



CITY OF DUBLIN

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

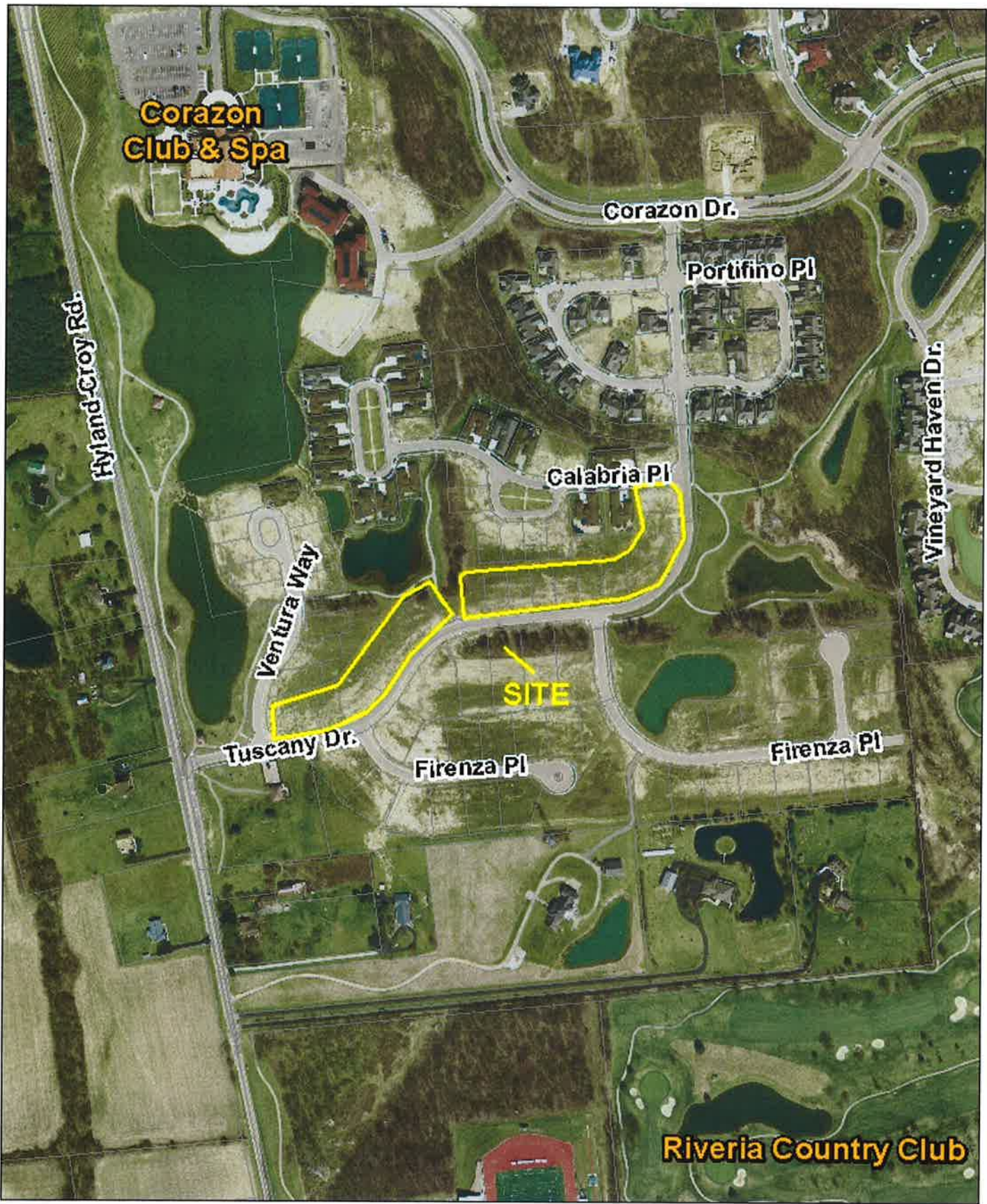
Planning Report

Thursday, August 19, 2010

Tartan West – Section 5, Subarea I, Lots 141-158

Case Summary

Agenda Item	1
Case Number	10-046INF
Request	Informal review and feedback for proposed modifications to a previously approved architectural theme and development pattern for 18 residential lots in the Tartan West subdivision.
Proposal	Elimination of an architectural theme required in the development text and approved at the final development plan/final plat stage for 18 out of 31 residential lots within Section 5 (Subarea I) of the Tartan West development. The proposal includes converting the development pattern from cluster-type lots to a more conventional single-family pattern.
Site Location	North side of Tuscany Drive at the intersection of Ventura Way, within Subarea I of the Tartan West Subdivision.
Property Owner	Tartan Development Company (West), LLC Maratage, LLC
Applicant	Steve Simonetti, Agent for Tartan Development Company
Case Manager	Tammy Noble-Flading, Senior Planner (614) 410-4649 tnoble-flading@dublin.oh.us
Planning Considerations	The applicant is requesting comments from the Planning and Zoning Commission regarding architectural changes to a portion of Section 5, Subarea I, located within the Tartan West PUD, Planned Unit Development.



Corazon Club & Spa

Corazon Dr.

Portifino Pl

Hyland-Croy Rd.

Vineyard Haven Dr.

Calabria Pl

Ventura Way

SITE

Tuscany Dr.

