a chart to demonstrate how they do meet the Community Plan. Thus, he is trying to reconcile those two fundamental basic things of whether it does or does not meet the Community Plan. Or is it more of a nuance where it meets perhaps 80 percent of the Plan intent, but not 100 percent. He would like to hear a response from Ms. Fox and from Mr. Hunter about the proposal meeting the Plan.

Ms. Fox responded the Community Plan is meant to be flexible and is a guide for PZC to use and interpret based on what citizens want. The Plan speaks about character, how a development should work, how it should appear, how the neighborhood should develop. In looking at the Northwest Glacier plan, it has curvilinear streets, a variety of housing options – perhaps single-family or two-family townhouses or cottages. It is not fair to review point by point whose interpretation of the Community Plan is appropriate. That is the job of the Commission who uses that as a guide. PZC has indicated to this Council that the application does not meet the Plan. It is interpretive, but the PZC cited their authority well.

Mr. Keeler stated that he is one of the few who have spoken so far who has never served on PZC. Therefore, he relies on them more heavily for their expert opinion. He highly respects the members who put in many hours of work and are very thorough. He will not override their recommendation. Mr. Peterson used the term "nuance" and that is one reason why you can argue that it does or does not meet the Community Plan. There are three different parcels with different zoning. From a high level, the spirit of this development – 90 single-family homes on 35.6 acres is too dense in his opinion. He agreed that the architecture, the trim and finish details go a long way, but the shape and size of the individual housing units trumps all of that. He has reviewed the evolution of the project over the years and little has changed in the density. Between

RECORD OF PROCEEDINGS

Minutes of

Dublin City Council

Meeting

BARRETT BROTHERS - DAYTON, OHIO

Form 6101

Held

December 7, 2020

Page 11 of 25

December of 2019 to April of 2020, the number of residential lots was reduced by one. Depending upon the one to two units per acre or the up to three units per acre, in aggregating all of the units – 150 and the 90 – it equates 5.33 units per acre. He is relying on PZC and their expert opinion.

Mr. Reiner commented that after reviewing the application, he completely agrees that the proposal does not meet the criteria of the PZC. Ms. Fox and Mr. Keeler have covered the issues – everything from design issues to the comprehensive feel of the project, to the character of the development, the lack of information on the ACLF, etc. He believes this does not meet what the PZC envisioned for this land.

Vice Mayor De Rosa added clarification regarding the criteria. She served on PZC at the time this proposal came forward. One of her first questions tonight was what changes have been made since the last review. Much of this same feedback from tonight was provided at the last hearing. However, there were no changes made and she is not certain why. Regarding the 16 criteria the PZC used, the Community Plan is number two on that list. Based on comments from earlier tonight, residents make decisions about buying in a community based on the Community Plan. A challenge she is faced with is that PZC said that of the 16 criteria, it did not meet seven of them, including the Community Plan. One of the frustrations is that people are not saying the housing is not interesting; they are not saying that some density is okay, but this is double the density of the Plan. She believes it is the additive effect – without the character of the property, without the materials used, without some understanding of how the ACLF will fit on that property, the applicant is asking an awful lot when it doesn't match the criteria. In general, it would be wonderful to be able to develop this in a meaningful way. She is frustrated that despite the feedback, there have been no changes and that continues to be frustrating. For her, there needs to be some work on density and more information is needed about the ACLF. At 150 units, this would be the second largest such facility in the community on a small lot. She agrees with PZC that there remains some criteria work that must be done in order for this to meet the spirit of the Plan. Without some of those changes, 7 out of 16 is just too much to move it ahead.

Mr. Hunter stated he would like to respond to some of her comments. In terms of what changed between November 19 meeting and tonight's meeting on the zoning application – the point is being missed. They have been in front of PZC for over an eight-year period. What is in front of Council is not representative of the applicant not choosing to take feedback from Council, the residents, PZC and City staff. What is in front of Council today as an application has been mischaracterized – the product, the results, and the fruits of the labor of eight years – by saying nothing has changed. This plan has evolved specifically based upon the feedback received from every stakeholder in the area. Secondly, she indicates the applicant is asking a lot of the City. That too is a mischaracterization. The reality is with respect to this property, with respect to the property owners, with respect to everything that has to go with this property, the party that is asking a lot is the City of Dublin. The City has reconfigured an interchange where 25,000 cars will be dumped onto the front door of this property. Because of that new interchange, the City is closing the intersection of Post Preserve and Post Road. The City's design of the new interchange dictates that Post Preserve Boulevard and Post Preserve be closed. In June 2006, City Council made a decision to run replacement roads through this property and to chop the property up. The burdens that have been placed on this property by the City are tantamount to a taking of the property. They have not taken that position with the City. What they have said is that what they will do is take the "Rubik's cube" the City has given them and will solve every problem thrown their way. Then, when that problem was solved and they responded to the stakeholders, the City takes the resolution provided by the applicant in good faith and in turn uses it against them. He asked for permission to walk Council through the chart that clearly demonstrates they not only meet the letter of the Community Plan, but the spirit of it. It is disappointing to hear this type of response after this many years of work. Every time staff, PZC, or another stakeholder asks them to respond to something, they do it in good faith. The density is absolutely in line with the Community Plan.

He read from the Community Plan: "average densities are allowed as long as they do not exceed the total density." Their average density is 2.64 units per acre on a single-

RECORD OF PROCEEDINGS

Minutes of

Dublin City Council

Meeting

BARRITT BROTHERS - DAYTON, OHIO

Form 6101

Held

December 7, 2020

Page 12 of 25

family basis and the Community Plan for this property has an average density for this property of 2.65 units per acre. Therefore, they have not exceeded density. The Community Plan also states that "more intensive commercial uses should be aligned around the interchange." The ACLF is not an intensive commercial use. They have a low impact institutional commercial use. He also clarified that they committed to an age restriction on the ACLF; they committed to bring that facility down from three stories to two stories. They took all the feedback provided and in good faith adapted that feedback. He therefore cannot agree that they have not been responsive and have not adapted and incorporated the feedback into the plan.

Mr. Hunter asked to walk through the scorecard assembled for Council. It is important to have on the record the evidence of their compliance with the Community Plan. This was sent to Council in advance and he would like to review it.

1. He noted that the drawing shows the new interchange improvements planned. What is currently shown is a roundabout but it will now be a signalized intersection. What is important to note is that the off-ramp from US 33, a divided four-lane highway equivalent to an interstate highway, handles today's traffic volumes of 25,000 vehicles per day passing through that intersection. The 2017 traffic report indicates between 22-25,000 vehicles pass through that intersection on a daily basis.
2. The 9.9-acre site is the proposed ACLF. The reason why there are no architectural drawings is because they cannot interest any potential user until the site is zoned. Therefore, they have agreed to materials, height restrictions and setbacks.
3. The road system that bisects the site was the system City Council dictated occur once the intersection of Post Preserve and Post Road is closed. Therefore, they have a site that is chopped up into five distinct segments south of the Indian Run; to the north, there are another 4-5 segments. The site is "swiss cheese" – long, narrow with a 100-foot setback along the entire length of Hyland-Croy Road. Single-family homes will not sell at that intersection. The lowest impact use that can be built on that site is an ACLF – it is age restricted, has low traffic, low use of resources and a zero impact on the school system.
4. They are meeting the density requirements in the Community Plan and providing the lowest impact, age restricted use possible – no gas station or retail use. They have come up with a very low impact use. Yet now the density of 150 living units for senior retirement independent living is being used against them in calculating the density. It makes no sense. They are responding to the constraints and the burdens Council has placed on this property. They do so in a responsible manner with a use that is very compatible with the neighborhood, low impact and zero school system impact. It takes five assisted/independent congregate care living uses to equal one home. In looking at traffic density, they are in complete compliance with the Community Plan.
5. The Thoroughfare Plan indicates that higher intensity uses should go to the interchange. They are right at the interchange with the ACLF. They are consistent with the Northwest Glacier Ridge Area Plan.

They are frustrated as the City has burdened the property in such a way that it cannot be developed in any responsible manner. They are putting forward a responsible plan in response to the City's needs and requests. He is confused about what the City wants, and they have tried to determine that for eight years.

He noted that after the November 19 Council meeting, they assembled a scorecard regarding the plan elements of land use, density, planning features and roadway system. He then shared the information on the chart that demonstrates their application complies with the Thoroughfare Plan, the Community Plan and the Northwest Glacier Ridge Special Plan. (Provided in Council packet.)

1. For Subarea A, the ACLF use complies under the Community Plan – first as a multi-family use and second because it integrates a broad range of housing within neighborhoods to allow for a wider range of housing choices for older age groups. If the ACLF use under a strict interpretation is considered a

RECORD OF PROCEEDINGS

Minutes of _____

Dublin City Council

Meeting _____

BARRETT BROTHERS - DAYTON, OHIO

Form 6101

December 7, 2020

Page 13 of 25

Held _____

commercial or institutional use, the use complies under the Thoroughfare Plan. The Thoroughfare Plan calls "for Hyland-Croy Road ... more intensive commercial uses near the freeway interchange. The ACLF is located at the freeway interchange and therefore complies. They have added an age restriction at the request of PZC to make certain the ACLF complied. It also complies in terms of the Post Preserve access modification.

2. For Subarea B1, south of Indian Run Creek, the Community Plan calls for mixed residential low-density single and multi-family residential uses. Their plan is single-family and therefore complies.
3. For Subarea B2, north of Indian Run Creek, the Community Plan calls for suburban residential low density – single-family use. Their plan calls for single-family residential for this area.
4. For density, the Plan calls for a mix of densities not to exceed the average. In the letter to Council, they utilized a traffic density profile to create an apples to apples comparison of all the single-family units and the 150 adult family units. The Plan's stated purpose for density revolves around traffic impacts. The Plan standard across all 45 acres is an average of 2.65 units per acre. Considering the 90 single-family units and then adding 150 ACLF units and applying their traffic impact, it results in the equivalent of 30 single-family homes for a total of 120 single-family homes or 2.64 units per acre.
5. In terms of planning features, the Community Plan calls for an appropriate transition from single-family neighborhood. Their proposal and all feedback from staff, neighbors and stakeholders is that they should have a transition away from single-family homes and that the transition would move from east to west. They put the same size single-family lots up against the Post Preserve neighborhood. Moving west, the homes are more empty nester oriented. That was another goal communicated over the years by City Council – the City does not have enough empty nester style homes in the community.
6. In terms of the Northwest Glacier Ridge Special Plan, this calls for an appropriate transition from the single-family neighborhood. It covers both single-family and multi-family units toward Hyland-Croy Road.
7. Finally, in regard to the Thoroughfare Plan, the existing Post Preserve Boulevard/Post Road interchange changes the dynamic and the footprint of this property. They have provided the 100-foot setback along Hyland-Croy and they have provided the access modification that Council requested in 2006.

He summarized that in looking at the four Community Plan elements and measuring their proposed plan and how it responds to the Community Plan, the Thoroughfare Plan and the Northwest Glacier Ridge Special Plan, they have met every critical metric. He is a resident of Dublin and has lived most of his 31 years in Columbus and Dublin and talks to Dublin residents. The feedback he receives is that people want to live in this type of home. If this were a controversial plan upsetting the neighbors and not responsive to their needs, Council would be hearing many objections. They have met with the neighbors off and on for eight years. This development began as a multi-family one that met the Community Plan. However, the residents made it clear they did not want a multi-family plan adjacent to them and did not care that it met the Community Plan. They listened to them and listened to the ward residents who indicated they wanted no multi-family residences in the development. They responded and put in 90 single-family homes for the property. At the most southerly point, with the high traffic numbers, there is a triangular piece of property that will not accommodate many uses and which is not appropriate for single-family. They have a responsive plan that has made all of the neighbors satisfied, as evidenced by the lack of public testimony and e-mails at this point. They have done everything they were asked to do and are meeting the density requirements and every aspect of the three Plans cited. This property is also burdened with so many City goals and transportation objectives, all of which their proposal meets. They are very disappointed in Council's comments tonight.

RECORD OF PROCEEDINGS

Minutes of

Dublin City Council

Meeting

BARRETT BROTHERS - DAYTON, OHIO

Form 6101

December 7, 2020

Page 14 of 25

Held

Mr. Keeler stated that, procedurally, Mr. Hunter makes good points. Procedurally, is it possible for this applicant to return to PZC and present this same information? PZC members are the experts and he would prefer they make the decision versus Council.

Mayor Amorose Groomes responded that if Council were to approve this rezoning, the next steps would be for the PZC to determine design, layout and lot coverage of the ACLF. They would review the architecture and the materials. If the ACLF cannot be accommodated on that lot, the PZC still has the option of disapproval. They would review lot coverage, height, materials and the ACLF plan would need to meet this development text. If they cannot do that, PZC could still disapprove it. Similarly with the residential units and the need for PZC to review the architectural standards, the lot coverage, materials, etc. If the PZC is not satisfied with their submission, PZC still has the ability to disapprove it.

