



CITY OF DUBLIN

Land Use and
Long Range Planning
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City of Dublin Planning and Zoning Commission

Planning Report

Thursday, August 19, 2010

Tartan Ridge PUD, Subarea D-2, Section 3, Lot 160 – 9359 Burnett Lane

Case Summary

Agenda Item	6
Case Number	10-043AFDP/FP
Proposal	Modifications to a previously approved and recorded access easement for Lot 160 of Section 3 of the Tartan Ridge subdivision
Request	<p>Amended Final Development Plan and Final Plat</p> <p>Review and approval of a <u>amended final development plan</u> under the Planned District provisions of Zoning Code Section 153.050 to revise a previously approved access easement.</p> <p>Review and approval of a <u>final plat</u> for a single-family lot under the provisions of the Subdivision Regulations Section 152.085 through 152.095. The final plat will require a recommendation to City Council.</p>
Site Location	<p>9359 Burnett</p> <p>Located on the west side of the roundabout intersection of Burnett Lane with Tartan Ridge Boulevard.</p>
Applicant	M/I Homes of Central Ohio LLC.
Representative	Edward Miller, EMH&T.
Case Manager	Claudia D. Husak, Planner II (614) 410-4675 chusak@dublin.oh.us
Planning Recommendation	Approval of the amended final development plan without conditions; approval of the final plat with one condition.

Facts

Site Area	0.312 acre
Zoning	PUD, Planned Unit Development District, Tartan Ridge
Surrounding Zoning and Uses	<ul style="list-style-type: none"> • Tartan Ridge PUD allows mix of residential and commercial uses • Only residential approved so far • All surrounding land is in the Tartan Ridge PUD • Glacier Ridge Elementary School is on the east side of Hyland-Croy Road, surrounded by Tartan Ridge and is zoned R, Rural District.
Site Features	Rectangular lot; no topographic features.
Case Background City Council	<p>October 19, 2009: Section 3 final plat approved June 18, 2007: Section 1 final plat approved March 19, 2007: Rezoning with preliminary development plan approved</p>
Case Background Planning & Zoning Commission	<p>Approval for Section 2 by City Council is pending. In July 2009, Tartan Ridge was the site for the BIA Parade of Homes, where 11 builders showcased their homes.</p> <p>February 1, 2007: Rezoning/preliminary development plan recommended for approval May 17, 2007: Section 1 final development plan/final plat approved April 3, 2008: Section 2 final development plan/final plat approved September 18, 2008: Amended final development plan for changes to the architecture requirements of the development text tabled September 17, 2009: Section 3 final plat recommended for approval and final development plan approved</p>
Development Context	<p>The Planned Unit Development includes 246 single-family lots, 24 townhouse units, approximately 68,500 square feet of commercial space, and 69.14 acres of open space. Subarea D-2 consists of a 7-acre block centrally located in the development approved for 17 single-family lots with direct street access.</p> <p>Lot 160 was approved with an easement for a shared driveway with Lot 159 due to the lots fronting onto the roundabout. At the time of final plat approval the easement dimensions were estimated and the home footprint proposed for Lot 160 now encroaches into the recorded easement. The applicant wishes to record a new final plat for Lot 160 to revise the easement. The revision will have no effect on the shared driveway requirement or the driveway's required location away from the roundabout.</p>

Analysis

Amended Final Development Plan

7) Landscaping to enhance, buffer, soften building & site.	Not applicable.
8) Stormwater management that is compliant with the Zoning Code.	Not applicable.
9) All phases comply with the previous criteria.	Not applicable.
10) Compliance with all other local, state, and federal laws and regulations.	Criterion met: The proposal complies with all other known applicable local, state, and federal laws and regulations.

Recommendation

Summary

In Planning's opinion, this proposal complies with the development text, the amended final development plan criteria and the existing development standards within the area. Approval is recommended without conditions.

FINAL DEVELOPMENT PLAN

The purpose of the Planned Unit Development process is to encourage imaginative architectural design and proper site planning in a coordinated and comprehensive manner, consistent with accepted land planning, landscape architecture, and engineering principles. The PUD process consists of up to three stages:

- 1) Concept Plan (Staff, Commission, and/or City Council review and comment);
- 2) Zoning Amendment Request (Preliminary Development Plan; Commission recommends and City Council approves/denies); and
- 3) **Final Development Plan (Commission approves/denies).**

The intent of the final development plan is to show conformance with and provide a detailed refinement of the total aspects of the approved preliminary development plan (rezoning). The final development plan includes all of the final details of the proposed development and is the final stage of the PUD process. The Commission may approve as submitted, approve with modifications agreed to by the applicant, or disapprove and terminate the process. If the application is disapproved, the applicant may respond to Planning and Zoning Commission's concerns and resubmit the plan. This action will be considered a new application for review in all respects, including payment of the application fee. Appeal of any action taken by the Commission shall be to the Court of Common Pleas in the appropriate jurisdiction. Following approval by the Commission, the applicant may proceed with the building permit process. In the event that updated citywide standards are applicable, all subsequently approved final development plans shall comply with the updated standards if the Planning and Zoning Commission determines that the updated standards would not cause undue hardship.

Review Criteria

In accordance with Section 153.055(B) *Plan Approval Criteria*, the Code sets out the following criteria of approval for a final development plan:

- 1) The plan conforms in all pertinent respects to the approved preliminary development plan provided, however, that the Planning and Zoning Commission may authorize plans as specified in § 153.053(E)(4);
- 2) Adequate provision is made for safe and efficient pedestrian and vehicular circulation within the site and to adjacent property;
- 3) The development has adequate public services and open spaces;
- 4) The development preserves and is sensitive to the natural characteristics of the site in a manner that complies with the applicable regulations set forth in this Code;
- 5) The development provides adequate lighting for safe and convenient use of the streets, walkways, driveways, and parking areas without unnecessarily spilling or emitting light onto adjacent properties or the general vicinity;
- 6) The proposed signs, as indicated on the submitted sign plan, will be coordinated within the Planned Unit Development and with adjacent development; are of an appropriate size, scale, and design in relationship with the principal building, site, and surroundings; and are located so as to maintain safe and orderly pedestrian and vehicular circulation;
- 7) The landscape plan will adequately enhance the principal building and site; maintain existing trees to the extent possible; buffer adjacent incompatible uses; break up large expanses of pavement with natural material; and provide appropriate plant materials for the buildings, site, and climate;
- 8) Adequate provision is made for storm drainage within and through the site which complies with the applicable regulations in this Code and any other design criteria established by the City or any other governmental entity which may have jurisdiction over such matters;