Firenza Pl

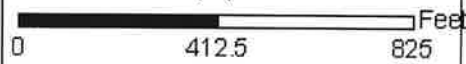
Firenza Pl

Riveria Country Club



City of Dublin
Land Use and
Long Range Planning

10-0461NF
Informal Review
Tartan West - Section 5: Lots 141-158
Tartan West Development



Facts	
Site Area	22.088-acre site
Zoning	PUD, Planned Unit Development (Tartan West plan).
Surrounding Zoning and Uses	All surrounding uses are in the Tartan West subdivision. North: PUD; Single-family cluster units, Sections 5 and 3. South: PUD; Single-family homes, Section 6. East: PUD; Open space and retention ponds. West: PUD; Single-family cluster units, Section 5.
Site Features	<ul style="list-style-type: none"> • The site is relatively flat with no vegetation or trees. • The site contains a path that connects to the single-family homes located to the north.
Development Context	<p>Tartan West</p> <ul style="list-style-type: none"> • The Tartan West Subdivision contains a total of 251 acres located on the southeast corner of Hyland-Croy and McKittrick Roads. The subdivision was approved for a residential community that includes a 79,000-square-foot recreation center, 83 single-family lots, 108 cluster units, 187 low-rise condominium units, 48 mid-rise condominium units, a 13-acre lake, 10-acres of ponds, and 104 acres of open space. • The subdivision contains twelve subareas (Subarea A through Subarea L) that include a range of housing choices and styles with specific details related to architectural style and quality of each. • The applicant is proposing modifications that are contained in Subarea I which is in the southern portion of Tartan West. The Subarea includes the 18 cluster lots located on the north side of Tuscany Drive up to Calabria Place as well as the cluster lots on Calabria Place and Ventura Way.
Development Approvals	<ul style="list-style-type: none"> • Rezoning/Preliminary Development Plan (Case 02-126Z): The Planning and Zoning Commission approved the rezoning application on November 6, 2003. City Council approved the rezoning (Ordinance 141-02) on December 9, 2003. • Final Development Plan (Case 04-177FDP): The final development plan for Section 5, Subarea I was approved on February 17, 2005. The section included 22 acres that contains 31 cluster home units with 12.8 acres of total open space. The section also includes a booster station pavilion. • Amended Final Development Plan (Case 05-044AFDP): An amended final development plan for Subarea I was approved on May 5, 2005 which included minor modifications to the development standards of the subarea including side yard encroachments for window wells and air conditioning units, lot coverage, swimming pool locations, and architecture. The architectural modifications included window trim which originally required trim on all sides. The AFDP permitted trim on the top and bottom of the window, in order to be consistent with the Tuscan theme. The AFDP also required brick and stone on the front and rear elevations only, as opposed to all four elevations as originally approved with the final development plan. The final modification permitted foundations that

Facts

Development Approvals Continued

were originally required to be clad in masonry to be clad with any material approved for the Subarea including masonry, stucco or wood.

- **Final Development Plan (Case 05-108FDP):** The final development plan for Section 6 was approved by the Planning and Zoning Commission on September 15, 2005. Planning has included this section as part of the discussion for Section 5. The section included 19.4 acres located on the south side of Tuscany Drive, east of Hyland-Croy Road and includes 33 single-family lots and 2.5 acres of open space.
- **Amended Final Development Plan (Case 05-158AFDP):** The Commission approved an amended final development plan on October 6, 2005 for Subareas B, C, D, and I (Section 6 only). The AFDP required that the trim materials be wood, copper, fiber-cement or other approved composite products. The AFDP also required modifications to the trim and all chimneys utilize a combination of stucco and masonry, as opposed to all masonry, to meet the architectural styles approved.

Details

Plan Overview

The proposal includes:

- Modifying the architectural standards for 18 residential lots platted as part of Section 5 and located within Subarea I of the Tartan West development. The lots are located on the north side of Tuscany Drive, east of the intersection with Ventura Way. Also in this Subarea are cluster lots with a Tuscan theme platted as Section 3, which are not proposed to be changed, located on Calabria Place and Ventura Way.
- The approved styles included two-story cluster homes that are designed after the Tuscan House that was approved as part of the architectural palette for the Tartan West text. The Tuscan House style was further defined in the final development plan for this section and includes four versions of houses including the Assisi, the Fiesole, the Sienna, and the Lucca (see attachment).
- The applicant is proposing that the 18 lots be modified to permit all seven architectural styles approved by the text. This includes the Colonial Revival, English Manor, French, Italian Revival, Neoclassical, Shingle, and the Tuscan style home.
- The applicant is proposing to replat the 18 lots to provide setbacks that are more typical to conventional single-family lots rather than the decreased setbacks previously approved with Section 5 for a cluster-lot development pattern. According to the applicant, the lots are being proposed to be sold and developed by a production home builder to offer homes at price ranges more aligned with the current housing market, in an effort to encourage increased development activity within the subdivision.