Mr. Hunter asked to respond to Mr. Keeler's comments. He has 30 years of experience in zoning matters in Columbus and Dublin. A number of Council members have acknowledged PZC members as the experts. However, they are not always the experts – there is a learning curve for many well-educated, well-intended PZC members. Sometimes they misinterpret one factor and rely upon that in an overly judgmental way that is not fair to the applicant. The professional experts in the City of Dublin, City staff, recommended approval of the proposal on April 30. They cited the numerous ways the proposal meets the Community Plan. He noted that 90 single-family homes over 35 acres results in 2.57 dwelling units per acre and is not high density. It is exactly what the Community Plan calls for.

Ms. Martin clarified the applicant's comments in regard to their analysis of compliance with the Community Plan. Their density analysis is based on the traffic study, which is not able to be coupled with the manner in which density is calculated from a planning and zoning land use standpoint. Their numbers are quite misleading. The Community Plan is a very important guiding policy document for these decisions by PZC and Council. The applicant did correctly state that there are two land use recommendations for this site – the single-family as well as mixed residential. Staff did provide Council previously that equates to up to 121 residential units across the 45-acre site. The key here is residential use. But a strict interpretation of an ACLF is an institutional use – either a for profit or nonprofit business that charges clients fees for its services and therefore is not calculated at a residential density. That is why the development text as well as the Community Plan calculates that at gross floor area per acre and therefore an analysis cannot be made on how many units per acre are being proposed.

Ms. Fox noted that it is really about the density. There are 90 single-family units on 35 acres, but character, quality, setback, lot coverage are all in the development text. These units are packed in and the design of the development makes the density much greater. One can interpret the chart Mr. Hunter has provided in many ways, but she believes PZC provided good citations as to why the proposal should not be approved.

Mr. Reiner stated that the fact that this development proposal has been under review for many years and cannot get approval from two separate PZCs makes it fairly evident that a group of professional PZC members have not been willing to approve this project as it stands.

Mayor Amorose Groomes invited the Law Director to comment.

Ms. Readler stated that the discussion tonight has focused on compliance with the Community Plan and debating of whether this proposal meets it. But as has been noted earlier tonight, that is one criterion of the preliminary development plan set of criteria. No. 2 is that the proposed development is in conformity with the Community Plan, Thoroughfare Plan, Bikeway Plan, and other plans that may apply. That is one criterion out of 16. PZC cited multiple review criteria that were not met.

Vice Mayor De Rosa stated that the Mayor made several suggestions about material use, etc. As was outlined in the 16 criteria cited earlier, density and intensity were so much of what the PZC discussed as well as Council at the last meeting. She asked Ms. Martin to share a slide that demonstrates the intensity of the development. It includes a count of the number of lots proposed in the application and the numbers of lots in the abutting neighborhoods. The intensity jumps from nine in the current residential

RECORD OF PROCEEDINGS

Minutes of

Dublin City Council

Meeting

BARRETT BROTHERS - DAYTON, OHIO

Form 6101

December 7, 2020

Page 15 of 25

Held

neighborhood abutting up to 17 at the western frontage of the proposed development. This is why the size of the house is important, given the lot size. In the second segment, there are intense density and intensity issues. She is not certain if there is any interest in relooking at the density and materials. The other issue is the intensity and lot coverage for the ACLF, which is currently suggested at 14,500 square feet. Those are the things that would need to change to impact the density and intensity of this proposal, from her perspective.

Mayor Amorose Groomes stated this is an important question. Is her question if the applicant has any willingness to discuss limits on lot coverage?

Vice Mayor De Rosa stated it would be intensity, namely high lot coverage next to high lot coverage as seen in the plan. And for the ACLF, which is not an acceptable use under the current Community Plan, the real issue as she has heard from the residents is they want an understanding of what that intensity of the ACLF would be in the neighborhood. These are the issues that have come up repeatedly, and does the applicant have interest in addressing the issues.

Mayor Amorose Groomes invited Ms. Burness and the Clerk to report on public comments submitted.

Ms. Burness reported the following comments on the website:

From: Charles Sanders, 6842 Stillhouse Lane, Dublin, OH 43016

How can the Council approve a development without knowing the specifics of the architecture of the homes that will be built? There appears to be no standard for the "transition area" into Post Preserve that is consistent with the existing homes. Can there be some way to protect our existing property values? This plan also does not take into account the effect on the existing Post Preserve and other communities. There are so many things wrong with this proposal. There was a reason this was disapproved earlier and continues to be discussed. It does not meet the spirit of the community plan (or Dublin) and the flavor of Dublin. There are reasons many of us moved into this community one of which was reasonable community development which maintained our safety, property values, and the community feel of Dublin neighborhoods.

From: Robert Speeney, 6800 Royal Plume Drive, Dublin, OH 43016

This gentleman from Schottenstein is not telling the truth. I live on the edge of this property. I made my points very clear during the P&Z meeting that we were not happy with the proposed development. He seems to be having on the fact that the entrance to our neighborhood is closing and the city has to do something.

From: Bill Razor, 6857 Holbein Drive, Dublin, OH 43016

I agree with the comments of Jane Fox. This is too dense and there is no character in the development. The same comments we've made the last several meetings. Don from Schottenstein is completely mischaracterizing the residents' comments.

From: Charles Sanders, 6842 Stillhouse Lane, Dublin, OH 43016

The developer is not being forthright. There have been several property owners on Stillhouse Lane who have raised concerns WHEN we have been asked and made aware. Some property owners have not spoken up because of the way the project was presented. It was not totally obvious to them how they will be affected from a safety, community, and property value standpoint.

The Clerk reported no further public comments have been received in her office.

Mayor Amorose Groomes asked the applicant for their desire this evening – do they desire it be tabled?

Ms. Comek responded to the points made in the comments. They do not agree with the analysis about the density in the Community Plan. The Plan calls for the number of units per acre. If the Plan indicates they can have a higher density than the adjacent land, there would be a more intense development as contemplated by the Plan. To that end, in hearing the discussion and fine points tonight: Ms. Fox cited density, design, use; Mr. Keeler talked of plat design; Vice Mayor De Rosa asked why there were no changes. The answer is because they are complying with all of the written or objective standards in Dublin's Code. It is not fair to say that they are half the lot size of the adjacent lots, as those are 70 and theirs are 65. In terms of character, there are not

RECORD OF PROCEEDINGS

Minutes of

Dublin City Council

Meeting

BARRETT BROTHERS - DAYTON, OHIO

Form 8101

December 7, 2020

Page 16 of 25

Held

standards over and above this. They took the standards that have been previously approved on this street and attempted to address them. The final way they can do this is to agree to the following:

1. All of the conditions Mayor Amorose Groomes has summarized they are in agreement with.
2. Eliminating four of the single-family units from Subarea B and reducing the ACLF units to 125 units.

They are trying to reconcile the subjective criteria; they are trying to reconcile the similarly situated applicants to their case; the Planning professionals on staff recommended approval and did a similar math count. Aaron Stanford, traffic engineering, indicated that there is no immediate formula that converts the ACLF to the single-family use. They acknowledged using that traffic extrapolation – no one is claiming it was a precise calculation. However, Ms. Martin's calculation was 121 and theirs was 120. At the end of the day, they have reduced the density from 3.61 to now something below 2.5 with these additional concessions. They are meeting everything that is written. To the extent these concessions will be well received, the applicant would like to consider moving forward.

Mayor Amorose Groomes stated that it has been the City's practice in the planning process to have existing neighborhood properties be consistent with the adjoining one. She is interested in hearing Council's thoughts regarding the issue of the adjacent lots and their expectations for a similar or better development adjoining. The density at the intersections is high and she is not certain of what ability there is to work with those. Does Council have interest in trying to work out these details or not?

Mr. Reiner stated he believes Council should call for the question on the rezoning. He does not believe deleting those lots will make a major change in the overall aspects of the project. There are too many issues and the neighborhood has expressed their comments on this project. He is not interested in redesigning this project at a Council meeting.

Ms. Alutto stated that the Planning staff and PZC members all have a lot of skillsets and she is respectful of all of them, not having personal experience on PZC. There are a lot of issues that clearly the majority of Council is struggling with, and there are a few other items that warrant discussion. Ms. Fox has made some excellent points. Personally, she has struggled with identifying that "laundry list" of things to be done to make this palatable. She is not certain what character is missing, nor what spirit is missing. On the other side, simply complying with the Community Plan is not good enough and has never been good enough in Dublin. Proposals should comply with the letter of that policy document, but also the intentions behind it. There is a gap in this case and she is not certain that can be addressed tonight. She is not as concerned with the density piece, but has concerns with the intensity piece – related to lot coverage. She suggests checking with the applicant to see if they are willing to have this tabled for more discussion about the specifics of what Council is looking for, or calling for the vote.

Mayor Amorose Groomes asked the applicant if they are in agreement with tabling. Perhaps they could work further with staff on the items identified tonight.

Ms. Fox agreed with Mr. Reiner that the vote should be called unless the applicant is interested in having this tabled. The application needs too much work at this point.

Ms. De Rosa stated this is a question for the applicant – do they want it tabled or want it to be voted upon tonight.

Ms. Comek stated they are willing to have Council table this and work through the issues with staff. When an application is made, the list they should be given is the Code. If these items are over and above what the Code requires, they can get that from staff and could consider them. For the record, every time they have been presented with a specific question, they have answered them – 60 plus questions.

Ms. Comek noted that her client, Mr. Schottenstein has now overruled her and requests that the Council vote upon this application at this time.

RECORD OF PROCEEDINGS

December 7, 2020

Page 17 of 25

Held

Mayor Amorose Groomes moved to approve Ordinance 51-20.
Ms. Fox seconded the motion.

Mr. Peterson asked if the motion includes the density on which the applicant has conceded.

Mayor Amorose Groomes responded it would include the agreements made by the applicant during the discussion tonight, including materials, density, etc.

She asked Ms. Martin to read the conditions into the record.

Based on the discussion, Ms. Martin listed the following conditions:

1. The applicant coordinate with Engineering to establish final approved street names and the applicant update the plans and development text accordingly.
2. The applicant update the development text to include all City Council conditions.
3. The development text be revised to require, in Subareas A and B, primary materials cover a minimum of 80 percent of the building.
4. The permitted primary materials be revised to only permit brick, stone, manufactured stone, cementitious siding/panel, and stucco.
5. The development text eliminate the following secondary, trim, and window materials: composite trim, metal trim, aluminum trim, PVC trim, urethane foam trim, and vinyl windows. These materials may be approved by the PZC on a conditional basis, subject to the appropriate application of materials.
6. The development text be revised to require A/C be located to the rear of the unit, mounted above grade.
7. The development text be modified to require architecture meet or exceed the Residential Appearance Standards.
8. The ACLF and six base building types be subject to PZC approval with the final development plan.
9. The applicant revise the plans and development text to eliminate four lots, a density not to exceed 2.42 units per acre, for 35.5 acres.
10. The total number of ACLF units be reduced to 125 units.

Ms. Fox rescinded her second to the Mayor's motion. She wants to vote on the original recommendations from PZC.

Mr. Peterson seconded the motion.

Vote on the motion: Mr. Keeler, no; Mr. Reiner, no; Ms. Fox, no; Ms. Alutto, no; Mr. Peterson, yes; Vice Mayor De Rosa, no; Mayor Amorose Groomes, yes.

Ordinance 52-20

~~Authorizing the City Manager to Enter into an Infrastructure Agreement with Schottenstein Real Estate Group, LLC and Union County, Ohio for the Dublin Gateway Development.~~

~~Ms. Readler stated this legislation was dependent upon the rezoning in order to move forward. Staff therefore recommends disapproval in order to have it disposed of on the agenda, since it was introduced at the last meeting.~~

~~Ms. Burness and the Clerk reported no public comments have been received on this matter.~~

~~Vote on the Ordinance: Mr. Reiner, no; Mr. Keeler, no; Mr. Peterson, no; Vice Mayor De Rosa, no; Mayor Amorose Groomes, no; Ms. Alutto, no; Ms. Fox, no.~~

Ordinance 53-20

~~Authorizing the City Manager to Enter into a Real Estate Purchase Agreement to Convey 0.002 Acres of Land Located Between North High Street and Darby Street and Authorizing the Execution of Various Related Documents.~~

~~Ms. Readler stated there are no revisions since the first reading, and staff recommends approval.~~

~~Ms. Burness and the Clerk reported no comments have been received regarding this matter.~~

RECORD OF PROCEEDINGS

Minutes of _____

Dublin City Council

Meeting _____

BARRETT BROTHERS - DAYTON, OHIO

Form 6101

November 16, 2020

Page 6 of 22

Held _____

~~Ohio, The County Treasurer of Franklin County, Ohio, The Columbus Regional Energy Special Improvement District, Inc., Dublin Witness, LLC, and Twain Community Partners III LLC, and Related Agreements, All of Which Provide for the Financing of Special Energy Improvements Projects (600 Metro Place North, Dublin, Ohio Project)~~

~~Ms. Alutto introduced the Ordinance.~~

~~There will be a second reading/public hearing at the December 7 Council meeting.~~

Ordinance 51-20

Rezoning 45.4 Acres, More or Less, from R, Rural District to PUD, Planned Unit Development District to Facilitate the Future Development of 90 Single-family Homes and up to 150 Living Units at a Maximum Density of 14,500 Square-Feet-per-Acre for Seniors with Varying Levels of Care in One or More Buildings with 12.5 Acres, More or Less, of Open Space. (Dublin Gateway) (CASE #17-061Z/PDP)

Ms. Alutto introduced the Ordinance.

