

**Municipal Prosecutor in the Delaware Municipal Court.**

Vice Mayor Lecklider introduced the resolution.

Mr. Smith stated this is an annual agreement with the prosecutor, and the expense associated with the contract is less than \$1,000.

Vote on the Resolution: Ms. Salay, yes; Vice Mayor Lecklider, yes; Mrs. Boring, yes; Mayor Chinnici-Zuercher, yes; Mr. Reiner, yes; Mr. Keenan, yes; Mr. McCash, yes.

**Resolution 80-06**

**Authorizing the City Manager to Execute a Lease Amendment with GTN Corporation Dublin Village Tavern.**

Vice Mayor Lecklider introduced the resolution.

Ms. Brautigam stated this is an amendment to the lease to permit an expansion of the business premises. It also addresses the lease rate consistent with the market rate of \$9 per square foot.

Ms. Salay asked if that is a competitive rate in the Historic District.

Ms. Brautigam responded affirmatively.

Mayor Chinnici-Zuercher asked for the current lease rate in the contract.

Ms. Brautigam responded it is \$9 at this time; this amendment merely increases the square footage to which the rate applies.

Mayor Chinnici-Zuercher noted that Mr. Picciano had sent an e-mail to Council, indicating he could not attend tonight's meeting, but that he was pleased to be expanding in Historic Dublin.

Mr. Keenan asked for the term of the new lease.

Mr. Smith responded that it is an amendment to the existing lease, but cannot recall the term of the original lease at this time.

Mr. Keenan asked about the tenant improvements and whether the real property comes back to the City at the end of the lease.

Mr. Smith responded that the real property comes back to the City. He added that the Historic Dublin area was notified of the 90-100 day closing of the Village Tavern to allow for this expansion. The staging area will be behind the building. The renovations will increase the patio space in the front. They will stay open for a portion of the construction period.

Mayor Chinnici-Zuercher noted she would like information about the length of the lease.

Mr. Smith will provide a memo to Council about the lease term.

Vote on the Resolution: Mayor Chinnici-Zuercher, yes; Mr. Keenan, yes; Mr. Reiner, yes; Mr. McCash, abstain; Mrs. Boring, yes; Ms. Salay, yes; Vice Mayor Lecklider, yes.

Wallace Maurer, 7451 Dublin Road noted there is a typographical error in the title of the resolution, which should be corrected.

**OTHER**

• **Post Preserve Access Modification**

Ms. Cox stated that the development of the Post Preserve subdivision and the improvements to the US 33/SR 161/Post Road interchange have been interwoven from the beginning. In 1999 and 2000, the City began discussions with a couple of developers about the annexation and subsequent rezoning of the properties that are now known as the Post Preserve subdivision. In early 2001, the City approved the Post Preserve preliminary plat, which created the base roadway and lot layout for the subdivision. Simultaneous with the preliminary plat review process, the City conducted a study of the Post Road/US 33 interchange to determine the best interchange configuration to improve the level of service and accommodate future traffic volumes. The study identified feasible alternatives and recommended a preferred configuration. It did not address the right-of-way that would be required or the specific geometry requirements, including the intersection spacing along the local roadway network connecting to the freeway system. A detailed timeline of the Post Preserve subdivision and interchange projects has been provided in Council's packet materials.

The Ohio Department of Transportation (ODOT) approved the recommended configuration for the interchange in December 2001; that configuration has also been

provided. In February 2002, Council approved the recommended configuration for the interchange. At that time, the recommendation was that the SR 33 off ramp would be located at Hyland-Croy Road and connect with Industrial Parkway. The study did not address the areas beyond Industrial Parkway or Hyland-Croy Road. With the development of the Dublin Methodist Hospital and other economic development opportunities, including the Central Ohio Innovation Center, the need of improving the US 33/SR 161/Post Road interchange much earlier than anticipated became apparent. In September 2005, the City decided to move forward with improvements. To do so, ODOT required an update to the interchange study with revised traffic projections to year 2030. An interchange modification study addendum was approved by ODOT on April 4, 2006, which provides that Industrial Parkway would be relocated to the west. The northbound US 33 ramp would remain at the Hyland-Croy Road location.