FINAL PLAT

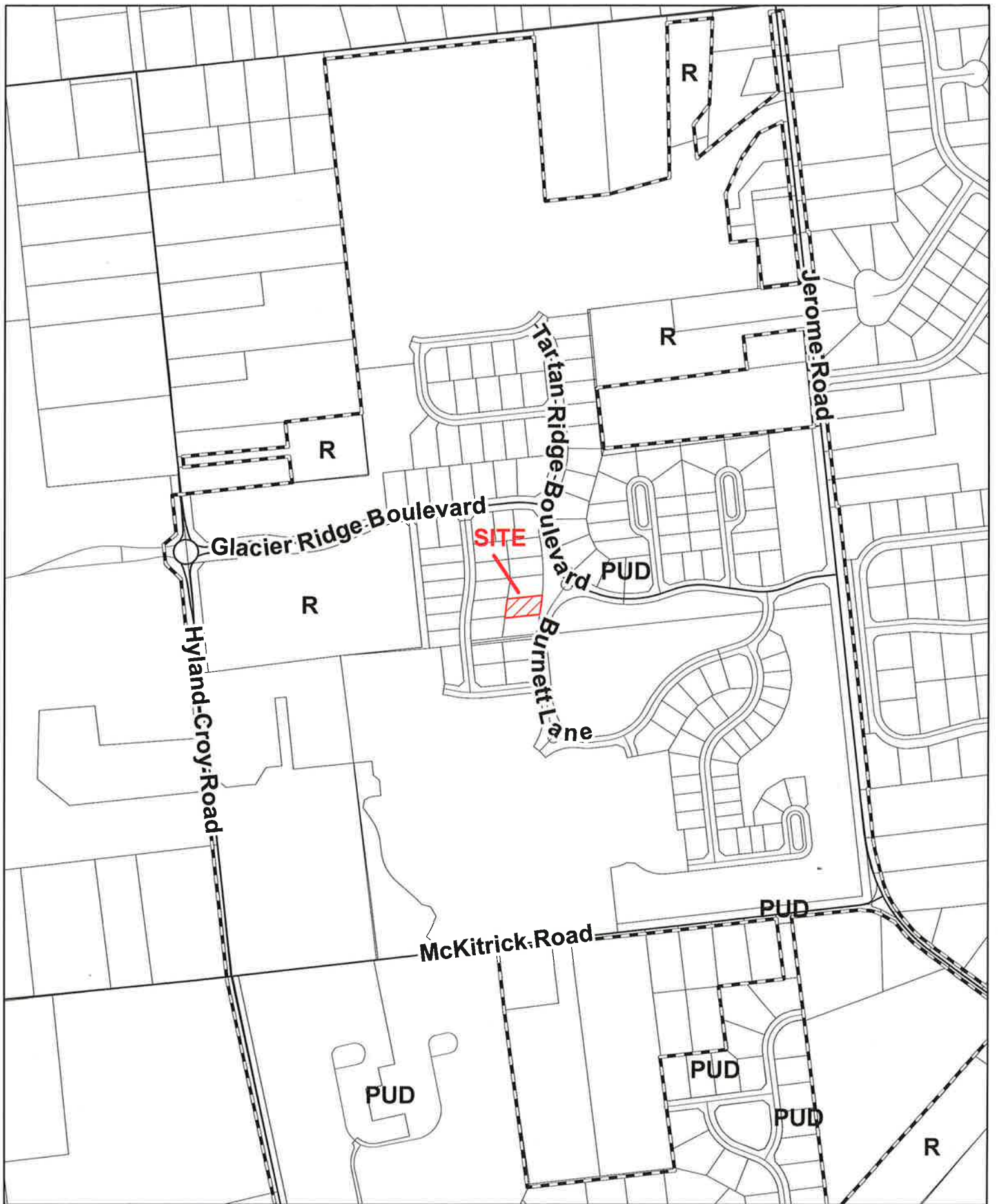
Review Criteria

The Zoning Code does not contain specific criteria to guide the review of plats. Planning bases the evaluation on the conformance of the plat with the requirements set forth in Chapter 152: *Subdivision Regulations* of the Code, which are summarized below:

- The proposed final plat document includes all the required technical information.
- Construction will be bonded and completed in an appropriate time frame, inspections will be conducted by the City in accordance with Engineering standards for improvements, and maintenance will be completed as necessary.
- The proposed lots, street widths, grades, curvatures, intersections, and signs comply with the standards set forth in these Code sections.
- The proposal includes provisions for water, storm drainage, sanitary sewer, electric, telephone, and cable supplies in accordance with approved standards.
- The proposed development complies with the open space and recreation facility requirements or payment into the Parkland Acquisition Fund is made in lieu of dedication.

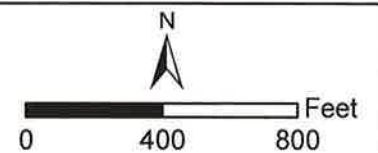
In addition, the Planning and Zoning Commission is to determine that the final layout and details of the final plat comply with the approved preliminary plat. The Commission is to consider several factors in making its recommendation:

- 1) The final plat conforms with the approved preliminary plat;
- 2) The plat conforms to the adopted Thoroughfare Plan and meets all applicable parkland dedication and open space requirements; and
- 3) The final plat conforms to the subdivision and zoning regulations, municipal stormwater regulations, and other applicable requirements.

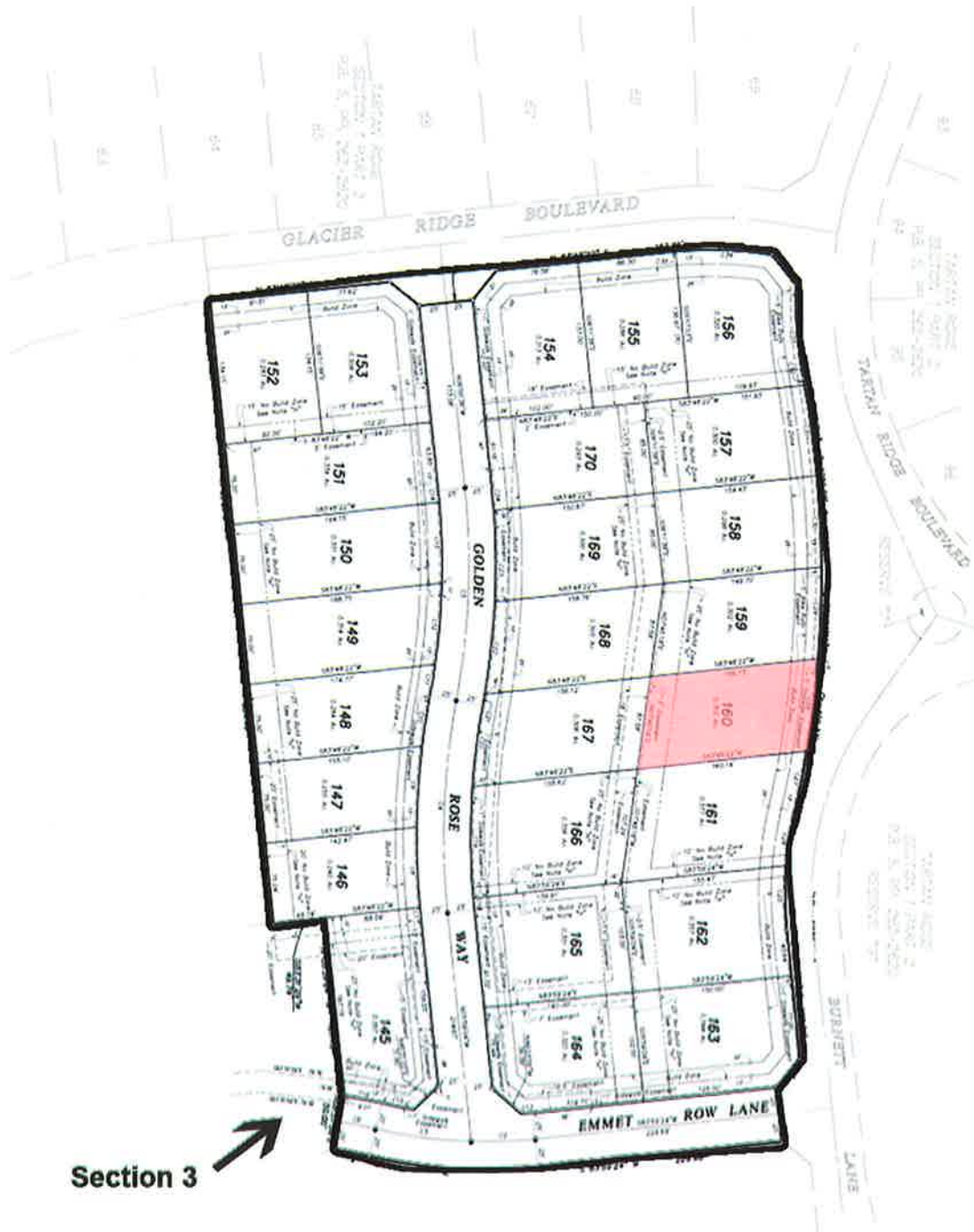


City of Dublin
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10-043AFDP/FP
Amended Final Development Plan / Final Plat
Tartan Ridge - Section 3 - Lot 160
9359 Burnett Lane