Ms. Martin stated the following:

- The site is 45.5 acres in size and is northeast of the intersection of Hyland-Croy Road and Post Road. The site is comprised of two parcels and has approximately 3,300 feet of frontage along Hyland-Croy Road and 500 feet of frontage along Post Road. Each parcel currently contains a residence with access to Hyland-Croy Road. The site is surrounded by established single-family neighborhoods with Park Place to the north and Post Preserve to the east. Additionally, the Jerome Grand, located within Jerome Township, Union County is to the west.
- Hyland-Croy Road is not located within the City of Dublin jurisdiction; it is located within Union County and under the purview of the Union County Engineer.
- As shown on the regional context map, the property is adjacent to the US 33/State Route 161/Post Road interchange. There are future planned improvements for this interchange in conjunction with MORPC, the Ohio Department of Transportation and the City of Dublin that will realign the interchange. This is a separate matter from tonight's rezoning consideration.
- This rezoning request is for 45.5 +/- acres from Rural District to a Planned Unit Development District. The proposal includes 90 single-family lots and up to 150 Adult Congregate Living Facility (ACLF) units. Also provided are 12.4 acres of open space and six public streets, including the extension of three existing streets.
- She provided the case history from the time of the concept plan in May of 2015. The concept plan was reviewed by PZC and the applicant was encouraged to meet with surrounding residents to address their concerns with a three-story independent living facility as well as proposed road connections to the site.
- In January of 2018, Council approved the annexation of the subject property from Jerome Township, Union County to the City of Dublin.
- In December of 2019, PZC tabled the Preliminary Development Plan and the Zoning and Preliminary Plan per the applicant's request based on the need for additional time to coordinate with surrounding residents.
- In January of 2020, PZC reviewed a PDP/Z/PP for the rezoning and platting of 45.4 acres for future development of 90 single-family homes and up to 200 living units for ACLF. Both cases were tabled at the applicant's request.
- On March 5, 2020, PZC again tabled both cases at the applicant's request without discussion.
- On April 30, 2020, PZC reviewed a revised Preliminary Development Plan/Zoning and Preliminary Plat for future development of 90 single-family homes and up to 150 living units for ACLF. PZC recommended disapproval to City Council with the finding that the review criteria were not met.
- In regard to neighborhood engagement, the applicant has hosted several neighborhood meetings – two in 2015 and one at the end of 2019. Additionally, there was substantive neighborhood engagement at the January 2020 PZC meeting where public comments were provided. At the time, the comments reflected concerns with the height of the ACLF facility and requested it be

RECORD OF PROCEEDINGS

Minutes of

Dublin City Council

Meeting

BARRETT BROTHERS - DAYTON, OHIO

Form 8101

Held

November 16, 2020

Page 7 of 22

- reduced; concerns with the quality and character of the ACLF facility; a desire to ensure consistency with the existing neighborhoods; a concern with the proposed size of the new residential lots; and concerns with the traffic.
- She commented regarding the Community Plan – Future Land Use guidance. The site highlighted in black on the slide has two separate land use designations. The Suburban Residential Low Density is recommended for the northern third of the site. Mixed Residential Low Density is recommended for the southern two-thirds of the site. These density recommendations vary from 1-3 dwelling units per acre with the development character including detached single-family as well as attached single-family, low density and multi-family. These combined recommendations equate to a maximum of 121 single-family or two-family residential units as calculated across the 45.5 acres.
 - The applicant is proposing an Adult Congregate Living Facility, which the Community Plan Future Lane Use would designate as a General Institutional Use, which is not recommended for the site. The General Institutional Use in the Community Plan references surrounding context and that the intensity of that use be compatible.
 - In areas of the City where special attention is to be paid to characteristics that are unique, there are Special Area Plans. The Northwest/Glacier Ridge Area Plan recommends single-family detached homes adjacent to the existing single-family neighborhoods and emphasizes the rural roadway character and the protection of the South Fork of the Indian Run that connects to the Red Trabue.
 - The Thoroughfare Plan is the final prong of the Community Plan. As mentioned, Hyland-Croy Road is under the jurisdiction of Union County and is designated a Minor Arterial. The planned right-of-way width for Hyland-Croy to allow for future roadway expansion is 100 feet. The rural character is achieved by a generous setback, ranging from 100 to 200 feet. The applicant is providing an additional 50 feet of right-of-way width to allow for future improvements and is also providing 100-foot setbacks along both Post Road and Hyland-Croy Road to maintain the significant setbacks along all neighborhood frontages along Hyland-Croy.
 - The proposed development plan has two subareas. Subarea A is located at the intersection of Hyland-Croy and Post Road and is the location of the ACLF facility, which may be developed in a single building or multiple buildings and is allowed to be developed at a density up to 14,500 square feet per acre.
 - Subarea B of 35.6 acres is proposed to be developed in two phases with a total of 90 single-family lots for a density of 2.53 dwelling units per acre. The surrounding residential density varies from 1.5 units per acre to just under 2.
 - The applicant has included proposed uses and development standards as part of the preliminary development plan request. Subarea A permits the ACLF, parks and open space, and parking and meets the minimum standards for setback; has a lot cover of 70 percent consistent with Code; and has parking of 75 to 225 spaces or .5 – 1.5 spaces per unit.
 - Subarea B permitted uses are single-family detached homes, parks and open space, model homes and home occupation. It also aligns with surrounding residential development and prohibits fences, sheds and pools. It provides a minimum of four parking spaces per home – two garage and two driveway. The minimum lot requirements are 5,830 sq. ft. lots. The perimeter lots will border existing neighborhoods and will be 65 feet in width and 100 feet in depth. The interior lots are smaller with additional lot coverage and reduced setbacks.
 - Proposed architecture and building materials have been identified in the development text, although conceptual architecture character and elevations have not been provided for the ACLF or for the single-family homes. The ACLF and single-family homes are proposed to be a maximum of 35 feet in height, consistent with one another and with surrounding development. A variety of permitted primary and secondary materials are identified for the ACLF; the applicant would be required to have the building elevations approved by PZC with the final development plan. The applicant is proposing those building elevations would need to be selected from the palette identified in the development text.
 - Accessory structures including garages in Subarea A are required to be architecturally integrated and would also be required to be approved by PZC.

RECORD OF PROCEEDINGS

Held

November 16, 2020

Page 8 of 22

- Single-family elevations are not required to be approved by PZC at the final development plan, although many developers elect to provide conceptual architectural character.
- The homes in Subarea B are proposed to be one to two stories in height, include the same cladding and trim materials as Subarea A. The maximum permitted garage façade is proposed to be 50 percent of the home.
- Open space and connectivity have been considered as part of this development. The applicant is extending three existing street stubs from adjacent neighborhoods as well as developing three new streets for a total of six public rights-of-way. Sidewalks will be provided along all public streets as well as a shared-use path along the Hyland-Croy Road frontage. A total of 12.4 acres of open space across eight reserves are provided, which equates to 28 percent of the land area. The purple colored open space in Subarea A will be owned and maintained by the ACLF. All other open spaces will be owned by the City of Dublin. The green colored areas will be maintained by the homeowners association, while the City of Dublin will maintain all shared-use paths identified in red as well as all stormwater management basins and associated apertures.
- A Traffic Impact Study (TIS) is required to be established as part of a rezoning. A TIS is currently under review and being finalized by the City of Dublin Engineer and the Union County Engineer's office. Continued coordination is required on this, although eight intersections were studied as part of the TIS. The study recommends certain improvements and offsite contributions, which will be covered in the proposed infrastructure agreement.
- PZC reviewed the proposal at their April 30, 2020 meeting. At that time, staff recommended conditional approval with four conditions. The applicant has met condition 4 related to an infrastructure agreement and they are working toward completion of condition 3 regarding the TIS. The applicant has not completed condition 1 for street names and the applicant is working with staff to revise minor details in the development text.
- In consideration of staff's recommendation and the review criteria as well as the proposal before PZC, the PZC recommended disapproval to City Council. A vote of disapproval by PZC requires a decision made by a supermajority of Council (5 members) to approve the rezoning.
- The Commission cited a number of criteria they found not to be met. Specifically, they cited concerns with density, intensity, deviation from the Community Plan, and lack of detail provided in regard to traffic and architecture.
- Should Council desire to approve this rezoning, staff recommends three conditions be carried forward at the second reading on December 7. These are outlined in the materials provided.

She offered to respond to any questions. Mr. Stanford is also available for questions.

Mayor Amorose Groomes invited the applicant's representative, Ms. Comek to make her presentation.

Laura M. Comek, 17 S. High Street - Suite 700, Columbus, Ohio 43215 noted she has a few items to add to the staff presentation.

1. Ms. Martin reviewed the future land use plan from the Community Plan. Their proposal complies with the future land use plan. The characterizations tonight were accurate, but not complete. The district where the Gorden farm properties lies is described as, "plan to include an integration of a broad range of housing within neighborhoods and will allow for greater housing choices, particularly for younger and older age groups and provide market flexibility." In the staff report from March 5, 2020 relevant to this proposal, the future land use classification is further defined by the following statement: "Mixed, residential low density category. Areas are intended to provide a mix of housing options and transition from existing single-family neighborhoods." In fact, the characterization in the City's future land use plan, as approved by City Council, even allows multi-family housing. That is not what is proposed here, but the proposal does fit in – both with the descriptions of the type of housing and with the broad range of age groups that they meet.

RECORD OF PROCEEDINGS

Minutes of _____

Dublin City Council

Meeting

BARRETT BROTHERS - DAYTON, OHIO

Form 6101

Held _____

November 16, 2020

Page 9 of 22

2. With regard to the zoning code standards, the only positive related to this project going on for eight years is that they have answered nearly every staff question about details. This project meets the City's written zoning code standards. This project also meets various unwritten standards that exist in Dublin and customary expectations about quality of housing, etc. They meet both of those. Their text states specifically that the Subarea B single-family homes will be presented in final elevation format at the time of Final Development Plan review. Some applications do not meet this.
3. Through review with the staff, they required that the proposal meet the Dublin appearance code. That is expressly set forth in the text. Therefore, they meet the written code in Dublin and the unwritten code and expectations of Dublin.
4. In the April 30, 2020 staff report, City staff recommended approval because the application complies with the Community Plan, the Codes and various standards. Now, the City Manager's staff is recommending approval of this application by City Council.
5. With regard to Ordinance 51-20, the case is broken down that simply. They have concluded the TIS and it is in for final review. She will reserve comments on that until the staff presentation is made for Ordinance 52-20.
6. In terms of conditions, they have proposed street names and are waiting to hear back from the City.
7. In terms of text modifications, when she received the staff report on Friday, she contacted Ms. Martin and Ms. Rauch as the applicant was not aware of any. The ones she received this morning are very minor and do not represent any substantive issue – they are wordsmithing, essentially.
8. In regard to Conditions 3 and 4 related to the TIS and the infrastructure agreement, she will defer comment until Ordinance 52-20 is presented.

Mayor Amorose Groomes noted that some members of the public have indicated they want to speak in the meeting.

Ms. Burness reported that a comment was received via the website.

From Zobeida Cruz-Monserrate, 6834 Stillhouse Lane, Dublin, OH 43016

Subject: Ordinance 51-20

As a resident of a street impacted by the development for which Ordinance 51-20 affects, I will like further clarification of how this ordinance will impact the opening/expansion of Stillhouse Lane and the traffic through it. I will also like to know how this will affect the city plans that impact Post Preserve Boulevard. Thanks for your attention to this matter.

In response to Mayor Amorose Groomes, Mr. Stanford indicated he will follow up with this resident regarding these questions.

(Due to technical issues, Mr. Keith Hammond could not join the meeting and submitted written testimony. Mr. Alkire did not join the meeting)

Ms. Burness reported another comment was just received through the website.

From: Charles Sanders, 6842 Stillhouse Lane, Dublin, OH 43016

Re: Extension of existing hub streets to Hyland-Croy

How can we do a valid traffic impact study during the present pandemic when a lot of residents are working reportedly from home? Thank you.

Mayor Amorose Groomes asked Mr. Stanford to respond to this resident.