Discussions with ODOT regarding limited access right-of-way also occurred. ODOT prohibits limited access for 600 feet from the ramp curvature east and west of the interchange. Therefore, no access is permitted on Post Road west of the interchange to the approximate location of the Buckeye Check Cashing site at 7001-7003 Post Road. To the east, access is restricted to just past the Post Preserve Boulevard in the Post Preserve subdivision. Consequently, ODOT has indicated that the current Post Preserve Boulevard/Post Road intersection must be eliminated before the interchange becomes operational. ODOT will also retain control of the immediate area of influence at the off ramp at Hyland-Croy Road. In an undeveloped area, that is an area of approximately ½ mile, or 2,640 feet. In this case where there is already development, ODOT will reduce the requirement to ¼ mile or 1,320 feet. However, the distance between the ramp terminal intersection at Hyland-Croy Road to the existing Post Road/Perimeter intersection is 1,000 feet; therefore, ODOT will not permit the relocation of the Post Preserve Boulevard access to the east.

A second addendum was approved by ODOT on September 12, 2006 revising the use of traffic signals at the ramp terminals to modern roundabouts to accommodate the anticipated traffic volume.

Although Post Preserve has two connections to the surrounding neighborhoods, Post Preserve Boulevard is the main entrance into the subdivision. Staff recognized that the removal of the intersection of Post Preserve Boulevard with Post Road would have significant impact on this neighborhood. Therefore, an extensive public involvement process was initiated. A public meeting was held on January 5, 2006 to educate the residents on the road changes. Following input received at that meeting, five alternatives were developed for access into the neighborhood:

- Alternative 1 - Stillhouse Lane extension to Hyland-Croy Road
- Alternative 2 – Holbein Drive extension to Hyland-Croy Road
- Alternative 3 – Roundabout at Post Road and Perimeter Drive with Post Lake Court extended
- Alternative 4 – Roundabout on Perimeter Drive with Post Lake Court extended and Post Road realigned
- Alternative 5 – New public road from Post Preserve Boulevard through the church property to Post Road.

Those alternatives were discussed at a second public meeting on February 16, 2006. ODOT representatives attended the meeting and provided explanations. Staff provided an update to Council on March 29, 2006. The residents indicated:

- A preference for Alternative 3 as first choice
- A preference for Alternative 1 as second choice
- An interest in maintaining the aesthetic appeal of the current Post Preserve Boulevard entrance and re-creation of a main entrance feeling
- Concerns regarding the use of the Post Preserve subdivision road by neighboring developments to access Hyland-Croy and Post Roads, resulting in safety and traffic volume issues
- Concerns regarding decreased property values
- Belief that they are “paying a price” for poor planning by the City.

A third public meeting was held on April 12, 2006, at which three alternatives were

discussed:

- Alternative 1A – Extension of Stillhouse Lane to Hyland-Croy Road
- Alternative 1B – Extension of Stillhouse Lane and Springview Lane to Hyland-Croy Road
- Alternative 3 – Roundabout at Post Road and Perimeter Drive with Post Lake Court extended.

After extensive consideration, staff's recommendation is Alternative 1B on the basis that it best addresses traffic safety and volume issues on Post Road and Hyland-Croy Roads. While construction of this alternative would occur in one phase, the cost of future improvements to the intersection would be programmed in the CIP process. It is anticipated that at a minimum, a southbound left turn lane will be necessary the year after the construction of Alternative 1B. A modern roundabout will be evaluated as an alternative intersection control. The proposed size (250-foot diameter) is substantially larger than the one at Muirfield Drive and Brand Road (180 feet). The current estimate is \$1.3 million. Total current estimate for Alternative 3 is \$2.75 million.

Ms. Cox noted that there is undeveloped property between the Post Preserve subdivision and Hyland-Croy Road that is owned by Roger Gorden, and between US 33 and Hyland-Croy Road, which is owned by the Wirchanski's. These properties are potentially developable. Three alternative land use scenarios for the Gorden property have been included in the packet materials. In summary, staff's recommendation is for the construction of Alternative 1B along with the development of the Gorden property.

Mrs. Boring inquired how an alternative can be modified to achieve more creativity. Ms. Cox stated that, fortunately, there is time with this project to work out the details with the developer. The most critical need is to receive direction from Council regarding which alternative to pursue.