Previously Approved Plat



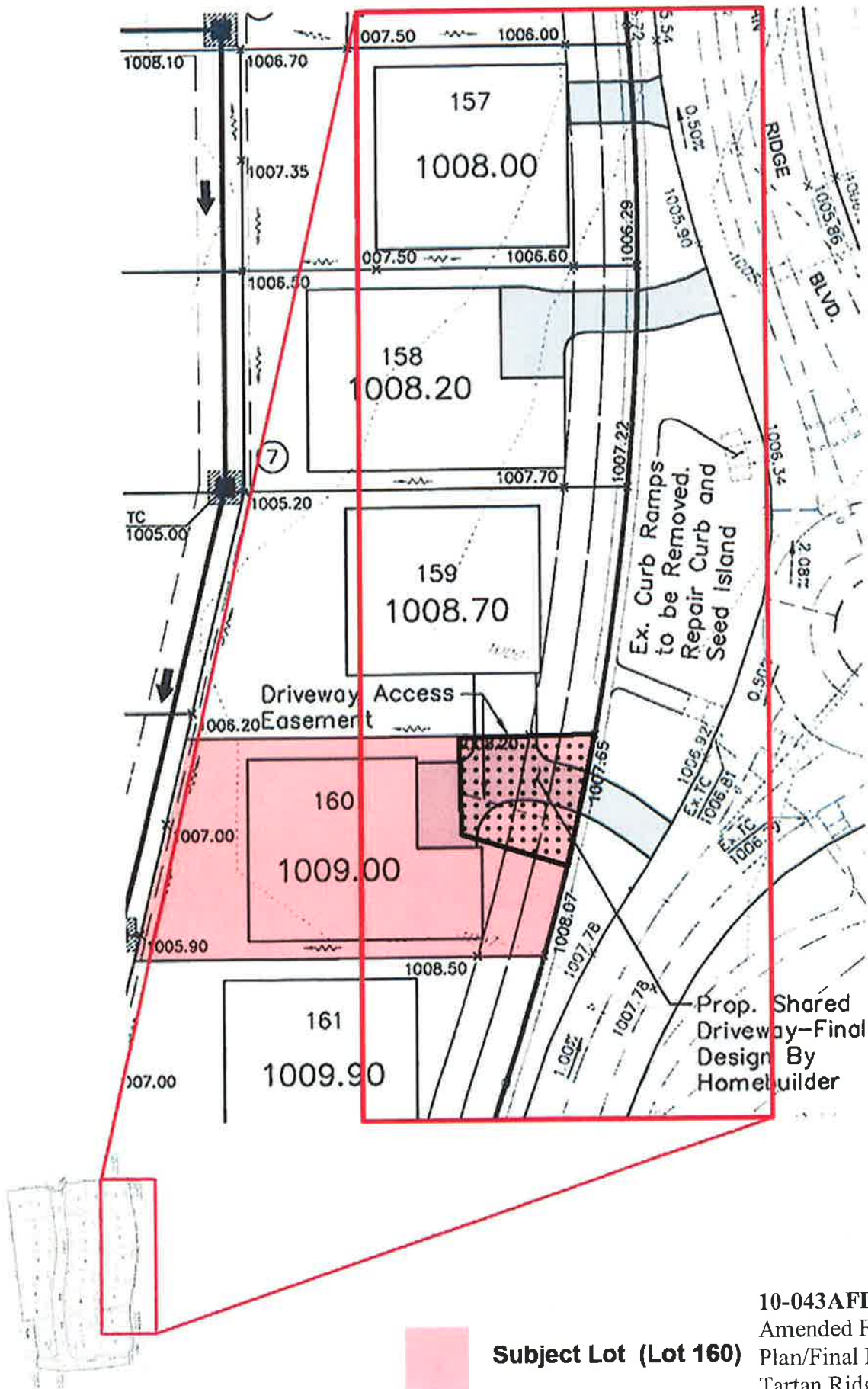
Section 3



Subject Lot (Lot 160)

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Amended Final Development
Plan/Final Plat
Tartan Ridge - Section 3 - Lot 160
9359 Burnett Lane

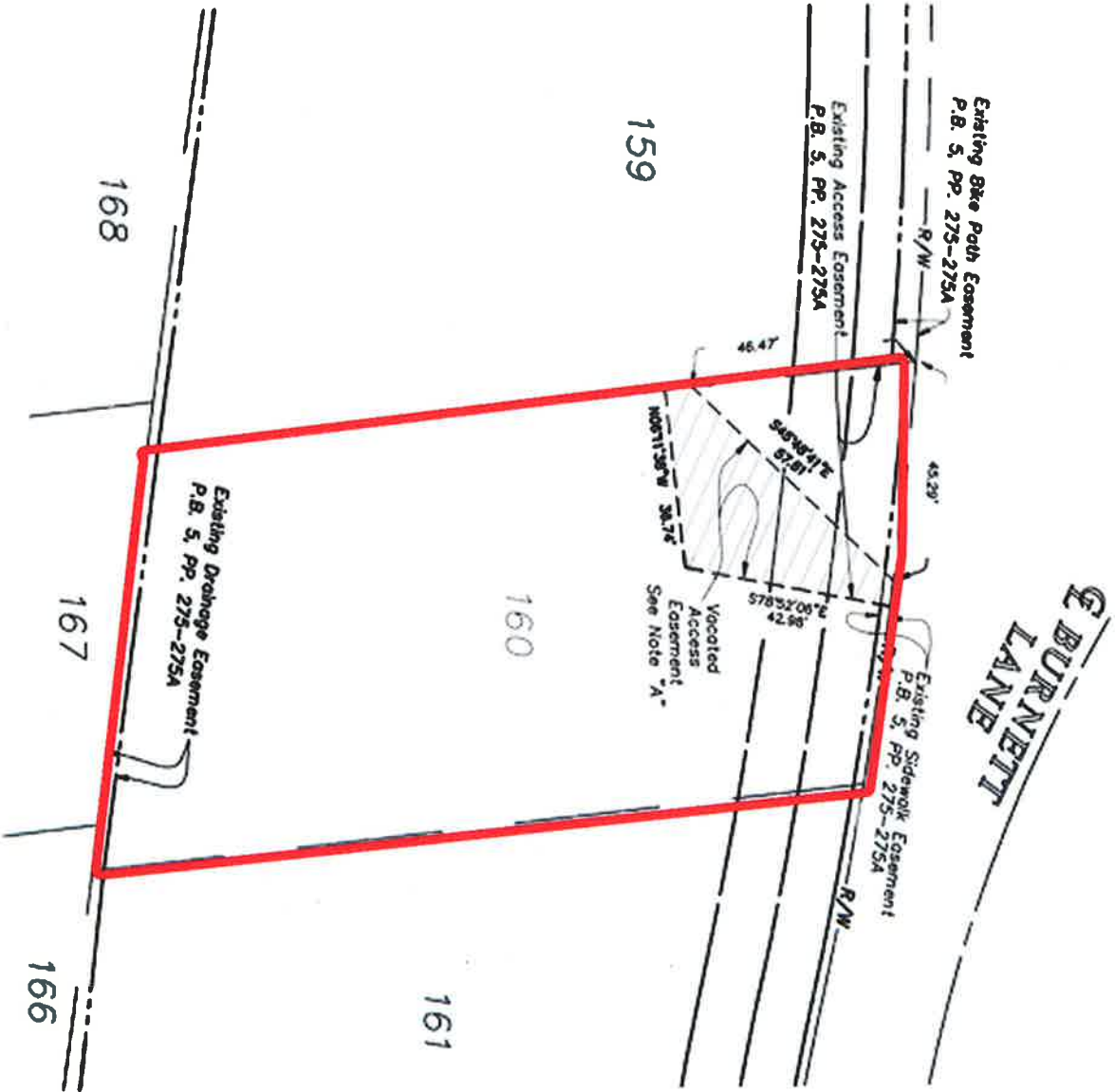
Approved Access Easement



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Amended Final Development
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Tartan Ridge - Section 3 - Lot 160
9359 Burnett Lane

Subject Lot (Lot 160)

Proposed Final Plat



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Amended Final Development
Plan/Final Plat
Tartan Ridge - Section 3 - Lot 160
9359 Burnett Lane

APPROVED DEVELOPMENT TEXT

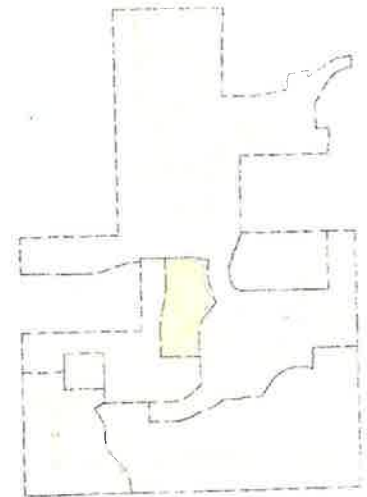
X. SUB-AREA D-2 DEVELOPMENT STANDARDS

X. SUBAREA D-2

A. Description: Subarea D-2 shall be located in the central portion of the site to the south of Subarea A and to the east of the elementary school site. It shall consist of approximately 7.14 acres. This subarea is intended to allow for some flexibility in the types of dwellings to be developed based on future market data.