She emphasized this is a first reading and there will be another opportunity for public testimony at the second reading/public hearing on December 7.

Council Questions/Discussion

Ms. Alutto asked what is the assumed pricepoint of the homes.

Ms. Comek responded the homes will be in the approximately \$500,000 range.

Ms. Alutto stated she has concerns with the sideyard of five feet. It does not seem adequate unless all utilities can be placed at the rear of the home. She recalls the small sideyard for Oak Park bringing issues with AC units.

Ms. Comek stated these units will be located in the rear of the yard.

Ms. Alutto stated she has concerns with the density/intensity in the text. She needs to have more understanding of this. She does not have an issue with the ACLF and is pleased it was reduced from three to two stories. She understands the concerns with the lack of details on the finishings and understands the concerns about the traffic impact study. She is not certain if she agrees that the plan does not fit the overall

RECORD OF PROCEEDINGS

Minutes of

Dublin City Council

Meeting

BARRETT BROTHERS - DAYTON, OHIO

Form 6101

November 16, 2020

Page 10 of 22

Held

Community Plan. While it is not a perfect fit, this is an interesting and odd area and deserves more discussion among Council. She is interested in hearing input from Ms. Fox, PZC member about this. She appreciates that the applicant has addressed concerns of PZC with previous iterations of this project.

Ms. Comek asked for clarification. What is meant by the difference between intensity versus density?

Ms. Alutto responded that the idea of 70 percent coverage is one aspect. The density is the number of units per acre, but the intensity of that density – the larger the structure, the more intense that density feels. This was a large part of the PZC discussion. This has been seen before in some other developments and she is curious to hear from Ms. Fox about the PZC discussion. She asked about the additional resident engagement since the beginning of 2020.

Ms. Comek responded that in order to address the plan's intended breadth and scope, these products are primarily low maintenance and empty-nester draws. By their very nature, the lot coverage is more about keeping the broader open space and the low maintenance. It is very similar to the Hamlet development with 70 percent lot coverage and very similar to Riviera Subarea C, with lot coverage at 70 percent. In addition, along the perimeter of the site, adjacent to the single-family lot, those are nearly identical lot sizes. That is how they are achieving that transition.

Ms. Alutto understands that the interior lots are a bit smaller as is the case for some other developments.

Ms. Comek responded regarding engagement. In late December of 2019, they hosted an event and invited the entire neighborhood. Dublin City staff was also in attendance that evening. A number of questions were answered over the two-hour meeting. Over several years, there have been a number of engagements directly with the surrounding residents. During the PZC meeting in January, some additional questions were generated. Between Dublin Planning staff and the applicant, they were able to respond to questions, eliminate some concerns, and provide clarification.

Ms. Alutto asked staff if there is a summary of the residents' comments. How much has the plan changed since the last time the residents were engaged?

Ms. Martin responded that the plan has not changed substantively since December of 2019. Staff does not have a summary of the comments made by residents at the meeting hosted by the applicant. They do have a summary of the PZC meeting in January of 2020, which included a number of public comments.

Ms. Comek clarified that most of the substantive changes, including the reduction in stories for the ACLF occurred predominantly in January 2020.

Mayor Amorose Groomes suggested that Ms. Comek make notes of any questions she wants to address with Council. Council will continue with their questions and she will have another opportunity to speak.

Ms. Fox stated that PZC reviewed this proposal many times and it was tabled a few times. PZC consistently felt the proposal was too dense. In following the Community Plan, the highest density to be approved would be 3 units per acre. This development requests 240 units. A density of 3 units per acre would result in 135 units. PZC felt it did not meet the intent of the Community Plan. They were not necessarily opposed to having senior living on the 10-acre portion, but density and height were concerns raised. Staff provided some reference material to Council about other senior living facilities in Dublin. One of the larger ones was Dublin Senior Star at 134 units on eight acres in a three-story building. Therefore, PZC was concerned about 150 units on 10 acres in a two-story building without any definition of its appearance or how much coverage it would entail and the impact on the adjacent neighborhood. The Community Plan also talks about the layout of the development and the setbacks were very narrow. Comparing it to Hamlet at Jerome, that is the tightest development approved by PZC but it was not in an area that caused a lot of traffic congestion. In retrospect, PZC felt they had allowed a very tight development and likely would not do that again. The average lot coverage in Dublin is 45 percent and this approaches 70 percent. The PZC minutes reflects concerns about the Community Plan recommendations; the general welfare of the residents in the vicinity because of the density; and the relationship of the building structures to each other, which were very tight. At one point, PZC asked that it be a 55 plus restricted community, but the applicant said they would not do so. There are no limits on the size of the structure, the units are very close

RECORD OF PROCEEDINGS

Minutes of

Dublin City Council

Meeting

BARRETT BROTHERS - DAYTON, OHIO

Form 6101

Held

November 16, 2020

Page 11 of 22

together, the density is not in keeping with the Community Plan, and the lot coverage proposed is to the maximum. PZC felt that one of the benefits of a PUD is that there is always a tradeoff – if you have clustering and higher density, there should be a benefit to the community for allowing that. The plan has not changed much over time, except for around the perimeter. The neighbors were concerned with density, traffic and the vagueness of the ACLF.

Vice Mayor De Rosa stated she served on PZC when this proposal was brought forward in 2015. The layout has remained consistent over time. She has a definitional question – what is Adult Congregate Living versus independent living or senior living. Ms. Martin responded that the first page of the text includes a broad definition of the ACLF. The intent is to provide as much flexibility as possible in the style and manner of care provided – everything from independent living to skilled nursing. The unifying factor is that adults are living together in a facility. It includes examples of care at varying levels.

Vice Mayor De Rosa stated it is an intensity question. The size of the proposed facility would make it one of the largest in the City at 150 units. Therefore how integrated that is, what kind of space there is would be very important. There are lots of details on Subareas A and B, but for the ACLF there is a stub road and nothing else. She is struggling with the intensity question and no detail provided. At that level of units, it will have a significant lot coverage and parking required. She requests we see something that the neighborhood can see for options of 150 units – one or two buildings – how that might look. There is just one roadway in, but from the traffic study presented, we know there will be significant traffic. The bulk of the traffic would come into that particular area. She does not understand why more information has not been shared, as that speaks to the character of the area. She is aware the challenges for traffic on Hyland-Croy are significant and must be seriously considered for each development. The intensity of this development is greater than those that have recently been built in this area. Her request is to help Council understand more about that intensity by sharing more information.

Mr. Keeler stated that he was in the audience at the January PZC meeting and is hearing the same concerns tonight – density, lot sizes, and vagueness regarding the ACLF. He does support senior housing. He believes the ACLF at that meeting was presented as a three-story and it is now two stories. He is unclear whether any changes have been made or not. Ms. Comek indicated there were changes made to the number of lots and the lot sizes, but Ms. Martin indicated there really have not been any changes. It seems the same concerns discussed in January have been brought forward tonight. His understanding is that the lots are still small and the density is too high. For the parking area around the ACLF, if it is a continuing care community with different levels of needs accommodated, there would be staff, nurses, nurse aides coming through, day and night. How would those vehicles and headlights affect the neighbors in the surrounding area? We need more clarity on that.

Mr. Peterson stated he never served on PZC, so generally defers to those who have served on PZC. Tonight feels like a PZC meeting and he is wondering why some of these questions would not have been addressed at PZC. Perhaps they were, but were not resolved. He relies heavily on and defers to the PZC recommendations, which have resulted in the high quality developments throughout the city. His question to the applicant is how does he as a Council member resolve those issues? How can he consider overruling the PZC recommendations when the concerns have not been addressed and are not resolved? He would like feedback on that.

Mr. Reiner stated he wants more clarification regarding the stormwater and its retention. He would like more feedback from staff about open spaces F and G. What will these be? Plantings or park space?

Mayor Amorose Groomes stated she is in agreement about the sideyard setback of 5 feet and that the AC units would need to be at the rear of the house. She has a tremendous concern about the primary and secondary materials and the percentages of those. She is not terribly concerned with the density. There are nice areas in Dublin with this level of density like Weatherstone in Muirfield. What makes them palatable is

RECORD OF PROCEEDINGS

Minutes of

Dublin City Council

Meeting

BARRETT BROTHERS - DAYTON, OHIO

Form 6101

Held

November 16, 2020

Page 12 of 22

the quality of materials and architecture. She did not see any percentages for the primary and secondary materials. She does have concerns with some of the secondary materials listed like metal and EIFS. These would not be appropriate when this level of density is being allowed. Perhaps seeing some aspirational architecture on the very small lots, including fenestration, etc. would be helpful. There is a reference to accessory structures in the text – sheds were explicitly eliminated, so she is not sure what accessory structures would be on such small lots. She sees that vinyl is listed as a window material, and at this level of density, she would not allow vinyl windows. She is curious why the City would want to own the ponds. There is not enough understanding of what will happen here, and she has tremendous concerns about the ACLF layout. This is the opportunity for residents to express their concerns, yet we do not have information about parking, whether there is mounding, and what are the dumpster locations. Given the discussion relative to the infrastructure agreements and the limitations we would have, it is important to have these details. Again, she is not concerned about the lot coverage if the materials are right and are applied in the right fashion. Absent the percentages of primary and secondary materials, and to say that the garage can be 50 percent of the frontage, there is more information needed about fenestration and making the buildings interesting.

Ms. Burness reported that more public comments have come in:

From: Keith Hammond, 5965 Post Preserve Boulevard, Dublin, OH 43016

Subject: Gorden Farms

I apologize I had some technical difficulties with my internet. My concerns are: with the design and facility use of the senior living facility as it backs up to existing homeowners; traffic, ambulance entry, trash facilities, deliveries and lighting as it impacts the neighborhood.

From: Jeffrey Smith, 7226 Springview Lane, Dublin, OH 43016

Subject: Gorden development

In every meeting Schottenstein has held with the residents, they have pitched this project as a 55 and over community. However, they are unwilling to commit to the requirements of the Housing for Old Persons Act which maintains that at least 80 percent of the units are occupied by at least one person 55 years or older. In fact, the Planning & Zoning Commission resoundingly rejected their proposed plans largely because Schottenstein's unwillingness to make this commitment. Schottenstein owes an explanation to the resident.

From: Charles Sanders, 6842 Stillhouse Lane, Dublin, OH 43016

Subject: Engagement, Density & Traffic

There has been no continuous engagement of residents since January to my knowledge. Lately there has been communication with individuals about our concerns particularly about traffic patterns based upon the proposed density and intensity of the proposed communities and the hub extensions. The current plans may have a negative impact on safety and resident welfare as a result of each. There are no specific or details to the proposed communities to make us feel comfortable.

Mayor Amorose Groomes offered Ms. Comek the opportunity to respond to the questions raised.

Ms. Comek stated the following:

- In terms of percentages and types of materials, she is not certain what the appropriate standard is to meet compliance and obtain approval. They have been guessing at this for several years and worked with staff to understand that appropriate mix. At a certain point, they reached an impasse about guessing and staff could no longer guess what either Council or PZC might require from the applicant, and so they looked around for context in other neighborhoods. They reviewed the Autumn Rose recently approved development and adapted their materials verbatim. They did the same for the ACLF – going to the ACLF located in Bridge Park and pulled the same materials and certain details, as those had been approved in that location. Within those two outlines, they have provided for the opportunity to be very creative and interesting when they come

RECORD OF PROCEEDINGS

Held

November 16, 2020

Page 13 of 22

back for final development approval. That is how they addressed the vagueness and lack of substantive or definitive criteria – finding previously approved projects and using those as examples.