Mrs. Boring inquired if the recommendation is to extend the two lanes into one lane on Hyland-Croy.

Ms. Cox confirmed that is the recommendation.

Mr. Keenan inquired if the small amount of land adjacent to either side of the single entry point to Hyland-Croy Road would be taken by the City.

Mr. Smith indicated that the land could be setback. Legal staff and Engineering staff have met with the property owner and his counsel regarding potential use of that land, depending on alternative road cuts.

Mr. Hammersmith noted that Alternative 1B provides for a 100-foot setback versus 200 feet, which is currently used on Park Place.

Mayor Chinnici-Zuercher inquired why a larger setback than 100 feet could not occur.

Mr. Smith responded that if the City took more than 100 feet for setback, the property owner would perceive that the City had effectively taken half of his property. After the road is constructed, there would be very little left to develop.

Vice Mayor Lecklider referred to the land use scenarios of 1A and 1B. Is scenario 1B feasible?

Mr. Combs responded that with scenario 1B, staff was attempting to show that there are other ways to design the property than with the standard grid pattern. Other designs could address Council's concerns expressed at the last work session, providing something more Dublin-like in character.

Vice Mayor Lecklider noted that all the options are residential.

Mr. Combs responded that at the last work session, a third option was provided for one-story office condominiums that were residential in appearance. Examples of alternative housing types were included, using some examples from Franklin, Tennessee.

Vice Mayor Lecklider inquired if something similar to the Oak Park multi-family development would be possible.

Mr. Combs confirmed that was the intent – to show that something other than single family could be used to provide a transition from the existing single-family development.

Ms. Salay inquired which existing residential development Mr. Combs refers to – the development between the freeway and Hyland-Croy Road?

Mr. Combs responded that he refers to the existing Post Preserve lots. The attempt was to suggest a "like use" on the Gorden property that could back up to those lots.

Ms. Salay inquired what might be suggested for a westerly transition.

Mr. Combs responded that staff is working on a concept for office research use that could include other types of services.

Ms. Salay noted that the City does not have full control over that property for development.

Mr. Combs responded that staff is attempting to achieve a concept that would effectively allow the City to coordinate development on both sides of the street.

Ms. Salay responded that she believed the attempt was to be made to protect Post Preserve from future development across the road, in the event the City could not control or influence the zoning as desired.

Mr. Combs responded that is the objective of the transitional use. There are site constraints. The narrow width of the property and length of frontage can result in a taking issue, depending on the required setbacks. The attempt would be made to work with a developer who would develop the property to design a layout with less than 200-foot setbacks, in some areas pushing the architecture close to the street and in others pulling it back to provide views of the site.

Ms. Salay stated that she is pleased to learn there was discussion about multi-type housing, as opposed to multi-family. She recently read an email in which the suggestion was made to curve Post Preserve Boulevard around and "t" it into Post Road, making it a simple intersection. Couldn't that be an alternative – a simple intersection -- instead of a roundabout?

Ms. Cox responded that this falls within the area of influence of a ramp terminal. ODOT controls the way in which access occurs east of the ramp terminal. Staff has discussed the possibility of moving Post Preserve Boulevard just east of that line with a right in/right out, but it did not receive ODOT approval.

Mr. McCash inquired if Alternative 3, a five-star roundabout, would meet ODOT's standards.

Mr. Hammersmith responded this is considered an adaptation of the existing intersection with Post Road. They can accept the Post-Perimeter intersection's 1,000-foot spacing, although it is not ideal. It works with the travel model.

Mr. McCash inquired if ODOT would have permitted a roundabout at this location if the Post Road intersection did not exist.

Mr. Hammersmith confirmed that if it did not already exist, creating one at 1,000 feet would not have been approved,

Ms. Cox stated that the other issue was related to moving Post Preserve Boulevard to just east of the limited access line, because the spacing between it and the current Post Road intersection would be reduced to approximately 300 feet. With the traffic volume level, the interaction between those two intersections would not be acceptable.

Vice Mayor Lecklider inquired about the need to modify Liggett Road.

Ms. Cox responded that public road access is necessary for the businesses located in the large building in that area, and further down, there is a fiberglass boat business. Liggett Road will be altered to bend around the north side of that building over to the intersection of Post and Perimeter, making it a four-legged intersection.