Architectural Details
Approved Architecture

Section 5 has been approved for cluster units with a Tuscan theme. Architectural elements include prominent and elaborate chimneys, Mission style roofs, casement windows, Palladian windows, courtyards, Corinthian columns, arched doorways, cantilevered balconies, and decorative garage

Details	
<i>Approved Architecture Continued</i>	doors. The architecture is unique and includes a variety of massing and design elements on each elevation. The exterior materials are permitted to include stacked stone and stucco as core architectural elements on each elevation. The stone is generally repeated on the water table and is permitted on front and rear elevations.
<i>Approved Development Standards</i>	The lots were platted as cluster lots with decreased setback requirements to encourage a more compact development pattern. The development standards approved for Section 5 include five-foot front yard setbacks, a six-foot rear yard setback, and a 12-foot separation between buildings. The approved text also requires a minimum lot area of 5,500 square feet, with a minimum lot width of 60 feet, and a minimum frontage of 30 feet.
<i>Proposed Architecture</i>	The applicant is proposing to modify the approved architectural style of the 18 lots to include all architectural styles approved in the text. This includes the Colonial Revival, English Manor, French, Italian Revival, Neoclassical, Tuscan, and Shingle. The text includes conceptual photographs and design details of each style along with an architectural palette describing characteristics typical to each style of architecture. The text did not approve specific elevations so that each builder—predominantly anticipated to be custom builders—would have flexibility to create unique designs within the approved architectural palette of each style. This has allowed the existing single family areas to be developed in a manner that there are no house is repeated on other lots.
<i>Proposed Development Standards</i>	The applicant has stated that the future application will include minor changes to the development standards to create setbacks that are more typical of a suburban lot. No specific setbacks have been provided with the Informal application. The lot sizes are not proposed to change.

Planning Considerations	
Request	The applicant is requesting feedback from the Commission prior to the case being forwarded as a formal Amended Final Development Plan application to the Planning and Zoning Commission. Planning recommends that the Commission provide the applicant with feedback regarding the following discussion items.
Discussion Items	<ol style="list-style-type: none"> 1) The permitted use in Subarea I is 'Themed Communities—Cluster homes targeting the empty-nester market.' Several portions of this Subarea have already been constructed. If the architectural standards are amended to allow all seven architectural styles approved in the text to be constructed, can a consistent theme be achieved in accordance with the text? 2) Will permitting this portion of the Subarea to deviate from an approved architectural theme create an awkward transition or be out of character with the remainder of the Subarea?

Planning Considerations

Discussion Items

- 3) If the Commission were to consider permitting these 18 lots to deviate from the approved cluster development pattern and Tuscan architectural theme, would it be appropriate to permit them to be developed with more conventional lot standards but with a different architectural theme?
- 4) If the Commission were supportive of a different architectural theme, would it be appropriate to continue this theme to the conventional single-family lots across Tuscany Drive?
- 5) The text does not specify approved elevations that will be permitted with the subdivision. Instead, it contains general elements of each architectural style to allow for unique homes that are not found within other areas of the City. How do we ensure that a non-custom builder can provide this diversity and maintain the quality of existing community?

Corazon Club & Spa

PUD

PUD

Vineyard Haven Dr.

Corazon Dr.

PUD

Portifino Pl

Calabria Pl

PUD

Section 5

Tuscany Dr.

Section 6

Sorrento Ct

Firenze Pl

Hyland-Croy Rd.