- She takes issue with the note about density. She has observed over 18 months of meetings in Dublin that Dublin is accustomed to the single-family standard referenced tonight. Dublin's own Community Plan does not state a desire to look like what is adjacent to this area. It indicates it is a transition property. The work coming on Post Road and the closure of Post Preserve Boulevard, which have nothing to do with this development creates a freeway off-ramp. Hyland-Croy Road is now the off-ramp to a US interstate. Therefore, this property is a transition and it can be properly done as a buffer to the existing neighborhoods. This is not an allowance for density; Dublin's Community Plan recognizes this is a transitional piece of land, the last in this corridor at Hyland-Croy Road. It is not fair or accurate to say anything about this project is a tipping point to the tremendous traffic and development along Hyland-Croy Road, and it comes all the way from Jerome Village down. To say that 91 units tips the scales over 3,000 acres of Jerome Village for traffic on Hyland-Croy is not accurate. The Community Plan recommends 3 dwelling units per acre, and the only way to achieve that is with smaller lots. They follow the Community Plan and follow the Code. In this case, looking at Dublin's documents, it indicates that higher density means smaller lots. It is a math problem. If you want more units, something has to give.
- Regarding accessory structures, these would include patios and decks, etc.
- In regard to why the City wants to own the ponds, she does not know. Their text has changed three or four times as City staff reconciles the contradictory direction it has been given over the past few years. They will accommodate whatever the City wants in this regard. Often, they would get direction from staff and then get different direction from PZC. That confusion and vagueness is what creates these questions.
- In terms of the ACLF layout, the text makes commitments. Several layouts were shared with staff and they looked at the priorities – parking location, emergency vehicle access, etc. All of their plans are designed to specifications and are reviewed by the Fire Department. In the text, the applicant provides commitments that parking must go behind the buildings. Dumpsters must be screened and go in an area that is not immediately adjacent to residential.
- In regard to the density, it is a math problem – a number of acres, a density, and variables that occur in between. The Code is a written set of standards and she is not aware of any they are not meeting. There is a variety of other approved developments that have different land use recommendations from the City's Community Plan. That is how they reconciled this.
- In regard to the small lots issue, that is how to get to the density. In terms of changes over 8 years, they have offered not less than four other design layouts – all of which are mentioned as desired standards for residential – twins; multi-family four, which would have paid for the TIF and regional improvements; one that was all single-family; and then the hybrid of ACLF and single family.
- In regard to parking, the text addresses this concern, requiring the parking to be behind the buildings.
- In terms of headlight mounds, the developer committed in writing to mound significantly higher to eliminate headlight glare into the neighborhood. It is interesting to note that there was an acknowledgement in the meetings that the off-ramp that is Hyland-Croy will now make this a commercial corner. The goal was to buffer the single-family with the ACLF – that is how it will lay out in the exhibits. That is why increased mounding and landscaping in that area made sense, in addition to having the ACLF next door.
- In regard to the comments about the 55 plus restriction, the HOPA act is an exception to the Fair Housing Laws. It is intended to create senior living spaces. The ACLF was modified to two stories and 150 beds in response to the requests at the January 2020 meeting.
- PZC clearly does not know how to reconcile single-family with the ACLF. The commitment was to put the ACLF under the HOPA Act, which is an exception to the Fair Housing Act. The zoning cannot legally restrict to 55 and older. She clarified that these single-family homes are low maintenance, empty nester

RECORD OF PROCEEDINGS

Minutes of

Dublin City Council

Meeting

BARRETT BROTHERS - DAYTON, OHIO

Form 6101

Held

November 16, 2020

Page 14 of 22

- products. There is common maintenance for the facilities. The price point of \$500,000 is based on the interior finishes as well as the exterior materials. The downsizing Dublin residents or empty nesters desire the amenities offered.
- It was mentioned that the traffic study that was submitted indicates significant traffic generated from the ACLF. That is not accurate. The ACLF was studied at 200 beds and has now been reduced to 150 beds. It is not accurate on a traffic comparison approach. From a land planning approach, there is no direct correlate. A significant discussion took place at PZC about how those were reconciled and if staff will inquire further about those. ACLF at 150 beds does not equal 150 senior family – it is actually more akin to 25-30 percent and fits squarely within the density that is prescribed by the land use plan. They work in concert with staff on the density and intensity of what they are proposing.
 - The statement that bulk traffic comes through this site is a misconception and is not correct. The access point northbound on Hyland-Croy and a right turn in is actually a small traffic relief. The applicant's proposal is not closing Post Preserve Road. The ACLF is a more than 70 percent reduction in traffic from single-family homes.
 - In terms of higher and larger developments that have come through the City for ACLF, the information provided is not accurate. There is a spread of the size of the ACLFs from 11,000 gross square feet up to 17,000 gross square feet. Their proposal is at 14,000, which is in the middle of what already exists for these facilities in Dublin.
 - The lot coverage is 70 percent and it is expressed in the commitments in the text.
 - She encouraged Council members to consult Planning staff about how the density calculations are done. They are around the 121-123 number for density as calculated by Dublin staff.
 - Regarding the transition from Hyland-Croy, they are the transition. Elderly people are good neighbors in terms of traffic and noise. The ACLF will also be a buffer and Dublin's elderly residents will populate this facility.
 - In terms of vinyl material, that is only for trim. Again, they will return with elevations for the final development plan and will meet Dublin's written Code for residential design standards.

She noted she has responded to the questions raised tonight, and offered to provide any additional information. She has deferred any comments about the infrastructure agreement to the next ordinance.

Mr. Reiner asked Wesley Smith about storm detention on the site.

Mr. Smith responded that there are three ponds associated with the development that would service the stormwater management and they will be wet ponds. On Subarea A, there will be a pond in the northeast corner of the property; for Subarea B, Phase 1 and 2, along the stream that splits the property will be a stormwater arrangement on either side of that stream to service the single-family lots.

Mr. Reiner asked about the greenspaces F and G. What are the plans for those?

Mr. Smith responded those will be greenspace maintained by the HOA. There will be reserve buffers for the existing trees to be saved. Along the corridors, there will be plantings, including along Hyland-Croy Road.

Mr. Reiner asked if the wet ponds are considered part of the open space donation that is required.

Mr. Smith responded affirmatively.

Mr. Reiner noted there is a 100-foot setback. The feeling he has is that they are trying to meet the Community Plan. But he recalls the Glacier Ridge plan. In this case, the sites are being packed in and the density is being maximized. He understands what they are trying to do with the senior housing. The five-foot setbacks between single-family lots are tight and make property maintenance difficult. While the requirements may be met from a legal standpoint, the result of good urban planning is not about maxing out the land use, but having an effective, attractive project. Philosophically, what is the benefit this brings to Dublin? Dublin has a great reputation for good urban planning.

Don Hunter, Senior VP, Schottenstein Real Estate Group, 2 Easton Oval #510, Columbus, OH 43219 stated the following:

RECORD OF PROCEEDINGS

November 16, 2020

Page 15 of 22

Held

- There is a huge point being missed by Council. This is a 45-acre property being severely burdened by the City of Dublin requirements being imposed on it due to the interchange reconstruction. Looking at US 33, SR161 and Post Road intersection improvements, that interchange – the direct result of that interchange improvement design which the City of Dublin is moving forward with will create two significant burdens on the property. At the front door of this property at Post and Hyland-Croy Road, there is a roundabout. The roundabout receives all of the traffic exiting north off US 33 right to the property front door. The front door of this property is the exit ramp for the equivalent of an interstate highway.
- Secondly, because of ODOT requirements for limited access within certain distances of this highway off-ramp, the Post Preserve Boulevard intersection needs to be closed. That directly causes their development to have to provide replacement roadway access.
- Dublin has high standards. He has lived in and done business in this community for 31 years. Dublin has created a problem with this property that is essentially a Rubik's cube to solve and to do it in a high quality manner. They have spent 8 years addressing every concern that they can address. This property has so many challenges. Every concern has been addressed in good faith.
- Again, the City of Dublin has burdened the property – it almost virtually is being taken by the City in terms of its requirements.
- Their solution is very simple. Given a lemon, they turn it into lemonade. They provide the City with 90 high quality, single-family lots with houses at a \$500,000 plus pricepoint. Secondly, they take the location of an off-ramp for an interstate highway and propose an incredibly low impact, low burden residential solution that meets with the City's land use plan. The ACLF is in the middle of all of the densities for these facilities built in Dublin. The market for the ACLF is now limited by reducing it to two stories in height. Also limited is the ability to provide a site plan – for a knotty, rectangular site. All of these burdens have been created for a user to come in and design a facility. The restrictions on design have continued with the parking location, the height, etc. After securing staff recommendation for approval on April 30, 2020, after addressing over 200 staff comments over two years, and after meeting all of the staff concerns, PZC recommended disapproval to Council. Four years ago, they donated over \$350,000 of right-of-way for this property when they were zoning Jacquemin Farms. In addition, they have committed in the draft infrastructure agreement to raise that cumulative donation to \$1 million.
- They meet the Community Plan Land Use Plan. They have done all that has been asked of them. It does not appear, based upon tonight's comments, that they can obtain five votes of approval from Council. They are dealing with the combination of zoning and an infrastructure plan.
- They have been handed challenges over 8 years and have solved all of them in writing, making written commitments that run with the land. On October 19, 2020, they receive an e-mail from Mr. McDaniel with a draft infrastructure agreement. They then agreed to all the terms and conditions of that draft infrastructure agreement of October 19. In the past week and a half, the Union County Engineer and City of Dublin Engineer together have essentially "moved the goalpost" and now they are being burdened with an additional \$1 million in cost. Those additional costs are changes to the Traffic Impact Study and reinterpretations of the traffic study conclusions by the applicant's traffic engineer. If the TIS goes a different way than they were told previously, it is \$1 million in additional off-site costs on top of the costs they agreed to pay on October 19.
- We have to all understand tonight if we are headed down a path with no hope of obtaining five votes of approval. It does not appear this Council wants to approve this, after 8 years of their responding to every concern and committing to solve every problem that has occurred. Their frustration level is high and the question to be asked is are they being retaliated for in terms of the Jacquemin Farms zoning across the street.

RECORD OF PROCEEDINGS

Minutes of

Dublin City Council

Meeting

BARRETT BROTHERS - DAYTON, OHIO

Form 6101

November 16, 2020

Page 16 of 22

Held

Mayor Amorose Groomes responded that there is no retaliation involved. It is Council's job to ask questions and seek clarifications. Some of the questions relate to the traffic study components that are still being analyzed, and there should be more answers available by second reading. In terms of comparisons to other projects, she is very sympathetic about the difficulty in developing this parcel. While the applicant believes the City made it difficult to develop, the City does not bear the sole responsibility for that. This is an irregularly shaped parcel located along two major thoroughfares and there are restrictions due to the proximity to a roadway that functions as an interstate. She thanked the Schottenstein group for bringing this application forward. Mr. Hunter has done business in Dublin for a long time and knows that the questions and examination will be thorough and complete. She cannot speak for Council about whether or not there are five votes in favor of this proposal. To her, there were some things that could be addressed to make everyone more comfortable. She understands that the density is a math problem for a long linear piece of ground, with setbacks. Therefore, a solution needs to be worked out.

Mr. Hunter noted in regard to the math problem that from a traffic impact standpoint, there are 90 single-family homes. They are treated as single-family homes for traffic impacts. They are asking to be zoned for 150 units of a senior retirement ACLF use. Those are very low impact, and in terms of the totality of all uses that might occur in this location, those 150 units equate to 33 single-family homes from a traffic standpoint. Mayor Amorose Groomes stated that once the engineers have finalized the review of the Traffic Impact Study, all of that will come to light.

Mr. Hunter stated he simply wants to clarify the numbers for density. This issue was paramount for the PZC. When you take the sum of all the ACLF units and the sum of all the single-family units, on an apples-to-apples traffic impact basis, they equal 123 single-family homes.

Mayor Amorose Groomes stated the numbers will be validated when the final TIS analysis is completed. This is simply a timing issue, not a math problem. The math problem is the density. She is sympathetic to the density issues and is not afraid of higher density. It can be done exceptionally well with high quality materials and high quality design done in an artful way. She appreciates the comparisons with previously approved developments, but they are all different. The intensity on this is higher, but is not necessarily bad in this transition area. It is important to be more creative and artful in terms of architecture. There is a second reading on December 7. She believes that providing some inspirational things relative to the congregate care – how that will look on that piece of property -- would be helpful. She understands it must go through the planning process, but some high level graphics would be helpful to ensure it all fits.

Mr. Hunter stated they presented a highly refined architectural plan when Monsignor Hendricks and the Columbus Diocese were trying to locate on this site. They had a particular end user at hand. When they could not get the site zoned, they went to the Jacquemin Farms site. There are two key principles that will not allow the request to be fulfilled in any manner of good faith. When you have a particular user, that can be done. Or if you are the owner of your own site, like Vlabel, and that entire site will be dedicated to the specific, identified use, then you can present detailed architectural plans at the preliminary plan zoning stage. They don't fit into either of those categories. The issue in this case is a 45-acre site and a landowner who wants to sell the site in its entirety. They do not have a user in hand for the ACLF. That will come at final development plan. Any architecture shown would be a guess and misleading. The protections for architectural use are within the restrictions of the text itself and the ability at final development plan to review and comment.

Mayor Amorose Groomes stated that is clearly the applicant's prerogative. Five of the Council members were not serving at the time the previous applicant tried to get the property zoned. Although the applicant is not required to provide those graphics, she was simply suggesting it may be helpful.

Mayor Amorose Groomes stated there will be a second reading/public hearing on December 7.

RECORD OF PROCEEDINGS

Held

November 16, 2020

Page 17 of 22

Ms. Burness and the Clerk reported there have been no additional comments submitted tonight on this matter.

Ordinance 52-20

Authorizing the City Manager to Enter into an Infrastructure Agreement with Schottenstein Real Estate Group, LLC and Union County, for the Dublin Gateway (Gorden Development).

Ms. Alutto introduced the Ordinance.