Vice Mayor Lecklider inquired if there are any other access alternatives for Liggett Road.

Ms. Cox responded that it could possibly be run to the south. However, the intent is to impact as few properties as possible.

Mr. Hammersmith noted that the expectation is that with the redevelopment of that area within 10 to 15 years, the public road system will be reconfigured, including Liggett Road. This will likely be a short-term solution.

Ms. Cox stated that when Perimeter Drive was constructed to the west, the intent was to provide access for those properties. The curb cut was already in place. If it does redevelop, that access will remain.

Vice Mayor Lecklider inquired if that lies outside the area of influence. Mr. Hammersmith confirmed it is outside the 1,320-foot limitation.

Vice Mayor Lecklider inquired if that would impact the decision regarding the roundabout.

Ms. Cox stated it would not. The geometry of this roundabout would not be typical with all of the accesses "squared in." This one would have sharp angles, but the concerns are not related to the Liggett Road access.

Vice Mayor Lecklider stated that the Gorden property is not currently within the City limits, and an annexation would have to be initiated by the property owner. Mr. Hammersmith responded that is correct. The property is within Dublin's exclusive water and sewer service area, and discussions have occurred with the property owner.

Vice Mayor Lecklider inquired about the width of Stillhouse and Springview. Ms. Cox responded that they are currently local streets, which are built with a 28-foot width.

Vice Mayor Lecklider stated that the concern is that those streets do not have the width to carry increased traffic.

Mr. Hammersmith stated they would have adequate width. During the recent Community Plan update process, a need to eliminate construction of 36-foot collector streets has been identified. In the future, streets of that width will not be constructed, as wider roads encourage traffic to move at higher speeds. A 28-foot street allows parking on one side only, typically restricted on the side containing fire hydrants. A 28-foot street can handle 1,500 cars/day without difficulty, although Dublin tries to limit that to 1,000-1,300 vehicles/day,

Vice Mayor Lecklider inquired about the existing width of Post Preserve Boulevard. Mr. Hammersmith responded that the lane width is 16 feet, not including the median. A lane width of 12 feet presents a safety concern, in that a delivery truck or wide vehicle parked on the street could block emergency vehicle access.

Mayor Chinnici-Zuercher invited public comment.

Suresh Kumar, 6730 Stillhouse Lane stated that he and his family moved from Dallas, Texas to Dublin over a year ago. He works at Limited Brands, so the first location considered for their move was New Albany. He selected Dublin because of its reputation, and initially, was not disappointed. Within a month of moving to Dublin, it was necessary for him to contact the City regarding a pond issue. Within three hours, the City responded to the situation and addressed the problem. In his 25 years in the United States, living in six different states, he had never experienced that level of responsiveness. Unfortunately, not long thereafter, he and his neighbors learned that the current, beautiful entrance to Post Preserve Boulevard would be eliminated. Had he known on October 13, 2005 that this entrance would not be his primary entrance, he would not have purchased this home. Last Wednesday, a neighborhood petition was initiated. (He distributed copies to Council members.) Within three days, 57 homeowners had requested the City retain a primary entrance to the Post Preserve Boulevard from Perimeter/Post Road, not Hyland-Croy Road. The primary entrance should be through a single-family neighborhood, not condominiums, commercial or other types of development. They further request that the land between the Post Preserve neighborhood and Hyland-Croy should be restricted to single-family development. The residents are relying upon their Council representatives to listen to them and do something about this situation. The question arises of why the City did not know in 2000 that this entrance should not be built. He, along with other residents, has waited two hours tonight to address Council about this matter.

Mike Pugh, 7183 Springview Lane stated he moved to Dublin five years ago because of: (1) how residents are treated and community issues are handled; (2) safety, security and standards; (3) quality of people, neighborhoods and resources provided; (4) good investment; and (5) his wife is a teacher in the Dublin school district. His brother lives in Ballantrae, but he and his wife chose Post Preserve due to its appearance and its proximity to the new hospital and retail. Similar to Mr. Kumar, shortly after moving into