Ventura Way

Cabernet Ct

R

R

Riviera Country Club

R

PUD

R



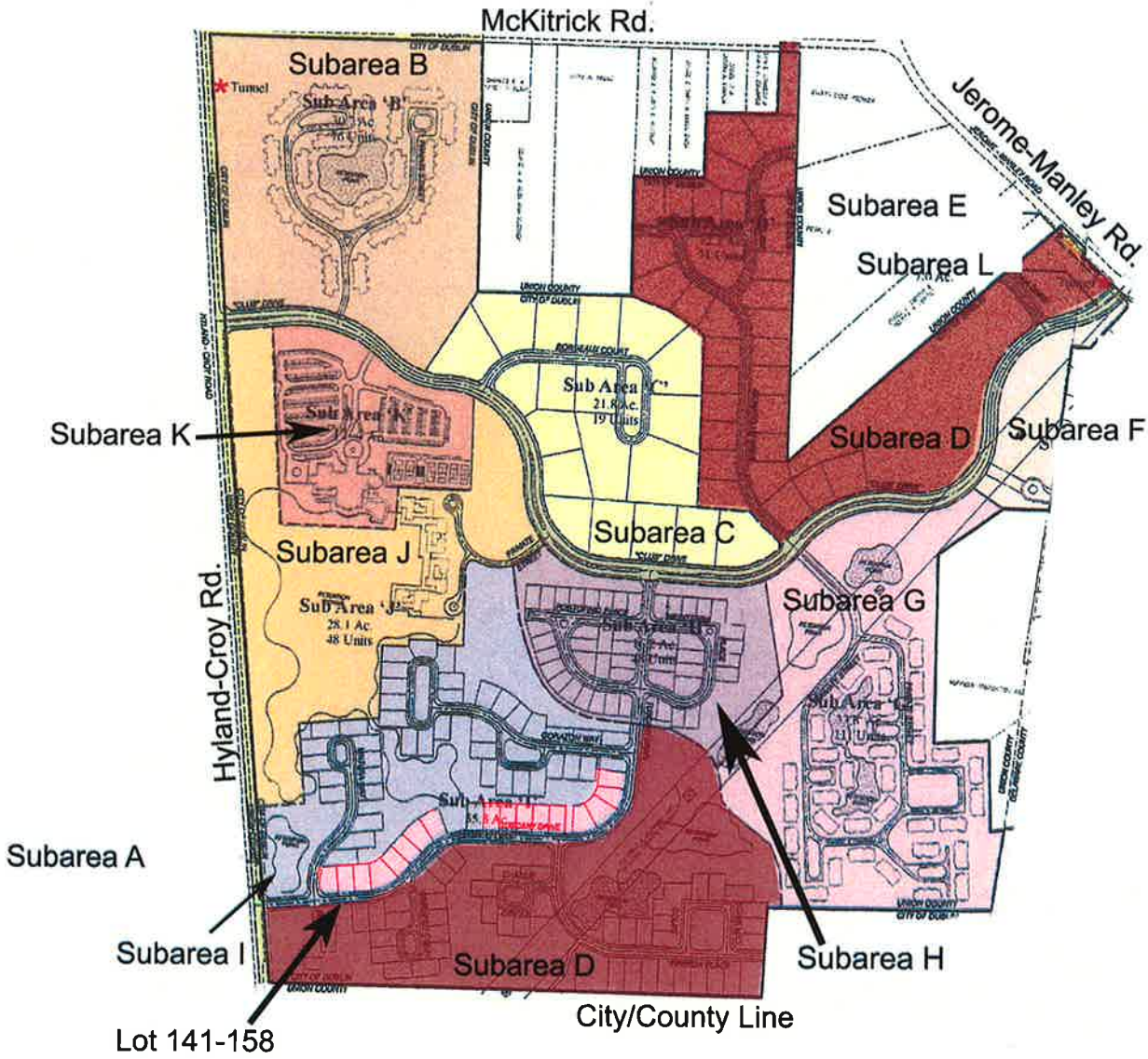
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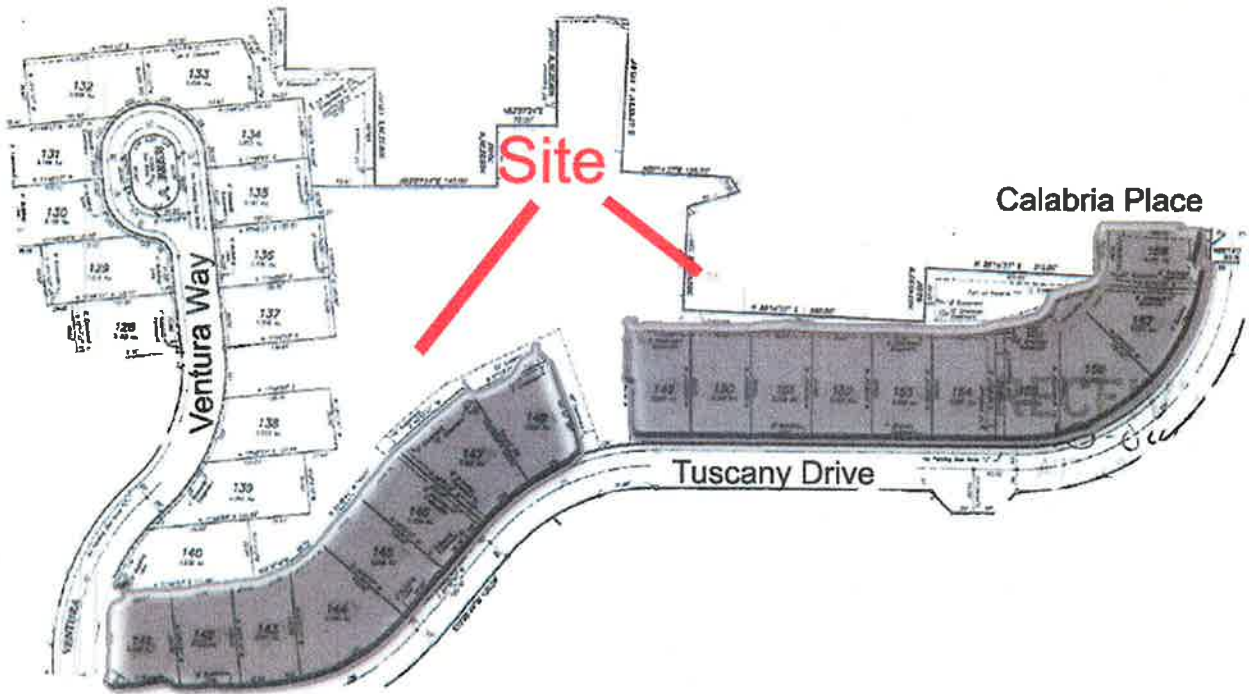