B. Permitted Uses; Lot Types:

1. Permitted uses shall include single-family detached homes.
2. Permitted lot types: This subarea shall be developed under one of the following schemes, as determined at the time of final development plan:
 - a. All lots shall be developed as Garden Lots; or
 - b. Lots shall be developed with any combination of Cottage Lots, Park Lots, and Village Lots; in this case, no Garden Lots shall be permitted



C. Number of Units: Number of Units: The maximum number of dwelling units in Subarea D-2 shall be twenty-four (24).

D. Lot Dimensions; Setbacks; Garage Types: The following standards shall apply to each permitted lot type in Subarea D-2:

1. Garden Lots: Garden Lots are reminiscent of traditional neighborhood development and shall feature rear-oriented garages that are loaded from private alleys to the rear. Garden Lots shall allow for a variety of lot widths but shall in all cases be subject to reduced setback requirements. These lots shall be subject to the following standards:

- a. Lot width: Minimum of forty-five (45) feet but less than seventy-five (75) feet at the building line
- b. Lot Depth: Minimum of one hundred ten (110) feet
- c. Front yard setback: Minimum of thirteen (13) feet and maximum of twenty (20) feet from the right-of-way. Due to the fact that Lot Numbers 162-168 (as numbered on the preliminary plat) have frontage on heavy road curvatures, these lots shall not be required to comply with the front yard setback requirements that are otherwise applicable. The fronts of homes on these lots shall instead be required to be constructed within the build-to zone that is illustrated on the attached preliminary plat.
- d. Rear Yard Setback: Minimum of twelve (12) feet
- h. Side Yard Setback: Minimum of six (6) feet
- i. Lot Coverage: The maximum lot coverage shall be seventy percent (70%)
- j. Permitted garages (see Section V(E)(6) for definitions of each garage type):
 - i. Alley loaded/rear oriented
- k. Fences: Decorative fencing or hedges with a maximum height of six (6) feet shall be permitted within the buildable area of each Garden Lot to enclose the courtyard to the rear of the home. Such fences shall be of a color that is complimentary to the architecture of the home. A palette of the allowable fencing to be used in these locations shall be provided for review and approval by the Planning Commission at the time of any final development plan that includes Garden Lots.

2. Park Lots: Park Lots are to include generous building areas and a slight reduction in lot size when compared to Estate Lots and Manor Lots, but will still retain a suburban character. These lots are subject to the following standards:

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Tartan Ridge - Section 3 - Lot 160
0250 Burnett Lane

APPROVED DEVELOPMENT TEXT

X. SUB-AREA D-2 DEVELOPMENT STANDARDS

- a. Lot width: Minimum of eighty-five (85) feet but less than ninety-five (95) feet at the building line
- b. Lot Depth: Minimum of one hundred twenty-five (125) feet
- c. Front yard setback: Minimum of thirteen (13) feet and maximum of twenty-five (25) feet from the right-of-way. Due to the fact that Lot Numbers 162-168 as numbered on the preliminary plat have frontage on heavy road curvatures, these lots shall not be required to comply with the front yard setback requirements that are otherwise applicable. The fronts of homes on these lots shall instead be required to be constructed within the build-to zone that is illustrated on the attached preliminary plat.
- d. Rear Yard Setback: Minimum of twenty-five (25) feet, except that there shall be a minimum rear yard setback of fifteen (15) feet if there is an attached or detached garage on the rear of the lot that is loaded from a public street
- e. Side Yard Setback: Minimum of seven (7) feet
- f. No Build/No-Disturb Zone: Minimum of fifteen (15) feet, maximum of twenty-five (25) feet
- g. Lot Coverage: The maximum lot coverage shall be fifty percent (50%)
- h. Permitted garages (see Section V(E)(6) for definitions of each garage type):
 - i. Street loaded/side oriented
 - ii. Street loaded/accessory front oriented
 - iii. Street loaded/court oriented
 - iv. Street loaded/rear located

3. Village Lots: Village Lots are subject to all of the same standards as Park Lots, except that on Village Lots front-facing garages are permitted. These lots are subject to the following standards:

- a. Lot width: Minimum of eighty-five (85) feet but less than ninety-five (95) feet at the building line
- b. Lot Depth: Minimum of one hundred twenty-five (125) feet
- c. Front yard setback: Minimum of thirteen (13) feet and maximum of twenty-five (25) feet from the right-of-way. Due to the fact that Lot Numbers 162-168 as numbered on the preliminary plat have frontage on heavy road curvatures, these lots shall not be required to comply with the front yard setback requirements that are otherwise applicable. The fronts of homes on these lots shall instead be required to be constructed within the build-to zone that is illustrated on the attached preliminary plat.
- d. Rear Yard Setback: Minimum of twenty-five (25) feet, except that there shall be a minimum rear yard setback of fifteen (15) feet if there is an attached or detached garage on the rear of the lot that is loaded from a public street
- e. Side Yard Setback: Minimum of seven (7) feet
- f. No Build/No-Disturb Zone: Minimum of fifteen (15) feet, maximum of twenty-five (25) feet
- g. Lot Coverage: The maximum lot coverage shall be fifty percent (50%)
- g. Permitted garages (see Section V(E)(6) for definitions of each garage type):
 - i. Street loaded/front oriented
 - ii. Street loaded/accessory front oriented
 - iii. Street loaded/side oriented
 - iv. Street loaded/court oriented
 - v. Street loaded/rear located

4. Cottage Lots: Cottage Lots are clustered and shall have reduced setback requirements in order to create a compact, village-like feel. These lots are subject to the following standards:

- a. Lot width: Minimum of seventy-five (75) feet but less than eighty-five (85) feet at the building line
- b. Lot Depth: Minimum of one hundred twenty (120) feet
- c. Front yard setback: Minimum of thirteen (13) feet and maximum of twenty (20) feet from the right-of-way. Due to the fact that Lot Numbers 162-168 as numbered on the preliminary plat have frontage on heavy road curvatures, these lots shall not be required to comply with the front yard setback requirements that are otherwise applicable. The fronts of homes on these lots shall

APPROVED DEVELOPMENT TEXT

X. SUB-AREA D-2 DEVELOPMENT STANDARDS

instead be required to be constructed within the build-to zone that is illustrated on the attached preliminary plat.

- d. Rear Yard Setback: Minimum of twenty-five (25) feet, except that there shall be a minimum rear yard setback of fifteen (15) feet if there is an attached or detached garage on the rear of the lot that is loaded from a public street
- e. Side Yard Setback: Minimum of six (6) feet
- f. No Build/No-Disturb Zone: Minimum of fifteen (15) feet, maximum of twenty-five (25) feet
- g. Lot Coverage: The maximum lot coverage shall be fifty percent (50%)
- h. Permitted garages (see Section V(E)(6) for definitions of each garage type):
 - i. Street loaded/front oriented
 - ii. Street loaded/side oriented
 - iii. Street loaded/court oriented
 - v. Street loaded/rear located
 - vi. Street loaded/accessory front loaded

Development Plan APPROVED DEVELOPMENT TEXT

DEVELOPMENT DATA

GROSS AREA	≈189.6 AC.
COMMERCIAL	
Area	116.5 A.
Feet Area	66,320'²
RESIDENTIAL	
Area	1123.14k
Units	270 Units
Estate Lots	10
Major Lots	75
Park Lots	11
Village Lots	27
Cottage-Lots	20
Court Lots	51
Garden Lots	52
Townhomes	24
Grounded Detach.	1,421.56 DSRAC
OPEN SPACE	
Open Space Provided	≈65.14 A. (34.4%)
Open Space Provided w/1/3 School Property	≈75.86 A. (40.0%)