the neighborhood, he had an experience with City responsiveness that impressed him. Later, his impressions regarding the City's responsiveness to the residents has been altered. One observation he has made concerning the process is that nothing has changed since January. The fact is, Option 1A and Option 1B are all conjecture – dependent upon what Mr. Gorden decides to do. The existing Gorden Farms is an apartment complex. Options 1A and 1B range from apartments to condominiums, commercial, and professional offices. That was not his expectation for this neighborhood, and if he had been aware of this potential, he would have moved to Ballantrae. They purchased a home in an upscale, single-family neighborhood never anticipating that in the immediate future they would be required to drive through a business area and apartment development to reach their neighborhood. He is surprised this discussion is even occurring. He would have expected that annexation of the area would have occurred first so that control of the area is assured before considering a decision to alter the primary entrance of a neighborhood of \$350,000 - \$450,000 homes. A couple of months ago, he attended a City meeting at which the proposal to remove some trees at the entrance to the Tartan West development was reviewed. This is not a few trees. It is an entire entrance of some significance. Again, until annexation occurs, there is no control – there is only conjecture. Until something is seen from Mr. Gorden, it is not fair to make a decision on this. He trusts Council will not make a decision based upon a hope that Mr. Gorden will decide upon a use that is not objectionable. It is important to ensure that the community has what it wants before a decision is made.

Matthew Peacham, 6916 Post Preserve Boulevard stated that he agrees with all the sentiments already offered. None of the homeowners in the neighborhood anticipated the current entrance being closed when they purchased their homes. He understands the desire to maintain the southern entrance. Although the roundabout was his idea at an earlier meeting, he now has concerns regarding safety. He also is concerned about the use of the Gorden property. He believes that extending stub streets as originally intended would give the neighborhood more control over the property use. The expectation of those who purchased homes in this neighborhood was for a single-family neighborhood. It is not fair to change the entrance of this neighborhood to office or multi-use. It will impact the property value of the neighborhood. He would be interested in hearing the Council members' preferences for use of that land if it were annexed.

Raji Subramanian, 7225 Springview Lane stated that the road is not wide enough for two-way traffic. For ten years, he and his wife saved money to permit them to move to Dublin. He works for BMW, which recently relocated to Hilliard. Although they could have enjoyed the tax benefit of also locating in Hilliard, they purchased a home in Dublin. He loves Dublin and anticipated the benefits of having his children grow up here in a beautiful, green area. This has become an emotional issue for him – their dreams have been shattered. He wants to have faith in the City leadership. He urges Council to consider preserving the present entrance and the single-family zoning of this area.

Ken Oshida, 7067 Blakemore Lane stated that during the first meeting in January, City staff indicated the intent was to find a solution that would affect the least number of residents. Now, after receiving 57-58 resident petitions, the City has come up with a proposal that affects a great number of residents. Although his preference is that the current entrance be maintained, that is not possible due to roadway limitations. However, the southern entrance to Post Preserve should be maintained, as only a couple of residences would be impacted. At Post Lake, there are currently no residents – only a model home and home for sale. Regarding the suggestion to make Stillhouse the entrance street, the street is too narrow. He lives at the corner of Blakemore and Stillhouse. He and his neighbors have weekend visitors who park on that street and two vehicles cannot pass through at the same point. On the other hand, Post Preserve Boulevard was designed to be the entrance to the neighborhood.

Bill Razor, 6857 Holbein Drive stated that although he also prefers the current entrance, that does not seem an option, given the factors. His issue now is with who has control of the land. The intended use of the land must be known before the City can make an educated decision. At a minimum, only conditional approval should be given – that only single-family development can occur there, or something similar. This is the least that should be done for the Post Preserve residents. Adjacent single-family development could maintain an equivalent neighborhood for Post Preserve. Development as

condominiums, multi-family or offices would not continue an equivalent neighborhood. Another issue is that Post Preserve has to maintain all the land around its entrance. That is fair when the land is an asset to the community. However, Post Preserve should not be responsible for maintaining a dead-end street.

Mayor Chinnici-Zuercher stated that various ideas have been presented by staff regarding the Gorden property -- commercial, residential and a combination of both. Currently, the City is in the process of updating its Community Plan, and during that process the City looks at development scenarios for all properties currently undeveloped. To the west of this area is Hyland-Croy. This property has recently been rezoned to permit the construction of big box retail. The City now has to look at transitional uses in this location.