0 500 1,000 Feet

Tartan West Subareas

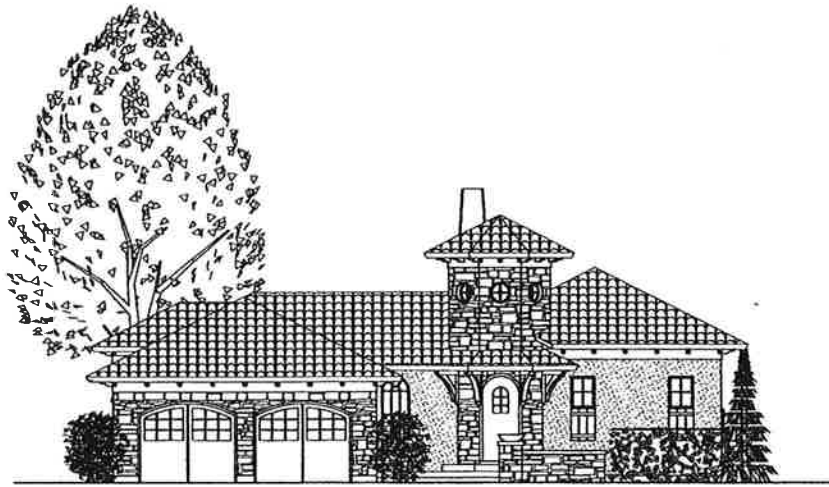


Approved Section 5 Plat

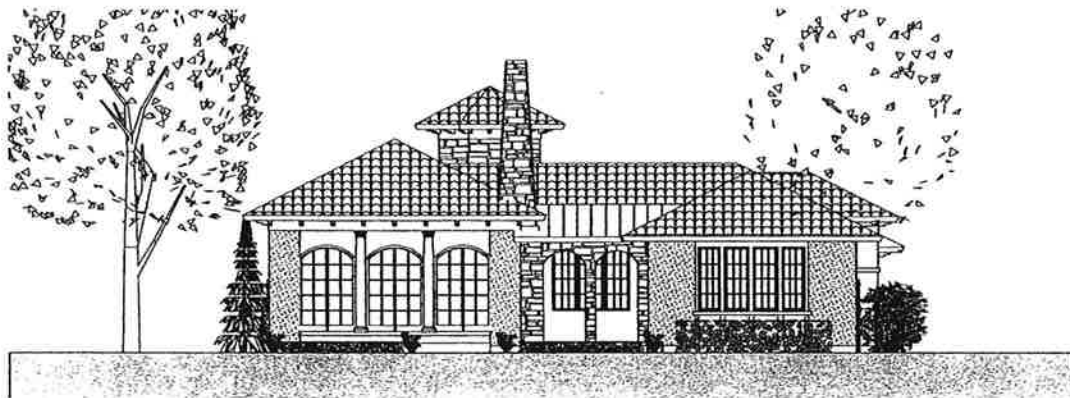


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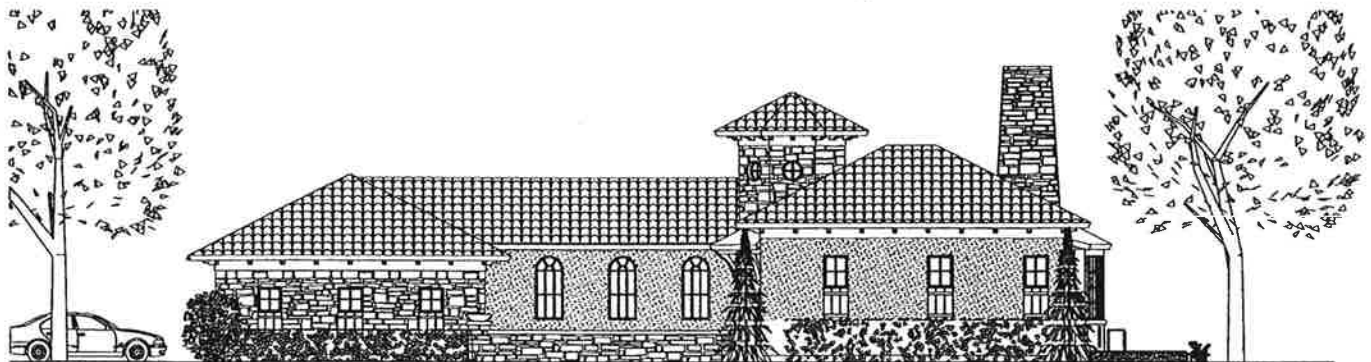
APPROVED TUSCAN-THEMED ARCHITECTURAL STYLES FOR SUBAREA I