GARAGE ORIENTATION DIAGRAM



LEGEND

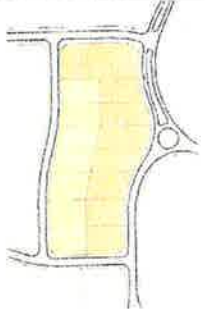
- DENOTES WHERE STREET-ACCESSED FRONT ORIENTED GARAGES ARE NOT PERMITTED
- DENOTES WHERE STREET-ACCESSED FRONT ORIENTED GARAGES ARE PERMITTED

LEGEND

- ESTATE (110' wide and greater)
- MANOR (95' - 110' wide)
- PARK (85' - 95' wide)
- VILLAGE (85' - 95' wide)
- COTTAGE (75' - 85' wide)
- COURT (55' - 65' wide)
- TOWNHOMES
- 50' GARDEN LOTS (40' - 55' wide)
- 60' GARDEN LOTS (55' - 65' wide)
- 70' GARDEN LOTS (65' - 75' wide)
- COMMERCIAL
- OPENSPACE
- STREET ESCAPE (R.O.V. is not included in open space calculations)
- PONDS

* SPECIAL ARCHITECTURAL ATTENTION WILL BE GIVEN TO THE PROMINENT FACADES ON THESE LOTS BY THE ARCHITECTURAL REVIEW COMMITTEE

ALTERNATE LOT PLAN (SUB AREA D2)



RECORD OF PROCEEDINGS

Mr. Hahn responded that the existing shelters would require significant improvements, as the roofing systems are no longer viable. The design of these shelters was poor, and the new shelters' design is superior to what exists in the park at this time.

Vice Mayor Boring asked if the design and architecture will be compatible with the rest of Coffman Park.

Mr. Hahn responded that they are kits, but stone piers will be added to improve the appearance.

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

OTHER

- Final Plat – Tartan Ridge, Section 3

Ms. Husak stated that this is a request for approval of the final plat for Tartan Ridge Section 3, which includes 26 single-family lots. Planning & Zoning Commission reviewed the application in September, approved the final development plan and recommended approval of the final plat to Council. She shared the preliminary development plan for Tartan Ridge, which included 246 single-family lots and indicated the location of Section 3 lots. She shared the plat of Section 3 with 26 lots, indicating a somewhat different feature of "build to" lines related to setbacks, requiring a portion of the building to be located within the area. The plat includes that information, and also includes a 20-foot wide piece of land as an open space to preserve some significant existing trees on the site. They will be included in a "no disturb" zone on some of the lots. There are three different types of lots on this plat – cottage lots, which are slightly smaller in size and have a smaller setback; and park and village lots, respectively, which are similar in size and requirements, with park lots not allowing front-loaded garages. Park lots are typically located along parks and major roads, and this would keep the garages out of view.

Ms. Salay asked how the garages in the park lots would be accessed.

Ms. Husak responded the access would be from the side, rear, or from a courtyard.

Ms. Salay asked if there is an alley to allow for rear-loading garages.

Ms. Husak responded that there is not an alley in this area, but the access would be from the rear.

Ms. Salay noted that this would require a driveway around the house.

Ms. Husak responded that the wider width would allow that to take place.

Ms. Salay asked about the width of the lots.

Ms. Husak responded they are 85 to 95 feet. Generally, this type of access would be done with a courtyard style and side load. The lots will accommodate these, especially the corner lots. This type of lot exists in Ballantrae as well.

Ms. Husak reviewed the criteria for recommending approval, and noted that all criteria have been met except the ones addressed with conditions. The final development plan has been approved by Planning & Zoning Commission.

Staff recommends approval with one condition, that any minor technical adjustments to the plat be made prior to City Council submittal. This has now been completed. The applicant is also present to respond to questions.

Mayor Chinnici-Zuercher asked for confirmation that this was the location of the 2009 Parade of Homes.

Ms. Husak responded that the Parade was located on the northern portion of this development.

Mr. Lecklider noted there was significant discussion in the minutes of P&Z regarding the location of the garages. He asked staff to identify the location on the plat for street-oriented garages or where they would be permitted.

Ms. Husak responded that all of the houses are street loaded, so all access is from the street. There was an option for an alley in this subarea, but it was not a requirement. The applicant has chosen to move this plat forward without an alley. The lots shown in blue and green would allow a front-loaded garage.

RECORD OF PROCEEDINGS

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DAYTON LEGAL BLANK, INC. FORM NO. 10148

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Held

Mr. Lecklider asked if that was contemplated in the original plan.
Ms. Husak responded affirmatively, noting there was an option for an alley or non-alley layout. The garage location requirements meet what was in the original submission.
Mr. Lecklider noted that he recalls the intent was not to have garage doors visible from the street.
Ms. Husak responded affirmatively, noting that this is a requirement for lots which front on parks or major streets. The road separating the blue and green lots is fairly short and in the back, so is not considered a road used by anyone other than residents. The requirement not to view garage doors from a major road is met on the roads one would customarily drive on.

Mayor Chinnici-Zuercher noted that staff has indicated that Golden Rose Way is viewed as a road to be used primarily by the residents, but visitors would use this road as well.

Ms. Husak agreed.

Mayor Chinnici-Zuercher invited the applicant to comment.

Charles Driscoll, Tartan Ridge LLC stated that he has no comments to add.

Ms. Salay stated that when the development was approved a few years ago, it represented a different product with alleys and not front-loaded garages. The narrower lots were appealing because the garage doors would not front the streets, and garages would be accessed through alleys. Is the alley concept or something other than front-loaded garages still a viable part of this development for other portions?

Mr. Driscoll responded they have varying products for this development, with varying lot widths and different garage requirements. There are alleys for the section south of Section 3.

Ms. Salay asked if the plan is to develop with alleys going forward.

Mr. Driscoll noted that it was always anticipated that this section may or may not have alleys.

Ms. Salay stated that she does not want to have the concept altogether abandoned.

Mr. Driscoll responded that they are not trying to change anything; this was an option that was always contemplated.

Ms. Salay asked staff if there is a time constraint involved in this plat approval, as the minutes provided are draft. Typically, the Commission approves their record prior to consideration of the case by Council.

Ms. Husak responded that the Commission had requested that staff consider cancelling some upcoming meetings for the remainder of this year. Therefore, there was not a meeting scheduled in which the Commission could approve the minutes prior to forwarding this to Council. The applicant is also anxious to have this completed.

Ms. Salay asked why the Commission would consider cancelling meetings.

Ms. Husak responded that there has been a decrease in the number of applications filed, and the Commission indicated they would prefer one longer meeting versus two shorter meetings each month.

Mr. Lecklider noted that Mr. Driscoll has characterized the alleys as an "either or" phase. What drove the selection of this option?

Mr. Driscoll responded that the real estate market has driven this decision, as they believe this product is safer in the current environment. The lots depicted on the left have not been changed; only the two rows of lots on the right, which constitute 15-16 lots out of a 270-lot subdivision.

Mr. Lecklider asked for clarification, that in each of the remaining lots, other than the cottage lots, the garages will either be side-oriented or somehow rear-loaded.

Mr. Driscoll responded that they will be side, rear, or courtyard -- facing the main streets. There won't be any garage doors facing the boulevard of Glacier Ridge, where the school is located.

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Mr. Lecklider noted that while he appreciates the market factors, he is disappointed that Council is seeing an alteration to a more conservative plan. He remains excited about this project, which is a premier location for residential housing in Central Ohio. He had hoped that what would occur was what was depicted in the text, similar to what was viewed in Franklin, Tennessee. He is hopeful that as the project progresses, the developer would adhere to the theme previously shared.

Vice Mayor Boring noted that she supports the statements of Ms. Salay and Mr. Lecklider. What Council has been shown and expects to occur doesn't happen with this development.

Ms. Salay asked for clarification about the brown area shown on the perimeter of the lots, which staff indicates as a "build to" line. How will this operate?

Ms. Husak responded that it is unique in this development and does not occur in typical suburban development. Each lot has a build zone, and the front façade of the home must be within that area. Therefore, it is a shorter front setback, and there is variation built in.