Mr. McDaniel stated this is companion legislation to the rezoning ordinance 51-20. As Council is aware and per tonight's discussion, the upcoming reconstruction of US 33/SR161/Post Road interchange has long influenced the future of the Post Preserve Boulevard entrance and the need to provide ingress and egress to Post Preserve from Hyland-Croy. Regardless of the proposed rezoning before Council or one in the future, the City will still need to facilitate connectivity to Hyland-Croy. This is contemplated as part of the interchange design process. The rezoning before Council, if approved, provides an opportunity to address this. Staff is therefore proposing this infrastructure agreement. In the slide deck provided, there was a reference to what was originally looked at in terms of connectivity from Hyland-Croy over to Post Preserve. It is not too far removed from what is proposed here in this development. Unlike other situations where a developer would be responsible for funding all roads, utilities, appurtenances and such associated with their own development, staff proposes that the City have some responsibility for cost sharing due to the influence of the upcoming interchange project. He highlighted some portions of the agreement:

1. The developer has agreed to contribute to off-site improvements. The dollar amount in the proposed agreement is based upon a similar formula and contribution made by the Autumn Rose Woods development to the north of this one. That was per the request of the developer.
2. As staff reviewed the shift in existing and projected traffic as a result of the eventual closing of Post Preserve Boulevard entrance, we determined that the associated traffic counts on certain new roads connecting to Hyland-Croy would be two-thirds traffic from the existing development and one-third from the new development as contemplated in the rezoning being considered. Therefore, the proposed agreement apportions the cost of certain roads or sections of roads, intersections and new gateways accordingly. This is reflected in the staff report, the agreement and the slide shared. He noted that the details contained in the agreement reference all the associated improvements with the new roads, intersections, and gateway entrances.
3. There is also donation of right-of-way and easements in the agreement; management of the contract process and the project construction itself; reimbursements by the City; and prevailing wage requirements, etc.
4. There is also reference to a boundary adjustment from Jerome Township to Washington Township. It is the City's policy to align the service boundaries for fire and EMS for annexations from Jerome Township. There would be associated reparations to Jerome Township and staff is proposing that be done by the developer.
5. The agreement also references the concept of a non-school TIF on the proposed project for the purpose of securing some level of future revenues that could be used toward infrastructure improvements in the immediate area. Staff raises this for Council's consideration and direction. Council would have several options: applying no TIF; applying a commercial TIF to the ACLF only, assuming it would be a for profit facility; if a not-for-profit facility, no TIF dollars would be generated. The developer approval is not needed to apply the commercial TIF, however if Council wanted TIF dollars to be paid by a not-for-profit equal to what would have been paid by a for profit facility, the developer's approval would be needed. The developer has indicated to staff they would not be agreeable to that arrangement.
6. A TIF could be applied to the new residential to be built or some combination of the items listed could be done.
7. As shown in the redlined version provided, there are several items where agreement has not been obtained with the developer. Primarily, this relates to the developer's desire to cap certain costs for intersection improvements on



RECORD OF ACTION

Planning & Zoning Commission

Thursday, January 9, 2020 | 6:30 pm

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

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

Proposal: Rezoning ±45.4 acres from Rural District to Planned Unit Development District to facilitate the future development of 91 single-family homes and up to 200 living units for seniors with varying levels of care in one or more buildings and approximately 12.7 acres of open space.

Location: Northeast of the intersection of Hyland-Croy Road and Post Road.

Request: Review and recommendation of approval to City Council under the provisions of Zoning Code Sections 153.050-153.056.

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

Planning Contact: Nichole M. Martin, AICP, Planner II

Contact Information: 614.410.4635, nmartin@dublin.oh.us

Case Information: www.dublinohiousa.gov/pzc/17-061

MOTION: Ms. Fox moved, Mr. Fishman seconded, to table the request for Rezoning with a Preliminary Development Plan.

VOTE: 6 - 0

RESULT: The Rezoning with a Preliminary Development Plan was tabled.

RECORDED VOTES:

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

STAFF CERTIFICATION

Nichole M. Martin, AICP, Planner II





RECORD OF ACTION

Planning & Zoning Commission

Thursday, January 9, 2020 | 6:30 pm

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

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

Proposal: Subdivide ±45.4 acres into one lot for a senior care facility and 91 single-family lots, rights-of-way for five public streets, and six open space reserves.

Location: Northeast of the intersection of Hyland-Croy Road and Post Road.

Request: Review and recommendation of approval to City Council for a Preliminary Plat under the provisions of Zoning Code Sections 153.050-153.056.

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

Planning Contact: Nichole M. Martin, AICP, Planner II

Contact Information: 614.410.4635, nmartin@dublin.oh.us

Case Information: www.dublinohiousa.gov/pzc/17-061

MOTION: Ms. Fox moved, Mr. Fishman seconded, to table the request for a Preliminary Plat.

VOTE: 6 - 0

RESULT: The Preliminary Plat was tabled.

RECORDED VOTES:

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

STAFF CERTIFICATION

Nichole M. Martin, AICP, Planner II



~~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 some 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 Comek, Comek Law LLC, 5693 Strathmore Lane, Dublin, stated that she is representing the Schottenstein Real Estate Group. She requested clarity of the Commission's guidance.

Ms. Newell provided clarity on 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 that 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

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

[Motion passed 6-0]

Ms. Newell inquired if the applicant is in agreement with the four conditions.
Mr. McCauley confirmed the applicant was in agreement.

Ms. Call moved, Ms. Kennedy seconded to recommend approval of the Preliminary Plat to City Council with the following four conditions:

- 1) That the applicant ensures that any minor technical adjustments and updates to the plat in accordance with the accompanying Preliminary Development Plan are made prior to City Council submittal;
- 2) That the applicant continue to work with staff to ensure that the street names are approved and indicated appropriately on the plat; and
- 3) That the applicant revise the Preliminary Plat prior to Council review to reflect a typical chamfer at the corner of Hyland-Croy Road and McKitrck Road, as required by Code.
- 4) That the applicant revise the plat to accurately display the planned 100-foot right-of-way for Hyland-Croy Road.

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

[Motion passed 6-0]

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

A request to rezone ±45.4 acres from Rural District to Planned Unit Development District to facilitate the future development of 91 single-family homes and up to 200 living units for seniors with varying levels of care in one or more buildings and approximately 12.7 acres of open space.

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

A request to subdivide ±45.4 acres into one lot for a senior care facility and 91 single-family lots, rights-of-way for five public streets, and six open space reserves.

Ms. Call moved, Mr. Supelak seconded to table Cases 6 and 7.

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

[Motion passed 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 shortly after the beginning



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PLANNING AND ZONING COMMISSION

RECORD OF DISCUSSION

MAY 21, 2015

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

**2. Hyland-Croy Gateway District 7150 and 7270 Hyland-Croy Road
15-029CP Concept Plan**

Proposal: A residential development including empty-nester four-unit buildings, and a retirement facility that includes independent and assisted living units on approximately 45 acres along Hyland-Croy Road.

Request: Review and non-binding feedback for a Concept Plan application under the provisions of Zoning Code Section 153.050.

Applicants: Schottenstein Real Estate Group and The Roman Catholic Diocese of Columbus.

Representative: Thomas L. Hart, Esq. Isaac Wiles Burkholder & Teetor, LLC.

Planning Contact: Claudia D. Husak, AICP, Planner II.

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

RESULT: Adjacent residents voiced concerns regarding road connections through the site and requested the applicant include age restrictions on potential renters. The height of the independent living facility of three stories was also a concern. The Commission shared many of the concerns of the residents and encouraged the applicant to meet with residents and address their concerns prior to moving forward with a Rezoning application.

MEMBERS PRESENT:

Victoria Newell	Yes
Amy Salay	Yes
Chris Brown	Yes
Cathy De Rosa	Yes
Robert Miller	Yes
Deborah Mitchell	Absent
Stephen Stidhem	Yes

STAFF CERTIFICATION



 Claudia D. Husak, AICP, Planner II

**2. Hyland-Croy Gateway District
15-029CP**

**7150 and 7270 Hyland-Croy Road
Concept Plan**

The Chair, Ms. Newell, said the following application is a request for review and non-binding feedback for a residential development including empty-nester, four-unit buildings, and a retirement facility that includes independent and assisted living units on approximately 45 acres along Hyland-Croy Road.

Claudia Husak said this case is in a similar location, also on the east side of Hyland-Croy Road. She said it is slightly different than the previous one in terms of it being a Concept Plan application, which is the first step in the rezoning process. She said this site is also not annexed into the City of Dublin so the current jurisdiction is within Jerome Township.

Ms. Husak presented the site, which is 45 acres in two parcels. She noted Park Place subdivision to the north and Post Preserve to the east; both are zoned PLR, Planned Low-density Residential District. She said the site is very narrow with 3,300 feet of frontage along Hyland-Croy Road and the depth of the site is only about 500 feet. She said there is a stream tributary that has a Stream Corridor Protection Zone associated with it, which the applicant will be required to study to determine the width of that zone. She said there are tree rows along the stream. She indicated for the most part the site is farmland; there are some single-family homes on it with farm outbuildings.

Ms. Husak reported the applicant had a couple of meetings with adjacent neighborhoods, specifically with the HOA of Post Preserve and Park Place. She said in January there was a meeting where a few residents attended as well as members of the Catholic Diocese as part of the proposal has a senior living component. She said most recently, a meeting was held where about 15 – 20 people from the adjacent neighborhoods attended.

Ms. Husak said the Community Plan has two future land use designations for the site: north of the stream is the Suburban Residential Low Density District (1 – 2 dwelling units per acre) with the remainder as mixed-Residential Low Density (up to 3 dwelling units per acre). She explained that both of those are very similar to residential development patterns within the City of Dublin where the mixed category talks a little bit more about providing buffers to allow more leeway for the type of units provided in that district. She said there have been proposals for more commercial big box type of development on the land in Jerome Township on the west side of Hyland-Croy Road.

Ms. Husak said Hyland-Croy Road has a rural character designation. She said there are major changes proposed by ODOT in conjunction with the City of Dublin to the interchange of SR 161/US 33. She said the limited access area extends towards Post Road from Hyland-Croy Road, which really is dictated by ODOT and access for Post Preserve Boulevard will be required to be eliminated. She said in 2005 – 2007, that project for the interchange was a lot more imminent than it is currently. She said there were numerous neighborhood meetings at that time on how the access would be handled in the future.

Ms. Husak presented what Council approved as the method for access management going into the future, which takes part on this particular property under consideration this evening. She said Springview Lane and Stillhouse Lane within Post Preserve are intended to be extended to current stub streets, through this property and out to Hyland-Croy Road to provide full access into the neighborhood. Upon urging of Staff, she said the applicant has incorporated this public street into their proposal. She reported the extensive update to the Community Plan also occurred in 2007 that included one of the street extensions but not both. She said the Northwest Area Plan is the same, which shows single-family development to the north of the stream at a 1 – 2 units to the acre for density with an extension of a street called Holbein Drive to provide access and distribution of traffic. She said a row of single-family houses adjacent to Post Preserve and multiple housing types to buffer the residential area to the west from whatever might happen west of Hyland-Croy Road.

Ms. Husak said there were also considerations for protecting the stream providing entry to the neighborhood and making sure to be sensitive to the existing trees on the site.

Ms. Husak said the Concept Plan proposed is divided into two subareas. She explained there are 50 assisted living (AL) units and 75 independent living (IL) units at the south end of the site. She said both facilities are connected at the entry porte-cochere but serve different residents. She said the southernmost building is the AL facility designed as a single-story building with four quadrants of care and the IL facility is a three-story building with an open courtyard in the center including parking areas to the north and east and detached garages along the east border with Post Preserve. She said the balance of the site has four-unit residential buildings, which, according to the applicant, are targeted for empty-nesters. She said there are 17 buildings consisting of 68 units shown in the center of the site, south of the stream. She said there is an additional 15 four-unit buildings consisting of 60 units north of the stream.

Ms. Husak said stormwater management is shown throughout the site with retention ponds. She stated the plan includes an eight-foot asphalt multi-use path along Hyland-Croy Road with connections from the site to the path.

Ms. Husak read the discussion questions:

1. Is the proposed land use appropriate?
2. Is the proposed greater density warranted relative to the quality of the proposal?

Bob Miller asked what has been proposed in the past on the west side of Hyland-Croy Road all the way up to Post Road.

Ms. Husak indicated she knew of two proposals for retail development south of Weldon Road. She said the most recent proposal, which Jerome Township requested the City to weigh in on, had larger store-type of development without parcels on Hyland-Croy Road with a potential hotel or some sort of multi-family units north of Weldon for the future.

Steve Langworthy said there has only been one major proposal that the township had approved. He said it was originally called Hall's Corner that had a pretty intense retail development, a couple of big box retail developments along with restaurants and the other outlots. He said there were some concerns expressed by the City to the Township about the relative density and intensity of that product at the time. He said there were discussions about sewer systems, traffic, road improvements, and the like. He said that proposal has since gone away and a new company has come in from Indianapolis that has proposed an application that has not been submitted for anything by that company but the concept plans we have seen recently are much less intense than the original plan.