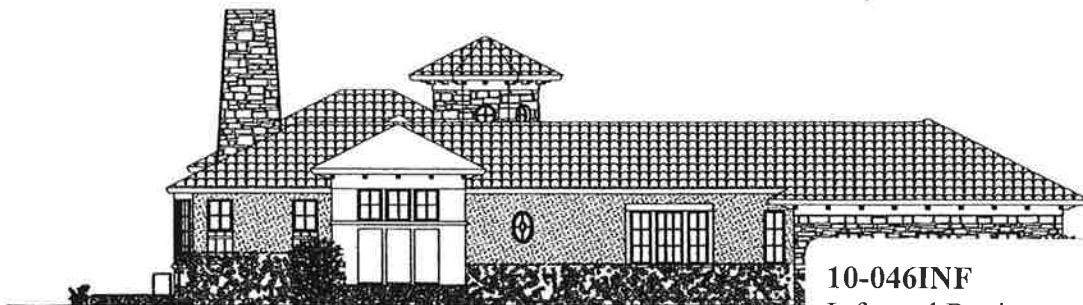
FRONT ELEVATION



REAR ELEVATION



SIDE ELEVATION



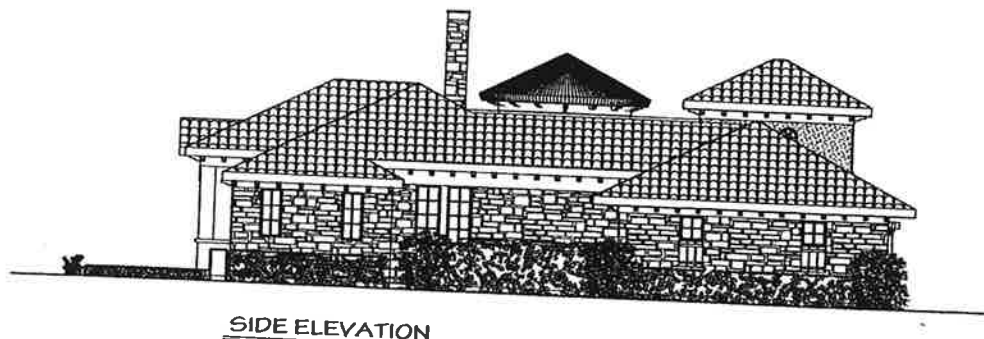
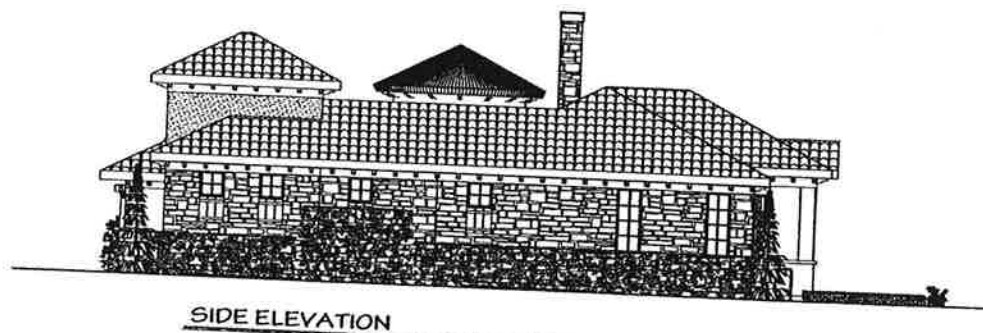
SIDE ELEVATION

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Informal Review

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APPROVED TUSCAN-THEMED ARCHITECTURAL STYLES FOR SUBAREA I



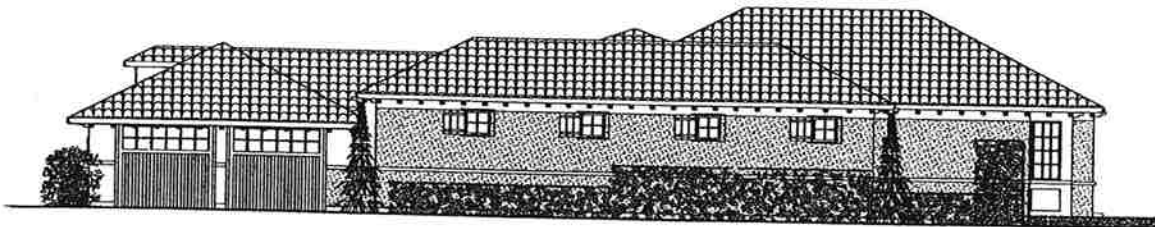
FRONT ELEVATION



REAR ELEVATION



SIDE ELEVATION



SIDE ELEVATION

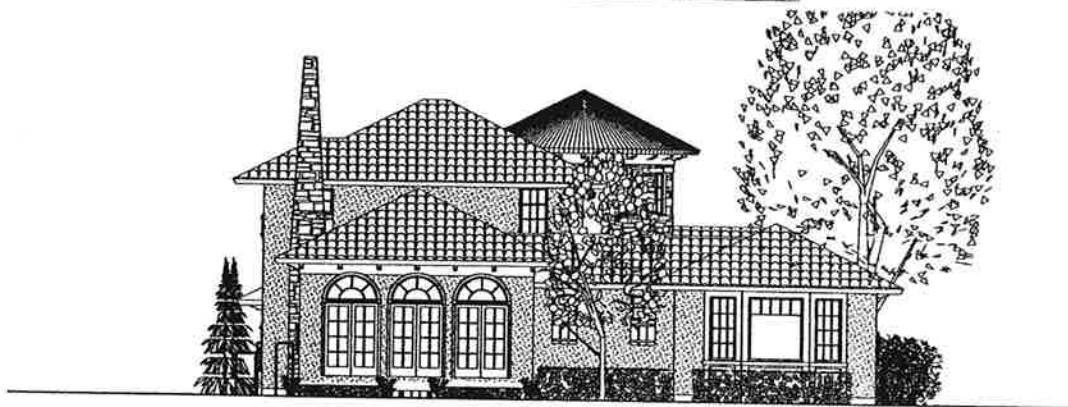
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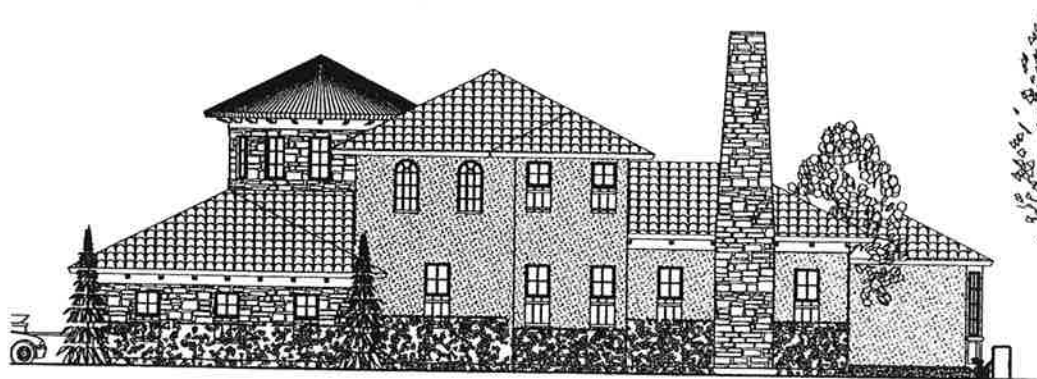
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FRONT ELEVATION