Mr. Driscoll added that the developer did not want houses pushed back on the lots, but wanted them closer to the street. This is what prompted the build to zone.

Mr. Reiner asked about the enforcement of the architecture, noting that he hopes the participants in the project propose similarly exciting architecture to what has been shown previously.

Mr. Driscoll agreed.

Mr. Gerber moved approval of the final plat, as recommended by P&Z.

Mr. Reiner seconded the motion.

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

Naming of City Park Located at Blazer Professional Campus

Mr. Hahn noted that the staff memo proposes the naming of this park as "Smiley Park." The City's park naming policy is also included, including the criteria for naming of a park after an individual. Given that this parkland was donated by Dr. Smiley, staff felt it appropriate to recommend the name as "Smiley Park." He offered to respond to any questions.

Mr. Gerber moved approval of the naming of the park as *Smiley Park*.

Mr. Reiner seconded the motion.

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

Mayor Chinnici-Zuercher asked that staff convey Council's appreciation for their donation.

- Right-of-Way Encroachment for signage – Metro Place office complex (Case No. 08-086AFDP)

Ms. Husak stated that there are two site identification signs involved in this request. The Planning & Zoning Commission reviewed the request in September and recommended approval to Council.

She noted the following:

- The site is located on the west side of Frantz Road, and includes several office buildings within Metro Place North and South.
- The applicant sought approval from P&Z for a coordinated sign plan for this office complex, including directional signage on the road and interior to the site. Signs 1 and 8 are those which encroach in the right-of-way.
- The existing signs have been in place long before much of the Code regulation of signage was done.

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Amended Final Development

Plan/Final Plat

Tartan Ridge - Section 3 - Lot 160

9359 Burnett Lane



CITY OF DUBLIN

Land Use and
Long Range Planning
5800 Shier-Rings Road
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Creating a Legacy

PLANNING AND ZONING COMMISSION

RECORD OF ACTION

SEPTEMBER 17, 2009

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

4. Tartan Ridge – Section 3 09-036FDP/FP

Final Plat/ Final Development Plan

Proposal: To plat and develop 26 single-family lots within the Tartan Ridge Planned Unit Development, located on the southwest intersection of Tartan Ridge Boulevard and Glacier Ridge Boulevard.

Request: Review and approval of a final development plan under the provisions of Code Section 153.050 and a final plat under the provisions of the *Subdivision Regulations*.

Applicant: Tartan Ridge, LLC; represented by Charles Driscoll.

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

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

MOTION #1: To recommend approval to City Council of this Final Plat because it complies with the Final Plat criteria set forth in Sections 153.085 through 152.095 of the Subdivision Regulations, with one condition:

- 1) That any minor technical adjustments to the plat should be made prior to City Council submittal.

* Ben Hale Jr., representing the applicant agreed to the above condition.

VOTE #1: 5 – 1.

RESULT: This Final Plat was recommended for approved.

MOTION #2: To approve this Final Development Plan application because it is consistent with the standards and conditions approved at the rezoning, provides design elements consistent with the approved preliminary development plan, and complies with the Final Development Plan criteria with eight conditions:

- 1) That the plat indicate a Build Zone of 13 to 20 feet for Lots 152 and 153 and that street-oriented garages not be permitted;
- 2) That Lot 152 not be allowed to have to have garage doors facing west;
- 3) That Lots 154 through 163 shall have a minimum of four garages that are not court yard style;

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**4. Tartan Ridge – Section 3
09-036FDP/FP**

Final Plat/ Final Development Plan


- 4) That if the proposed architecture for the lots within this Section does not achieve the required level of architectural diversity, a theme for these lots be brought back to the Commission for review and approval;
- 5) That the design of the temporary detention be modified to preserve existing trees, subject to approval by Planning and Engineering;
- 6) That the detention basin not be permitted for longer than four years after the acceptance of the public improvement by Engineering;
- 7) That a temporary drainage easement encompassing the areas of the detention basin and the associated stormwater structures be provided prior to the recording of the plat, subject to approval by Engineering; and that a sign indicating the temporary nature of the basin be installed, subject to approval by Planning; and
- 8) That the plans and the deed restrictions indicate the Homeowners Association maintenance responsibilities of the hedge, subject to Planning approval.

* Charles Driscoll, applicant, agreed to the above conditions.

VOTE #2: 6 – 0.

RESULT: This Final Development Plan was approved.

STAFF CERTIFICATION


Claudia D. Husak, AICP
Planner II

**4. Tartan Ridge – Section 3
09-036FDP/FP**

Final Plat/ Final Development Plan

Ms. Amorose Groomes called the meeting back to order at 8:25 p.m. and introduced this application, which involves platting and developing 26 single-family lots within the Tartan Ridge PUD, Planned Unit Development, located on the southwest intersection of Tartan Ridge Boulevard and Glacier Ridge Boulevard. She swore in those intending to address the Commission on this case including Charles Driscoll, representing the applicant Tartan Ridge, LLC, and City representatives.

Claudia Husak presented the case that the Commission tabled on August 20, 2009. She said this is a request for review and approval of a Final Development Plan to develop those 26 lots in Tartan Ridge and a Final Plat that accompanies that Final Development Plan. Ms. Husak said that the Commission had previously approved two residential sections for Tartan Ridge. She presented the Preliminary Development Plan as approved by the Commission and City Council in 2007. Ms. Husak said the proposed lots are in the center of the site.

Ms. Husak said that alternative layouts were approved for this particular area, and there is an option of doing a non-alley-loaded section with driveways coming out, accessed from major roads versus the alley-loaded option.

Ms. Husak said the main concern that the Commission had in August was the location of the driveways for the lots immediately adjacent to the roundabout. She presented what was proposed in August where Lots 159 and 160 shared that driveway. She said that at that time, Engineering requested that those driveways be kept out of the center of the roundabout for approximately 111 feet. She said that the Commission instructed the applicant previously to either reduce the lot number, eliminating the three lots with driveways coming out to the roundabout or going back to the alley product.

Ms. Husak reported that the applicant had met with Engineering again and has moved that driveway farther south for Lots 159 and 160, about 15 feet. She said there was documentation in the packets for this particular arrangement, and the applicant has produced an exhibit which Planning has colored that shows cars exiting that driveway, cars in the roundabout, going south and north, and also a vehicle stopped at for example, the mailbox for that lot. She explained that the applicant's exhibit is intended to illustrate that cars can move safely within this area.

Ms. Husak said that the applicant wished to discuss Condition 4 that Planning is proposing to address their concerns regarding the intent of this neighborhood and the development text. She said the condition requires that Lots 154 through 170 not be permitted to have garages located forward of the front façade of the home. She said that Planning looked at the Development Text for Tartan Ridge and recalled that the intent was to create something very different from what Dublin had seen over the years, a front-door community with doors out toward the road where neighbors could interact and see each other. She said with this arrangement, it can be seen that the prominence is really garage and pavement, and you do not see much of the front door of the home at all. Ms. Husak said the condition is getting back to the actual intent of the text, which is to have a different home arrangement. She presented an option of having a garage located farther behind the home with a smaller driveway going beside it.

Ms. Husak said that Planning continues to recommend approval of this application with nine conditions for the Final Development Plan and Final Plat:

- 1) That any minor technical adjustments to the plat should be made prior to City Council submittal;
- 2) That the plat indicate a Build Zone of 13 to 20 feet for Lots 152 and 153 and that street-oriented garages not be permitted;
- 3) That Lot 152 not be allowed to have to have garage doors facing west;
- 4) That Lots 154 through 170 not be permitted to locate garages forward of the front façade of the home;
- 5) That if the proposed architecture for the lots within this Section does not achieve the required level of architectural diversity, a theme for these lots be brought back to the Commission for review and approval;
- 6) That the design of the temporary detention be modified to preserve existing trees, subject to approval by Planning and Engineering;
- 7) That the detention basin not be permitted for longer than four years after the acceptance of the public improvement by Engineering;
- 8) That a temporary drainage easement encompassing the areas of the detention basin and the associated stormwater structures be provided prior to the recording of the plat, subject to approval by Engineering; and that a sign indicating the temporary nature of the basin be installed, subject to approval by Planning; and
- 9) That the plans and the deed restrictions indicate the Homeowners Association maintenance responsibilities of the hedge, subject to Planning approval.