Ms Salay agreed. The issue is how best to transition from the land use that is likely to be approved between the freeway and Hyland-Croy, moving eastward toward Post Preserve.

Mrs. Boring noted the question is how best to buffer the neighborhood. Because that parcel of land is narrow, the issue is achieving a reasonable setback, while leaving sufficient land to be developed. Staff has indicated that it would not be economically feasible to have all single-family development on that parcel.

Mr. Hammersmith agreed. The need is for a transitional use. It would be difficult to place single family in that location and have all office, retail and commercial uses to the west. The second issue is that a single-family lot layout would not be possible with 200-foot setbacks.

Mr. Combs agreed. Given the configuration of this property and the setbacks required by City zoning laws, the cost to develop a single-family subdivision on that property would not make it economically feasible.

Mr. McCash inquired if consideration has been given to the market value of those homes, in view of the fact that in all probability there will be a large format retail center across the street.

Mr. Combs stated that given the possibility of what could be developed across the street, the anticipated traffic volume and the proximity to the interchange, it is unlikely a developer would be able to place a higher-end single-family development on that site. Perhaps a higher price point of multi-type housing – townhouses, row houses, or condominiums would be more likely. There would be no market for a single-family subdivision adjacent to a major arterial and interchange.

Mr. Keenan stated that over the past two years, there have been many meetings concerning the development of the properties across the street, in particular the possibility of big box retail on the Wirchanski property. The City is trying to be proactive, but it has no control over the transitional use in Jerome Township or on the Gorden property.

Mayor Chinnici-Zuercher requested clarification of the width of the road and staff's recommendations.

Mr. Hammersmith responded that in residential areas, two road widths can occur: (1) a 36-foot, back-to-back curb, on which parking is permitted on both sides, and (2) a 28-foot, back-to-back curb, on which parking is permitted on one side only. It is doubtful that Stillhouse and Springview are posted as "no parking" on the side with hydrants, because the City generally waits to observe the interaction of the neighborhood. If the need is evident, "no parking" signs are posted on that side of the street. The Post Preserve plat does reflect that there is no parking on the side of the street having fire hydrants.

Mayor Chinnici-Zuercher inquired about the homeowners association's responsibility to maintain the entrance to the subdivision. How would this issue be handled?

Ms. Brautigam responded that issue has not been discussed. Tonight was the first she heard of this, and it is a valid question. She will contact the Parks Division to determine

whether the City has the ability to maintain that area, and she will report back to Council.

Mrs. Boring stated that if a new neighborhood were to be developed in that location, it would be that neighborhood's responsibility.

Mr. Hammersmith responded that has been part of staff's discussion with Mr. Gorden.

He summarized that staff's recommendation is to pursue the extension of Stillhouse and Springview in conjunction with the development of the Gorden property. If that were to develop as single-family or mixed use, it would be the City's intent to have them maintain the entrance.

Ms. Brautigam stated that the new entrance to Post Preserve would be the responsibility of the homeowners association. Perhaps the closed entrance would become the City's responsibility.

Vice Mayor Lecklider stated that the issue is what is developable on this property and the Gorden property. He emphasized that an annexation process is not initiated by the City; but by the property owner. Although the City works cooperatively with developers, the intent is not to base decisions upon whether or not they benefit the developer. The alternative is to impose a use that could result in a lawsuit to the City. There are many considerations in trying to achieve the best possible result, and the City has tried to protect the residents' interests.

Mayor Chinnici-Zuercher stated that this decision is not exclusively Dublin's. She requested clarification of ODOT's role in this decision.

Mr. Hammersmith stated that although the proposal is that Dublin would fund the project at 100 percent, the ultimate approval of the project is ODOT's. This is an ODOT interchange on a U.S. highway involving a state route. It is ODOT who determines how the interchange is improved, according to their standards in regard to limited access right-of-way, interchange and ramp configuration. The City is involved in the process, but the project is approved by ODOT. In summary, the City must abide by ODOT's guidelines, even though the City is paying for the project.

Vice Mayor Lecklider stated that he assumes the realignment of Industrial Parkway to the west, which is included in the improvements, is also an ODOT requirement. Mr. Hammersmith confirmed that is correct.

Mayor Chinnici-Zuercher noted that ODOT has standards in place to ensure the safety of the state's transportation system.