Mr. Miller asked if an auto dealership had been proposed.

Ms. Husak said there is a site approved for an auto dealership in the township as a conditional use and Costco has received a lot of press.

Mr. Miller asked what has been proposed on this existing Gordon Farm site. Ms. Husak answered no applications have come forward.

Amy Salay asked if the roundabout at Hyland-Croy Road and Post Road is the anticipated solution.

Tina Wawszkiewicz said Ms. Salay was seeing the long-term picture idea. She said if this were to become annexed and became the City's intersection the City could evaluate stepping to this level and could be a discussion with City Council during the CIP process. She noted the ultimate build with the ramp.

Ms. Husak clarified that at this point, this area of Hyland-Croy Road is not under the jurisdiction of the City.

Don Hunter, Schottenstein Real Estate Group, said he resides in Dublin. He thanked the Commission for the opportunity to share information and receive feedback. He explained there are two applicants today: the Roman Catholic Diocese of Columbus; and the Diocesan Retirement Community Corporation and mentioned all the team members in attendance to answer questions.

Mr. Hunter said he has a great respect for the process. He explained he reached a land purchase agreement in August 2012. He said they met with Marsha Grigsby in October 2012. He said they met with Land Use and Long Range Planning in February and started meeting with HOA leadership of Park Place/Post Preserve in May 2013 and have continued that dialogue. He said this particular plan is a result of three to four reiterations in receiving feedback from the leadership of the HOA group. He said the first neighborhood meeting took place in January and most recently, this week. He presented the plan with the senior retirement community to the south that the Diocese will own and the northern two-thirds of the site is the empty-nester community.

Mike Cuddy said they have been in the senior housing business since 1977. He said they have 16 facilities in 10 counties. He said they are open to residents of all faiths and they are replicating their Villas of St. Therese concept. He said this is a high-quality architecturally compatible with the neighborhood. He said this is a mission-based goal of serving seniors providing safe well-appointed housing for seniors in a continuum of care that runs from independent living to assisted living and building a retirement community where people have the ability to move from one level to the next. He said they have done this very successfully out on the east side of Columbus at the Villas at St. Therese and the goal is to do the same thing here in Dublin, Ohio.

Mr. Cuddy said they have done a study to ensure that there is market demand for this type of facility and had a great deal of interest as expressed by Dublin residents. He said prior to the Villas of St. Therese facility, there were people on the east side of Columbus who were really looking to maintain residence in their own community. He said part of the mission is to provide a facility where they could retire, have independent living as long as that was possible for them, and transition in the same community to a higher level of care to assisted living. He reported they are a non-for-profit corporation and able to deliver a higher quality product at a lower price. He presented the 75 units of IL facility and 50 units of AL in the lower portion of the graphic.

James Michael Milligan, JMM Architects, 4685 Larwell Drive, Columbus, Ohio, 43220, said his firm is a senior living design specialty firm and have designed over 1000 retirement communities around the nation. He said this is not subsidized housing. He said the Roman Catholic Diocese of Columbus provide a niche that is compatible with the highest quality facility but in a much lower cost. He said these facilities will be 1 or 2 bedroom apartments with washers/dryers in the IL areas and garages for their cars, brick/stone cement fiber siding and use residential style materials with pitched roofs. He said between the AL and IL, there will be a main street facility/common area where folks can have dining opportunities, library, etc. an indoor/outdoor space with a lot of light. He said the AL is all private rooms and operated by the diocese. He said the Villas at St. Therese are 15 years old and have held up quite well. He said the apartments are a three-floor concept and on the site plan, garages are a buffer with four-sided design. He said there is a wet pond on the south side for stormwater management and site amenities and controlled parking.

Brian Schottenstein, Schottenstein Real Estate Group, 600 W. Goodale, Columbus, Ohio said Dublin has the highest standards of any community around. He said they believe their attached homes will be the nicest in the state of Ohio. He said they have been voted the BIA Developer of the year three times.

Mr. Schottenstein presented images on the screen and on boards. He said there are four units in each building and each unit has 2-car garages, a screened in porch, and two first floor bedrooms geared towards empty-nesters. He said there will not be a clubhouse, bar, or trash cans outside. He said trash pick-up service will be provided to go into a central compactor including a mail center in that building as well. He said there are 128 units and density is 3.9 units per acre. He indicated the average age of someone moving into AL facility is 84 years old. He said they want to capture the market of people in their 50s, 60s, and 70s before they would go into the community right next to us. He said we would even provide opportunities for them to get into the community sooner if they live in ours first because they believe there will be a waiting list. He pointed out that on two-thirds of the plan, on the north side is their four-unit empty-nester homes. He noted the nice buffering of trees. He said they plan to respect the Stream Corridor Protection Zone.

Mr. Hunter summarized there are two fundamental but related uses: senior retirement community and empty-nesters. He said 30 years ago, the average age of entry into IL was 65 years of age. He reiterated that now the age is 83, more and more services have to be provided (meals, transportation). He recited statistics about population growth in Ohio to demonstrate the need for this type of housing. He said there is a "silver tsunami" coming. He presented 17 objectives from the Community Plan and stated how his plan addresses some of these. After spending a lot of time in this community analyzing economic development issues, he suggested we are at a crossroads and asked if Dublin was a generational community. He indicated they are going to enhance the Park Place/Post Preserve neighborhoods with the transitional use. He said Hyland Croy Road will become five lanes. He said his plan will insulate the community from that noise as a quiet, compatible neighbor. He noted the 360 degree architecture they will provide and how this site is a challenging property and not appropriate for single-family homes. He concluded they are proposing high-quality, low-density development.

Bob Miller asked what the square footage is for the empty-nester units.

Mr. Schottenstein responded there are four different floor plans, going up to 1,900 square feet.

Mr. Miller asked what the rent range is. Mr. Schottenstein answered high teens would be the amount for rent.

Ms. Salay asked if the empty-nester products were all for rent. Mr. Schottenstein said they could be for sale; it is market driven.

Mr. Hunter said they are trying to meet the needs of the community by offering flexibility.

Ms. Salay asked if some of the units were two-stories. Mr. Schottenstein said all have two bedrooms on the first floor and some have loft above, which make those a story and a half.

The Chair invited public comment.

Jeffrey Smith, 7226 Springview Lane, said the concept of putting the empty-nester community along that track of land makes a lot of sense and would be supportive with some exceptions. He said it meets the demand within the City and provides a nice buffer to whatever goes in on the west side. However, he said it does not appear to be any mechanisms in place to enforce the stated objectives of empty-nester housing. In his research, he said there is federal legislation known as the Housing for Older Persons Act in 1995, that would allow the developer to designate a community as housing for residents that are 55 years and older. He said that stipulation requires 80% of the units are occupied by at least one person who is 55 years old. He asked if that was considered and if it was, why that designation is not going to be in place.

The Chair said she would entertain those Commission questions as they proceed.

Mr. Smith said 3.9 units per acre for density is higher than what is shown in the Community Plan. To make that exception on the density he said, for supposed improvement in quality to address an unforeseen demographic shift back when the Community Plan was completed, is unjust. He indicated there are no assurances that given the higher density space that those needs are going to be met. He said without some designation through the Bylaws or in the deed restriction, potentially, those units are occupied by non-empty-nesters, which would bring in over-crowding of schools. He said then there is the issue of rent vs own. He asked if the City is going to be responsible for maintaining the landscaping of that Post Preserve entrance once it is closed off. As a founding board member of the HOA, he said it is costly to maintain that entrance. He said once it is closed off, it is no longer the enjoyment specific to just the HOA but rather open to the public.

The Chair announced over 13 people have signed up to speak and asked that the comments be brief and not repetitive.

Bill Razor, 6857 Holbein Drive, said he has lived in this Post Preserve neighborhood since it was built. He indicated the applicant is proposing an apartment complex and trying to put an empty-nester label on it. He said the developer is not willing to put any stipulations on who may live there. He said if \$1,700 a month is the rent, they will attract families that want to get into Jerome High School. He said the key thing the Schottenstein folks said was this was a Concept Plan and a lot of these issues are going to be market driven. He indicated he suspects that if the market is not going to be there for the empty-nesters then the market will be filled with whoever will pay the rent and we will not end up with a quiet community. He said that is further complicated as City Council had previously ruled that our entrance will go through this neighborhood. Currently, according to the plan he said, it appears we will drive past the trash compactor on the way to our house. He said when Council originally ruled on the entrance closing, they specified that the intention of the new entrance would be along the same lines as our existing entrance and would have the same character. He said he believes the City made a mistake with the planning in that area and feels strongly that the community is owed more than just having our neighborhood go through an apartment complex.

Mr. Razor said he did not receive any notice that any meetings were taking place until the one that occurred last Tuesday and at that meeting, he was told that the purpose was not for the developer to hear the thoughts of the residents but to answer questions about what they planned to build on this site. He asked if these people are going to manage an apartment complex next to my house, how cooperative of a neighbor are they going to be. He concluded maybe they are not the right developer for that land.

Alycia Cassini, 7545 Marston Lane, said she appreciated the Commission's comments earlier about getting the HOA more involved in these meetings with the notifications. She said the applicant said they met with HOA leadership from May 2013 – May 2015. She said meeting with one individual who did not share any information with the community does not constitute neighborhood feedback. She said once we were made aware of this situation this past Tuesday, the neighborhood has responded with how they feel about this development. She said this is really two separate concepts: the retirement home and 128 rentals that will be in our backyard. She said there are no restrictions on who can rent these units regardless of age and family size. She said the rentals will be designated as Suburban Residential low density, outside the design concept and the Post Preserve entrance will be closed. She said this is unacceptable for Post Preserve and for the rental agency or renters because there will be a high volume of traffic coming through their neighborhood. She said the Conservation Design Principals and support of the rural feel of this neighborhood has not been applied to this concept. She indicated it is interesting that Schottenstein is taking these two very separate concepts and bundle into one proposal; these should be two separate independent plans. She said Schottenstein is trying to say what the market is through charts, quotes, and the emotional heartstrings to get approval for their highly profitable business of rentals. She encouraged the Commission to do their own independent research and not rely on the carefully crafted information presented by Schottenstein.

Eileen Corson, 6717 Monticello Lane, reiterated the stress that could be put upon the school district if we have this many rentals this close to our homes; there is no elementary in our area but good access to Jerome and Karrer. She said if the apartments are not age restricted, there will be the potential for a lot of school bus traffic. She said HOA representation had no communication with them. She indicated there were three members: one is leaving, the other said during the meeting with the developer yesterday that she has been shopping for these homes. She said there are two new members on the board and has serious ethical issues with their board. She requested additional time for review of this proposal for the residents.

Kumar Vemuri, 7021 Post Preserve Blvd, said he has been a resident of Post Preserve since February 2006 and was never told there was an entry issue by the builder. He said as soon as he entered his new home, he started getting letters about this proposed entry closure and he attended meetings that were well organized in those days (2006 & 2007). He said they were given five or six options and finally narrowed it down to one or two. He said during that time they were promised there would be a layer of single-family homes just to their backyards of Post Preserve and that there would be a similar entrance on the other side. He said with this proposal, we do not see any of that happening. He asked what will be the size of the entry roads if there will be any coming into Post Preserve. He asked what would happen to backyard fences or if there would be any fences between these two properties.

Marian Vordermark, 6834 Stilhouse Lane, said she is the president of Park Place/Post Preserve HOA. She referenced the timeline presented by Mr. Hunter. She confirmed the three previous board members did have a couple of meetings in 2013 and they were told they had contingency contract with Mr. Gordon, which was going to expire in November 2013, which it did. She indicated they were told it was not going to be extended so the HOA members did not publicize their meeting. She said she was not given any further information until much later on. She said we do not correspond with our community on a regular basis because it costs our HOA a lot of money and they have not seen an extreme amount of interest from their residents. She said apparently there are interested people in the community. She presented several pictures: the Post Preserve entry, the ponds, the street that will be closed off, and Post Perimeter Road. She said she is concerned about the replacement entrances surrounding their community. She said the quality of the Gateway project significantly impacts their neighborhood and the valuation of 145 residences of Post Preserve and potentially, Park Place because they are viewed by realtors as a joint M/I neighborhood. She said the residents are requesting an engineering study be completed to determine if a right in/right out entry into Post Preserve could be allowed by ODOT. She said other exceptions to that rule within the state have been made. She said there are a total of 292 home sites in the Park Place/Post Preserve are affected by this decision. She said there will be a high interest in getting to Costco and OU development that will contribute to additional traffic.

Keith Hammond, 6965 Post Preserve Blvd, said his biggest concern is his master bedroom and back windows face west so immediately out his backyard he will see a three-story apartment complex. He said he agrees the retirement facility at one story is a good idea but the third-story building will be right in their faces and the garages will back up to their property line.