Ms. Husak explained that the applicant had provided a video about roundabout safety with drivers and if the Commissioners were inclined, it could be presented. Ms. Amorose Groomes said that since the applicant had taken the time to put the video together, the Commission should see it.

Ben W. Hale, Jr., Smith and Hale, said he represented the applicant tonight, as well as Larry Creed, Traffic Engineer, EMH&T, and Charles Driscoll, the developer. He said actually, the picture that Ms. Husak presented with the houses, they would take. He said one thing seen in that picture was that front-loaded garages were allowed. He said they would take that, and not have the courtyard house. He said they had built many courtyard houses in the Parade and they were very attractive. He said one of the things they had to do was to meet the diversity standards. Mr. Hale said this text, in terms of its commitment level and its standards are as high as anything he had ever seen. He said when they did this preliminary development plan, they worked on a ton of issues, and they believed that when you do that and then walk out the door, you have some rights. He said one of the things they did talk about; they have places here where they have restricted where they allow front-loaded garages and where they do not. He said in this instance, on these lots, front-loaded garages are not allowed, but they do have courtyard garages. He said it was very difficult to give up. He said they had one thing that was to put every garage in the back yard, because that is where they end up. He said if they were allowed to have front-loaded garages, it will bring the house up, the garage would not be there, but they have to have more diversity than having everything having a garage in the back, and they think

they can do the courtyard garages very appropriately. He said they are good-looking houses that function and people like them. Mr. Hale reiterated that they were willing to take that picture, but if they do not have that picture, they have to have more variety.

Mr. Hale said they had looked seriously at some of the concerns the Commission had the last time about how the drives work. He said they met with Dublin's Traffic Engineers and talked at some length with them about the safety of what is going on here, and he thought they all were very satisfied that this is a very safe situation. He said that roundabouts are very safe. He said they are much safer than T-intersections. He said because there was a worry that if there was a mail truck or garbage truck that people could not get around, the little picture shown demonstrates that in fact, they can have a truck stopped and they can go around that truck without getting into the other drive lane. He said there is enough room so they can go around there.

Mr. Hale said they had a video to present done by a traffic engineer at a conference in which Larry Creed explained why roundabouts were so much safer and even in very heavy commercial places, you can pull driveways right off those roundabouts and they are safe.

Larry Creed, EMH&T, briefly described the things they looked at when considering this design. He said since the Commission last saw this they moved the driveway that he thought was important because there were concerns that people might be trapped between the splitter island and outside curb with a cue to the outside intersection. He said by moving the driveway, they really did provide the opportunity for folks to go around a stopped vehicle, which he thought, was very helpful. He said also shown was turning template-type lines to give the sense how people can maneuver in and out of the garages and around the stopped vehicles. Mr. Creed said moving the driveway also provided a little more room for stacking between the driveway itself and the intersection. He said they used a three-car stack on the drawing.

Mr. Creed suggested that the Commission had done a good job putting design elements in here that are appropriate for a neighborhood street. He said it was not a roundabout like seen in many places in Dublin where the roundabout is on a main intersection that needs a lot of capacity. He said this is a neighborhood street. He said the roundabout itself provides a visual termination. Mr. Creed presented the five-minute video on roundabouts to the Commission that included a presentation from a Clearwater, Florida Senior Professional Engineer who was certified as a Traffic Operations Engineer, a Certified Planner, and a member of the National Roundabout Taskforce demonstrating various existing roundabouts where crosswalks, angled parking next to the intersection, and sharing of a pedestrian path and a driveway were not problems.

Mr. Hale explained that the point of the video was that roundabouts really are safe. He said he thought based on their traffic study there is not an issue with safety with these curb cuts. He said he wanted it to be made clear that when they did all the lots they had certain types of houses that were allowed and certain types of garage orientations that were allowed. He said in this instance, he did not understand all of the lots Ms. Husak was commenting on because some are on an interior street with front-loaded garages on the other side. Mr. Hale said that they gave up front-loaded garages for the lots on the east side of the street, but in the text, they had courtyard garages as one of the alternatives. He said if the Commission would rather not have the

courtyard and would give them the front-loaded garage back that would be fine. He said they would have to be set behind the house. He said the example Ms. Husak presented did have front-loaded garages and they would be happy to do that. He said that they have given up the front-loaded garage and the only thing they could do then was rear-loaded garages and they think they need more offerings than that.

Ms. Amorose Groomes invited public comment regarding this application, and hearing none, she closed the meeting for Commission discussion.

Ms. Kramb asked for clarification on the garages. She said the text mentioned an accessory-front oriented garage and she did not know what that was. Ms. Husak said an accessory front-loaded garage would be a garage that sits off by itself in the back of the house that could accommodate one car. She said the garage was detached and behind the house.

Ms. Kramb said the development text stated that they could have the court-oriented garages. However, she said she needed clarification on the condition because she did not see any condition about not having court-oriented garages. Ms. Husak said it was Condition 4. Ms. Kramb said as she read Condition 4, it meant that the garage itself cannot be in front of the front of the house. She said it did not mention what direction the garage can be. Ms. Husak explained that the only way a garage could be in front of the house would be if it was front-loaded, which they are not permitted to do in a majority of these lots. She said the court-loaded garage was the one that would be in front of the front façade of the home and in these instances, a front-loaded garage is not permitted.

Ms. Kramb confirmed that they were not being denied something that was in the approved text. Ms. Husak said the concern in this instance is that the way this was sold, was a certain way, which was that this was going to be a front-door community, and it is going have alleys here in this instance except for maybe they are going to do this alternate layout. She said if they are now doing court-loaded garages on this entire stretch of road, they are really getting away from the intent of the text, which in the beginning talks about a different type of community.

Ms. Kramb said she was just asking from a legal perspective; if the text says they can have court-oriented garages was it okay to put in this condition that does not use that exact wording that just says 'forward of.'

Mr. Walter wanted to make sure he understood this. Ms. Kramb clarified that the street-oriented garages meant front-facing garages.

Todd Zimmerman said he had read the text and everything and that this was an alternative and he really did not have any questions. He said he was comfortable with the conditions and what Planning and the applicant had worked out. Warren Fishman said he agreed with Mr. Zimmerman. He said he thought it would be unfair to change what was agreed to do in the text. He said he would much rather have court-loaded garages than a front-loading garage and some variety. He said he did not think the Commission should mess with it.

Ms. Husak clarified that a graphic was being used from the street with the yellow being what Planning preferred and red what they do not want to have happen.

Ms. Kramb said they are proposing to get rid of the park lots, the Commission told them that they could have courtyard-oriented garages, and Planning is proposing to not let them have that any more.

Mr. Fishman reiterated that he thought they should be allowed to have the courtyard garage. Ms. Husak explained that much of that is along a public open space, so Planning is tremendously concerned about having this kind of prominence of pavement right there. Mr. Fishman said he thought they had to be fair. He said they came in try to change this text originally, and the Commission would not let them do that, and the Commission agreed to courtyard garages. He said he thought it offered some variety. He said he would much rather see a courtyard than three garage doors.

Ms. Husak said the variety was what Planning was concerned about because they are not getting variety and are worried that they are getting court-loaded garages exclusively.

Mr. Walter agreed with Mr. Fishman that the text indicates what they are allowed to have and they have come before the Commission before asking for changes to the text and the Commission said no, and now the Commission wants to line-item one part of the text and say they do not like that and that is not fair. He said he thought they should be allowed to have court-loaded garages just like the text stated. Ms. Kramb and Mr. Fishman agreed.

Mr. Hale said they were fine with that; they made this deal and they were happy with it.

Ms. Kramb said she did not see how as on Lot 160, they could have anything but a courtyard garage, the way the driveway moves south. She did not think there could be a garage on Lot 160 if the option was taken away.