Mr. Hammersmith agreed. Due to their experience, they look at projects in view of the long-term operational efficiency.

Mr. McCash stated Hyland-Croy is the western boundary of the City's exclusive water and sewer agreement area. Has that been explained in the public meetings? In order for the Gorden property to be developed by another jurisdiction, the City of Dublin would need to grant approval.

Mr. Smith stated that the only exception would be if the development remained within the township and secured approval of an on-site system. However, that is unlikely to occur.

Mr. McCash stated that the City is likely to have more control over this site in the future. Mr. Smith stated that the City is trying to find a reasonable alternative to a City taking of the land.

Mr. McCash stated that a resident suggested that the City impose a condition on the approval of this property, but the City cannot do so, as there is no pending application. Mr. Smith stated that any landowner has the right to seek annexation if they meet all the tests for property contiguity. The roadway issue cannot be tied to the zoning issue. However, the City does control the water and sewer access to this property, which will influence the development. For instance, the City could say it does not want to provide water and sewer to a large format retail development.

Ms. Salay inquired about the cost difference between a roundabout and staff's recommendation – is it approximately \$500,000?

Mr. Hammersmith indicated that is correct, if the City funds the project 100 percent. However, with Alternative 1B, the City anticipates financial participation from the developer of the Gorden property. For the intersection improvement at Hyland-Croy Road, the City anticipates working with the owner of the Wlrchanski property. There is no means available to reduce the cost of Alternative 3; in fact, the cost may be higher.

Ms. Salay inquired if staff's assessment is that the roundabout would not be the safest option.

Mr. Hammersmith responded that it is a feasible option. Staff's concerns are that: (1) the design of that roundabout would not meet driver expectations; (2) the roundabout would not ensure the long-term balance of traffic on Perimeter Drive; and (3) it may become difficult for Post Preserve residents to easily enter the arterial system. In summary, staff has concerns about the ability for residents in the future to navigate this road system.

Vice Mayor Lecklider stated that the Community Plan update has not yet been approved, but hasn't the use of this property been determined as residential?

Mr. Combs responded that has not yet been determined. Discussion occurred in a work session a few months ago, and there was resident consensus on residential use only. During a more recent work session with Planning Commission, questions were raised that resulted in staff looking at the three alternatives in the meeting materials. However, due to public comments, staff will bring back revised area plans to a future work session. Staff has noted the residents' concerns, including the desire to maintain a single-family entrance to their subdivision, and will try to develop a plan that will achieve as many of those objectives as possible. At this time, there is not a plan that has been approved by consensus.

Vice Mayor Lecklider inquired if it is staff's intention to bring back a proposal that is residential only.

Mr. Combs responded that will be one of the options. Multiple options will be looked at. Council will also be provided a report that contains the resident comments staff has received. At this time, there is not a clear consensus on what the land use should be.

Mr. Keenan stated it was his understanding from the previous work session that there was a clear consensus that the use be residential.

Mayor Chinnici-Zuercher noted the direction given was that Council wanted more input from the residents.

Ms. Salay stated it was her understanding that the residents were interested in residential use, although perhaps some office could be mixed in.

Mr. Keenan suggested that the office use could occur within a transitional use in the front of the property.

Mayor Chinnici-Zuercher stated that the issue is with the type of residential, and staff has indicated that high end, single-family is not economically feasible.

Mr. Keenan stated that there are clearly two issues: (1) the use of the Gorden property and (2) the access modification.

Mayor Chinnici-Zuercher requested a motion.

Ms. Salay moved to approve staff's recommendation of Alternative 1B for the property. She noted that Council understands the residents' disappointment with the proposed changes to their neighborhood and has tried to be responsive to them. She has faith that whatever develops on this site will be the best plan. The neighborhood entrance may be different from what it was when their homes were originally purchased, but it will reflect the same quality.

Mr. Reiner seconded the motion.

Vote on the motion: Mr. Keenan, yes; Mr. Reiner, yes; Ms. Salay, yes; Mr. McCash, yes; Mrs. Boring, yes; Mayor Chinnici-Zuercher, yes; Vice Mayor Lecklider, yes.

- **Water and Sewer Report**

Ms. Hoyle noted that Desmond Cullimore, Utility Engineer accompanies her this