REAR ELEVATION



SIDE ELEVATION



SIDE ELEVATION

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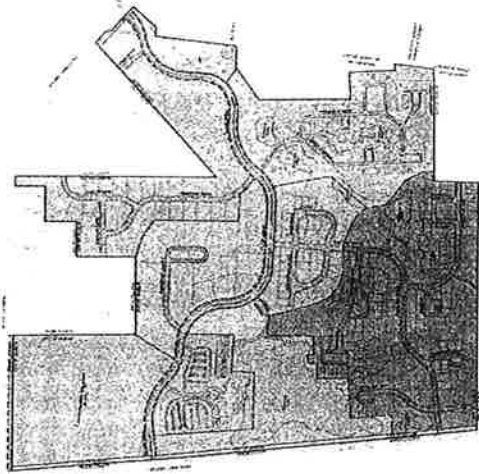
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Please note that the
approved Tartan West
Architectural Palette
is attached.

TARTAN WEST

Development Standards - Sub-Area I

I. LOCATION MAP



- The developer maintains the right to minor modifications of the current open space plan for this sub-area, provided that the total open space area for the entire development remains 100 acres, minimum, subject to Final Development Plan approval by the Planning and Zoning Commission

Setbacks

- Hyland-Croy Road:

200 feet, building and pavement, excluding accessory structures for the support of agricultural production and non-occupied entry feature structures

III. DEVELOPMENT DENSITY

Gross Area

- ±55.8 acres

Permitted Units

- 106 units

No-Build Zones

- A no-build zone is an area designated on a subdivision plat which shall remain free of any structures including, but not limited to, drives, walks, buildings and outbuildings, sheds, fences, swimming pools, decks, swing sets / play structures, satellite dish antennae, basketball courts, etc. Nothing herein shall prohibit overlot grading and drainage facilities and utility lines and utility structures within said no-build zones
- Landscaping shall be permitted within the no-build zone
- No-build zones will be located and indicated on the subdivision plat where appropriate

IV. LOT STANDARDS

Cluster Lot Size

- Lot Area: 5,500 square feet, minimum
- Lot Width: 60 feet, minimum
- Lot Frontage: 30 feet, minimum

Cluster Lot Setbacks

- Front Yard Setback: 5 feet
- Rear Yard Setback: 6 feet
- Side Yard Setback: 6 feet
- Building Separation: 12 feet, minimum

Tree Preservation Zones

- A tree preservation area is an area that will not be physically disturbed in order to preserve existing natural or new landscape features. Trees or other significant vegetation must remain in their natural condition and may not be removed from such a zone. Utilities may be located in a tree preservation zone, if necessary and designed to minimize impacts. All structures, including, but not limited to buildings, parking, driveways, sidewalks, sheds, swimming pools, patios, decks or other accessory structures, swing sets / play structures, fences, antennae and basketball courts or other sport courts are prohibited within a tree preservation zone
- Additional landscaping shall be permitted within the tree preservation zones, provided that all planting is done outside of any critical root zone, as defined by the Dublin Zoning Code
- Tree preservation zones will be located and indicated on the subdivision plat where appropriate

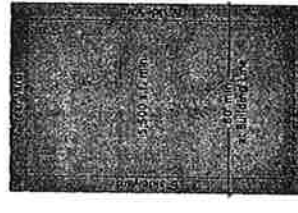
II. PERMITTED USES

Dwelling

- Themed Communities - Cluster homes targeting the empty-nester market

Parks

- Open spaces, playgrounds, community gardens (ornamental in nature) and other related program elements and park features intended to provide for passive amenities to the immediate or surrounding neighborhoods, while limiting off-site impact
- The park dedication shall include a preserved barn for use by the City as a storage facility
- The targeted and anticipated open space for this sub-area will total ±25.6 acres, 5.8 acres being public and 19.8 acres being private. All open space areas will be privately maintained by a home owners association



Public Street

10-046INF

Informal Review

Tartan West Section 5: Lots 141-158

Tartan West Development

• See Exhibits: Street/Tree Master Plan

Dedicated Parks / Open Space

- Prior to dedication to the city, the developer shall be responsible for the following:
 - a. Design and installation of the bike paths and pedestrian trails
 - b. Design and installation of water features, detention areas and/or wetlands in the open space reserves
 - c. Design and installation of park structures within the open space reserves
 - d. Design and installation of landscaping
 - e. Fine grading, seeding and landscaping
 - f. Removal of all existing farm fencing to the satisfaction of staff.
- Any lighting in park/open space areas will require specific approval from the Planning and Zoning Commission
- All open space areas will be privately maintained by a home owners association, except for the preserved barn structure, which will be maintained by the City
- The developer will preserve and dedicate to the City a barn in the southwest corner of the sub-area

Fencing

- Fencing standards and details for this sub-area shall be presented and approved during the Final Development Plan phase

Scenic Roadway Landscape Treatment

- A scenic roadway landscape treatment shall be installed in the 200' setbacks along Hyland-Croy Road
- Planting in this treatment shall have a natural woodland effect and may consist of trees transplanted from on site, deciduous trees and shrubs, ornamental trees, perennials or any combination thereof
- Any trees, larger than 2 1/2" in caliper, planted in this treatment, shall count toward the required number of replacement trees
- Earth mounding may be used where existing trees are not present, provided it doesn't disrupt the master drainage plan.
- Installation of this landscape treatment will occur at the time the sub-area is developed, prior to occupancy of any units.
- Pedestrian/Bike paths, water features and lake access will be provided in this treatment