Ms. Amorose Groomes said she thought variety was good. She said she did not know if maybe the Commission should set some goals for a quantity of A and B, plus or minus two, so that some variety could be ensured, but still open it up so that they can have some leeway and sell the product that is marketable. She said she really liked the rear-loaded garages because they were really pedestrian-friendly and had a nice look. She said that use works well in many of the older parts of Dublin and the neighborhoods are neat with character. She said she really appreciated the rear-loaded garages like shown in the yellow blocks initially. Ms. Amorose Groomes proposed setting some benchmarks so that there is some diversity so that nothing is one after the other, after the other. She said that everybody wants diversity and interest in this neighborhood. She said she would like to see some goals.

Mr. Fishman said he would like to rely on the applicant to set the diversity because in this market, he would hate to harness them and he thought that they were going to try to make it a beautiful subdivision. He said one problem with rear-loaded garages is that they take up a lot of the yard, so he thought there would be people who would not want those. He reiterated that they should stick to the text. He said he was confident that they will build it that way. He said he also agreed with Mr. Walter that if he was outvoted, and it was decided that they wanted to do that,

the Commission should not trade front-loaded garages. He said the text was great and the applicant's reputation precedes them.

Mr. Taylor said he believed that Condition 5 covered Planning's concern about diversity because it gives some ability to make that determination at their level. He said he agreed with Mr. Hale for a slightly different reason, which is that he thought the idea that if the garages are in the back that people are going to spend their day walking out the front door onto their front porches would not happen because it just does not happen in American neighborhoods anymore. Mr. Taylor said on the contrary, when there are houses with courtyard-loaded garages, not only is that a far more comfortable fit on an 85-foot wide lot in his opinion, that is where the kids play basketball and people wash cars. He said that is the front yard and when you walk down the street that is where you see your neighbors. He said it encourages interaction. Mr. Taylor said he agreed that not everyone will want that and having the option available will give the opportunity for diversity in style there. He said it does open the backyards to one open field that is better for the children to play. Mr. Taylor said he was in favor of leaving the text alone and allowing the courtyard garages to exist on these lots. He said he thought the intended result will be gained by doing that.

Mr. Walter noted that the Commissioners were provided with a report from EMH&T with respect to the traffic volumes and asked if staff had any comments on its validity or what it meant. Aaron Stanford said the information was provided to address the Commission's concern about safety. He said the report illustrated a low-volume street with low speeds. He said one of the reasons why they did not give too much detail was that Engineering felt previously they had stated they were comfortable with the roundabout location. He said the numbers staff saw were in line with what they saw at the traffic study. He said nothing was surprising and they would concur with the results in what was recommended in the Planning Report. Mr. Walter clarified that staff concurs with the information provided in the EMH&T report.

Mr. Walter referred to the line of sight analysis provided by the applicant, which showed where the driver will be at that point. He said the biggest concern he had with respect to that is that it seemed to shoot right through street trees. He asked if there had been an opportunity to look at that analysis and validate whether that is accurate. Mr. Walter counted five street trees in that line of sight.

Ms. Husak said that was correct. She explained that the general street tree requirement is that they have a tall canopy so that only the trunk is in the way, but not leaves and it only obstructs a small portion of the sight line. Ms. Amorose Groomes clarified that meant a shade tree versus an ornamental tree.

Mr. Creed said they provided the sight line information to the Landscape Architect who he believed modified the planting plan somewhat to ensure that the plants other than the trees are low to the ground and below that 3 ½-foot sight line threshold that is wanted.

Ms. Amorose Groomes said that some housekeeping regarding the conditions was needed. She asked what conditions should stay and which should go. Ms. Krumb said that Condition 4 about

the restriction on the courtyard garages should be deleted. Mr. Hale said that they consented to the remaining conditions on the Final Plat and Final Development Plan.

Ms. Amorose Groomes asked Ms. Husak if she thought it prudent to set any benchmarks so that the diversity could be assured, and what might that look like. Ms. Husak said there are 16 of these lots, Lots 154 through 170 and they cannot be achieved through the regular matrix because it is tough to accomplish. She said Planning's wish would be 50 percent, eight of those lots not be allowed to have court-loaded garages or garages forward of the main front façade of the house.

Ms. Amorose Groomes asked if half would either be front-loaded or rear-loaded garages. Ms. Husak said half would be rear-loaded garages.

Mr. Walter asked right now, what is the intent of the condition. He said it was ambiguous, at best. He asked what the criterion was that Planning was going to apply.

Mr. Taylor asked if Mr. Driscoll had carte blanche on these lots what did he expect from the way sales are going might be the normal percentages of different kinds of garage positions on these lots. Charles Driscoll, the applicant, said they were only talking about the seven lots that face south toward the roundabout, not 100 lots. He said a percentage of seven lots could be two to four lots. Mr. Hale said lots on the interior street were included, which to him made no difference. He said there is no park across the street and they have front-loaded garages.

Mr. Walter asked what the 16 lots between Lots 154 and 170 would likely break down into.

Mr. Driscoll said the point he was trying to make was that on the end side street, there are three kinds of garages allowed, courtyards, front yard, and rear-load. He said that side-loaded garages were allowed for the matter, but he did not think for a practical matter a side-loaded garage would fit on an 85-foot lot.

Ms. Amorose Groomes confirmed that for Lots 164 through 170, many front-loaded garages were expected. Ms. Kramb reiterated that the text said they could have front-loaded garages. Ms. Husak said they were allowed front-loaded garages on the lots indicated, Lots 164 through 170 for that block. Ms. Husak pointed out that the park lots are not allowed to have front-loaded garages.

Mr. Driscoll reiterated that there were seven of those lots, and three different kinds of garages are allowed on those seven lots. He said they were only talking about the seven lots that face the roundabout.

Ms. Husak said generally, she was talking about all the lots, including the one indicated in green on the slide. She said if they are allowed to have a front-loaded garage, it would have to be behind the front façade of the house, hence why all the lots are included in that condition.

Mr. Hale said he did not understand that at all because they were allowed a courtyard garage all over the subdivision. Mr. Walter suggested just talking about the lots that face the main street, Lots 156 through 163. Ms. Amorose Groomes added Lot 155.

Ms. Kramb said to stay consistent because these are all park lots and the point of this was that the text says they are allowed to have courtyard garages and the Planning Report condition is saying they cannot have those. She said she heard that the Commissioners want to allow them to have what the text says they can have.

Mr. Taylor said he just wanted to know what the applicant thinks they would build there if they could to get a feel what the natural evolution of this might be. Mr. Walter reiterated Lots 154 to 163. Ms. Amorose Groomes and Mr. Taylor confirmed they were talking about those lots too.

Mr. Driscoll reiterated that they were talking about the seven lots because there were three kinds of garages on the interior street. Mr. Walter said they wanted to know about Lots 154 to 163. Mr. Driscoll said the only example they had was the Parade of Homes where they had 11 homes and three or four of them were rear-loaded. He said where they could have built anything they wanted and they built three or four with rear-loaded garages. He said that was 30 to 40 percent.

Ms. Husak clarified that in the Parade, there was one courtyard-loaded garage which was forward of the front façade of the home. Mr. Taylor commented that they were not on 85-foot wide lots. Mr. Driscoll said they were 100-foot lots in the Parade.

Mr. Taylor asked how many of the lots Mr. Driscoll thought could be sold with rear-loaded garages and if there was any interest in them at all. Mr. Driscoll said he thought there was interest. Ms. Amorose Groomes asked if they would be interested in 40 percent of the 11 lots having rear-loaded garages. Mr. Hale said they had already agreed on the front lots as a separate condition. Ms. Husak disagreed.

Ms. Amorose Groomes clarified that those front lots were adjacent to Glacier Ridge Boulevard.

Ms. Kramb said Lots 152 and 153 have a condition regarding the garages, but there was not a condition regarding Lot 154. Mr. Hale asked to address the green lots that allow front-loaded garages. He said if you take out the courtyard, what you are most likely to get are mostly front-loaded garages there.

Ms. Amorose Groomes made it clear that no one wanted to take out the courtyard garages. She asked if it was reasonable to shoot for 40 percent, or four of the ten lots being rear-loaded garages and the balance being courtyard-loaded garages. Mr. Fishman and Ms. Kramb reiterated that they should just stick to the text.

Mr. Driscoll said that they had 260 homes and they were talking about how many rear yard garages they are going to have on seven of these lots and he did not understand what they were talking about.