Parminder Rooprai, 7035 Blakemore Lane, said that he strongly opposes this plan. He said the builders already indicated this is going to be offered at a low cost around 1,900 square feet as the biggest unit. He said the average home in Post Preserve is 3,000 square feet. He asked why they are trying to integrate a low cost product with high cost homes. He indicated the builder has probably already figured the appreciation they would gain as well as the depreciation the current homeowners are going to see. He asked who would compensate the current homeowners for that depreciation. He said Hyland-Croy Road already has high traffic congestion and asked what the plan is to address that.

Carmine Spada, 7012 Post Preserve Blvd., said he has resided there since 2006. He said the word "rentals" was not presented by the developers at the meeting. He said 20 - 25 residents took a vote on Tuesday and all but one stated they did not want rentals in their community. He said they were told they

were rentals because it is not feasible otherwise but this evening they said they could be for sale at some time.

Lora Boukheir, 6957 Post Preserve Blvd., said they moved there to raise their children and are looking to the Commission to represent them. She said she lives in the fourth house and when she walks out her front door to sit on her porch, she already looks at a parking lot and a church that is at least three stories high and an apartment complex. She said less than a mile away is a healthcare facility and now she is to expect another three-story building in her backyard. She said she is looking to the Commission to protect her home so it does not depreciate in value. She said the moment she received the letter she asked why she should stay in this community and asked how she could sell it with no backyard. She said this proposal does not represent family or the Dublin she committed to for her children. She pleaded with the Commission to put themselves in her position as this is not good planning and zoning.

Jerry Merrell, 8742 Craigston, said he is a member of St. Brigid of Kildare and wanted to share the view from the seniors of that church. He said there are over 100 members and they are all looking for a "St. Therese of the north". He said he is very familiar with the Villas of St. Therese on the east side and to duplicate that in Dublin would be a plus for the community. He said he is not certain about the Schottenstein part of this proposal. He said a lot of people in his age group who are not ready to commit to moving into an assisted living or independent living facility and need something that they can step into short-term and then eventually move over to the St. Therese north area. He said he has been in the Columbus area since 1970 and has watched this city grow as well as the population of seniors increase. He said the age of people speaking against this appear to be younger than those with gray hair. He said he may be the only person speaking for the gray-haired group. He said they would like to stay in Dublin and the only way they can do that is if they have these kinds of facilities.

Eileen Martin, 5509 Villas Drive, Dublin, 43017, said she wanted to speak on behalf of the seniors in the community. She said she believes she is the oldest person in attendance but having a retirement community in Dublin is definitely needed. She said she moved here five years ago because she had to downsize and had children who lived here. She said most people her age, when widowed or with a spouse but is up in years, that is where you go, particularly if there are grandkids. She said you want to be close to them so they can visit you. She said she had considered Erikson when it was time for her to move but they were in Hilliard, and then the recession hit. She said she took a condominium because there was nothing else available. She asked that this proposal be considered. She said to the young folks, this may be someplace they will want to go in 30 years so they do not have to leave the community.

Jeffrey Smith, who spoke earlier, said he did not get a sense from anyone from the Post Preserve/Park Place that they do not want a retirement community there. However, he said they are looking for restrictions on the development to ensure that the older people have access to that community. He clarified that this land is not owned by Dublin but rather Jerome Township to ask Dublin to annex this land. He said if that does not happen, because we are not pragmatic about this, we could end up with something far worse. He said there are certain issues that need to be addressed like the three-story building, density, and rent vs owned.

The Chair closed the public portion of the meeting.

Amy Salay said the presentation by the developer was compelling in terms of the need for empty-nester housing as well as the apartments and assisted living. She said there is a lot of work to be done between the developers and the neighbors. She stated there is no way she could support this application in its present form. She indicated she assumed this was a 55 and older community and asked why that is not a part of it by placing restrictions on it. She said character based planning is important – creating a sense of place. She said the seniors and the current single-family neighbors will need to be well integrated so they can feel like this will be an enhancement to their community and not a detriment.

Ms. Salay said she was looking at the entryways and improvements need to be made. She said this neighborhood is losing their very attractive front door, essentially, because of the ODOT restrictions. She said the City made concrete expectations for the entrance. She said traffic calming is also important.

Ms. Salay asked if there is a way to reduce the height of the St. Therese portion, possibly spreading it out and taking away some from the apartment portion as this is very jarring for the neighbors that back up to it. She indicated she is generally ok with the architecture with the primary materials being brick and stone. She said she likes the idea of the connection with the atrium.

Ms. Salay said the apartments are not conducive to people living together as the way they are structured, turning their backs on each other. She said she would prefer to see where folks can be interactive and front porches are important. She said there is a lot of time between 55 and 80. She said there is no central park and asked where people are supposed to gather. She suggested moving this across the street and adding a mixed-use environment as opposed to big-box retail that is offensive.

Bob Miller said he is in agreement with Ms. Salay as the analytics are solid. He said this is really good land use. He indicated he was uncertain that single-family homes on a five-lane road would be appropriate. He looks at this as a buffer and could be an enhancement for the existing subdivisions. He suggested that the Schottenstein folks go the condominium route to solve the big problem with the neighbors or the 55-year old designation is worthwhile. He said he struggled with the height proposed as he views this as a gateway project. He indicated from the Hyland-Croy side, a lot could be done to make this property pop for people entering from the SR161/US 33 interchange. On the other hand, he said he is sympathetic or empathetic with the residents. He said he does not have a northern elevation so he is not certain what he is looking at. He said he appreciates the protection of the stream but would like to see a little more diversity in terms of how the empty-nester housing is aligned to create that connectivity. He understands this is not easy to do on this very thin piece of land but would like to see more connectivity, which would be appreciated by the neighborhood as well. He said he would like to see pictures of the existing properties at the Villas at St. Therese as they are 15 years old.

Cathy De Rosa said she agreed with her two colleagues that if it is going to be a retirement community, it should be designated as such. She said she does not see evidence that a person that starts in one end would actually move to the other end, speaking from her personal experience and the resident that stated they would want to stay near their children/grandchildren. She said the Villas at St. Therese appear to be one or two-stories on the website but the applicant confirmed they are three stories. She asked if consideration could be made for the height. She said she is concerned that if it is going to be a 55-year old designation if there would be some mobility. She said there is a need for this but for active seniors. She said this is an opportunity for families to be next to seniors and this needs to be figured out as a community but there is a lot of work to be done for this one to fit that bill. She said this works on this piece of property but there is a ways to go with the application.

Chris Brown said he is supportive of the retirement community overall. He said three separate neighborhoods should be designed: the Villas; the new entry to Post Preserve/Park Place; and then the northern section. He said it is crucial that the new entry to Post Preserve respects the community nature of Post Preserve as a whole. He said he agrees with Ms. Salay's comment that the units tend to turn their backs to each other; he likes a front porch presence if appealing to empty-nesters. He said he looked at Friendship Village, Villas at St. Therese, and First Community Village, which are all very low impact on the areas with very little traffic and few people walking about. However, he said there should be the opportunity to walk about as Ms. De Rosa just said; there is still a lot of vitality in these seniors. He noted there is no interconnectivity other than that bike path along Hyland-Croy Road and the community within needs to be engaged. He said the stream green space was respected but it disconnects the central portion to the north section. He said he understands we do not control Hyland-Croy Road but by living in a community east of Dublin Road, taking a left in the morning is brutal. He asked if there may be a roundabout opportunity, how to get people actually turning south on Hyland-Croy Road with 292 homes

in that community plus this particular community. He said the height on the north, west, and south portions do not terribly bother him but the part that engages Post Preserve are really looming over those properties and needs to be addressed. He said the eastern wing has the most impact. He stated anything this high of density has to be designated as 55 plus and could not support something that did not have that definition. He said everything we have learned through current market trends through what we are doing with the Bridge Street District and everything else, it does not bother him tremendously if they are rentals vs condominiums; he said there is incentive to keep standards up if there is one singular owner as opposed to elderly people that are wearing down and might not maintain the property as well.

Steve Stidhem said he agrees with almost everything that was said here. He said he appreciates the neighbors coming in and voicing their opinions. He indicated he is frustrated with the lack of leadership it seems in this neighborhood but that is another topic. He said it is way too dense, there is no community space, and the entrance to the neighborhood was not accommodated given the upcoming closure of Post Preserve. He said he visited the St. Therese AL website, which looked like a two-story building so he needs to physically visit the Villas. He said he hopes the community is maintained better than the website.

Victoria Newell said many of her comments mirror Mr. Brown's comments. She said she is not in favor of the three-story assisted living area next to the residents and suggested stair-stepping those elevations. She stated the overall land use is appropriate. She indicated the residents could end up with something substantially far worse so she hopes for willingness within this community to work with applicants that are considering developing this property. She said if it is developed within Jerome Township and outside Dublin's borders, the residents will have no control. She said with the closures, the residents are going to feel like they are driving through an apartment complex per the current layout. She said this really needs to be addressed better. She said the site is broken into three parts and maybe there could be a variety in the units for the center section to make this feel more like a community. She said the entry structure described, which houses the trash compactor kind of looks like a gatehouse and reminded the applicants this will be the first thing seen when arriving to this site and better served someplace else. She would like to see the SPCZ expanded upon. She noted a presentation was made very compassionately for senior citizen housing and yet there does not seem to be a limitation to restrict it to that. She asked the applicant is they were or were not going to place that age targeted restriction on this.

Mr. Hunter said the short answer is they had not contemplated doing that and it is not their intention to do that. He said they could go back and study it. He said sometimes you get unintended consequences when doing that such as restricting highly educated people in the age bracket of 45 – 53.

Mr. Schottenstein added the example of a person having a child in their 30's when the spouse passes away, in between creating a life for themselves, they have to come back and live with their 55 – 60 year old parent, they would not have the opportunity to be in here even for a short period of time.

Ms. Newell said there have been recent proposals in front of the Commission that were for elderly housing and could approach the limitations tonight's developer is looking at. She encouraged the applicant to research this further.

Mr. Hunter asked for clarity.

Ms. Newell said recent applicants were willing to put those restrictions upon those age limitations. She indicated there have been some conversations about a child that moves back home with you for a period of time so she thinks there are entities that are able to address that. She suggested there is something the applicant tonight could do in that instance.

Mr. Hunter said he would explore that before returning.

Mr. Stidhem inquired about a barrier or fencing between this and the housing on the behalf of the residents. Mr. Hunter responded there are no plans for a fence.

Mr. Schottenstein said the entry feature has not been designed yet and promised to work with the neighbors. He said they are considering a community garden, also where the residents can plant their own vegetables on individual plots.

For another resident, Mr. Stidhem asked what stage is this designed because it appears to have been presented to the residents as a final design and it is clearly not the case.

Mr. Hunter confirmed this is a Concept Plan.

Mr. Brown said the Commission is representing the residents but at the same time, it is an opportunity to create a nice buffer between you and what Hyland-Croy Road is going to be. He encouraged the residents to keep an open mind and work with the developers. He encouraged the developers to work with the residents particularly on the entrance and what it means to their neighborhood; it is not just their backyard, this is the entry because of the situation with ODOT.

Ms. Salay encouraged the developers to be sensitive to the neighbors considering your own home and what you would want to live next to.

The Chair called for a five minute recess.

3. Ballantrae Woods Cosgray Road
15-004Z/PDP/PP Rezoning/Preliminary Development Plan/Preliminary Plat

~~The Chair, Ms. Newell, said the following application is a request for review and recommendation of approval to City Council for a rezoning to a Planned Unit Development District for a single-family residential development on a 49-acre site, east of Cosgray Road and north of the Conrail railroad tracks. She said this is also a request for review and recommendation of approval to City Council for a Preliminary Plat for the lots, reserves, and rights-of-way.~~

~~Devayani Puranik presented the site and said this development has been reviewed several times. She noted a Cosgray Rings Road connector is proposed along eastern property line -- Churchman Road. She said east of Churchman Road is the Links at Ballantrae, a multi-family development and further east is the Woodlands at Ballantrae. She said parcels along southwest corner of the property are within Washington Township in the Village of Amlin, which is outside of the Dublin corporate boundary. She described the character of this area as village residential with limited commercial activity along Rings Road where a pizza shop is located. She said the existing tree cover is present within the northern section and mature tree rows are present along the railroad tracks.~~

~~Ms. Puranik stated this case was presented informally to the PZC on September 18, 2014. She said the Concept Plan was presented on April 2, 2015. She said today's stage is the first formal stage to establish a Planned Unit Development. She said depending on the Commission action this evening, it could move forward to City Council for final approval.~~

~~Ms. Puranik explained there are two zoning classifications for this site. She said the northern portion of the property is zoned PLR-Planned Low Density Residential and the southern portion of the site is zoned R-Rural.~~

~~Ms. Puranik presented the Future Land Use/Southwest Area Plan maps. She said the Community Plan recommends "Mixed residential-Medium Density" for this site, which is meant for walkable, pedestrian~~