• See Exhibits: Hyland-Croy Landscape-South

VIII. ARCHITECTURE

Permitted Building Height

- Maximum of 35', as measured per the Dublin Code

Exterior Materials

- Cladding Materials
 - a. The exterior siding of all structures, including the foundation, shall be finished using all natural materials, including brick, stone, manufactured stone, wood, stucco, EIFS, fiber-cement siding products or any combination thereof
 - b. Materials and specifications will be provided in the Final Development Plan
- Trim Materials
 - a. Wood, vinyl, aluminum, copper or fiber-cement products
 - b. Materials and specifications will be provided in the Final Development Plan
- Roofing Materials
 - a. Dimensional asphalt shingles, wood, slate, concrete, tile or metal
 - b. Materials and specifications will be provided in the Final Development Plan

Exterior Colors

- Cladding Colors
 - a. Natural earth tones and/or warm neutral colors, including white
 - b. High-chroma colors are not permitted
- Trim Colors
 - a. Natural earth tones and or warm neutral colors, including white
 - b. Complementary or contrasting to siding color
 - c. High-chroma colors are not permitted
- Roofing Colors
 - a. Roofing colors shall be from the color range of natural materials, such as, but not limited to wood shakes, slate, etc
 - b. High-chroma colors are not permitted

Architectural Elements

- Four-sided Architecture
 - a. Similar architectural design elements and details shall be consistent throughout all elevations of the structure.
 - b. Windows and/or doors must be present on all four sides of the structure in a manner that is consistent with the treatment used on the front elevation

- c. Blank walls are prohibited. On front loaded garages, faux windows/closed shutter windows are permitted, to meet this requirement.
- d. All doors and windows shall be surrounded by a minimum of 2-1/2" wide trim. Trim detail shall be consistent on all four sides of the structure
- e. When brick, stone or manufactured stone is used on the front elevation of the structure, it must be repeated in some form (water table, chimney, corner wrap, or similar treatment) on the remaining elevations of the structure

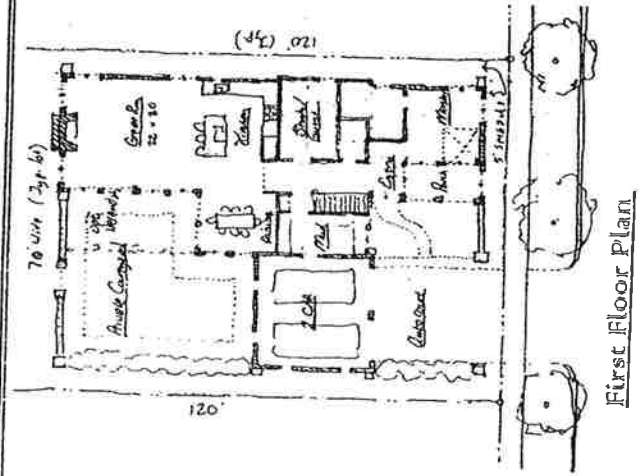
- Chimneys
 - a. "Canilevered" or "through-the-wall" chimneys are not permitted
 - b. All chimneys shall be built on an integral foundation
 - c. All exterior portions of chimney shall be finished masonry, consisting of brick, stone and/or manufactured stone.
- Garages
 - a. All single-family dwellings shall have an attached garage of sufficient size to accommodate a minimum of 2 standard sized automobiles, side by side
 - b. Side or rear loaded garages are encouraged

Themed Communities

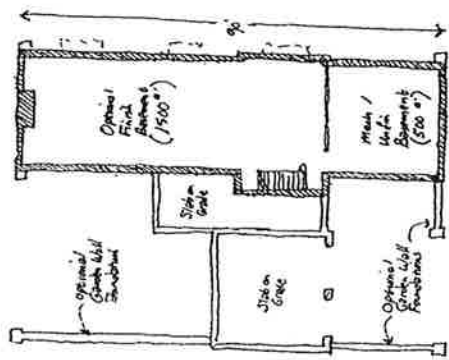
- Themed or architecturally coordinated communities featuring a specific architectural style with one or more buildings, may be permitted and would not be subject to the architectural or lot diversity standard. Building elevations, anticipated product mix and a diversity matrix will be submitted to the Planning Commission in conjunction with the Final Development Plan

Architectural Approval Process

- Plan Approval
 - a. The Tartan Development Company shall retain the right of individual developer plan approval for all residential dwelling units.
- Architectural Review Committee
 - a. An Architectural Review Committee (ARC) shall be established prior to the start of any construction
 - b. The ARC shall be comprised of no fewer than three members, one of which must be a registered architect and one of which may be a licensed landscape architect
 - c. The ARC shall be responsible for evaluating all site plans and architectural plans for adherence to the design guidelines established in the architectural palette, design standards and diversity standards, and shall administer and enforce the guidelines during construction



First Floor Plan



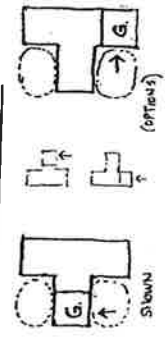
Basement Floor Plan

SQUARE FOOTAGE LEGEND:

Lower Level:	500 +/- sf
unfinished -	
finished - (optional)	1,500 +/- sf
First Floor Level:	2,500 +/- sf
finished space:	
Garages:	580 +/- sf

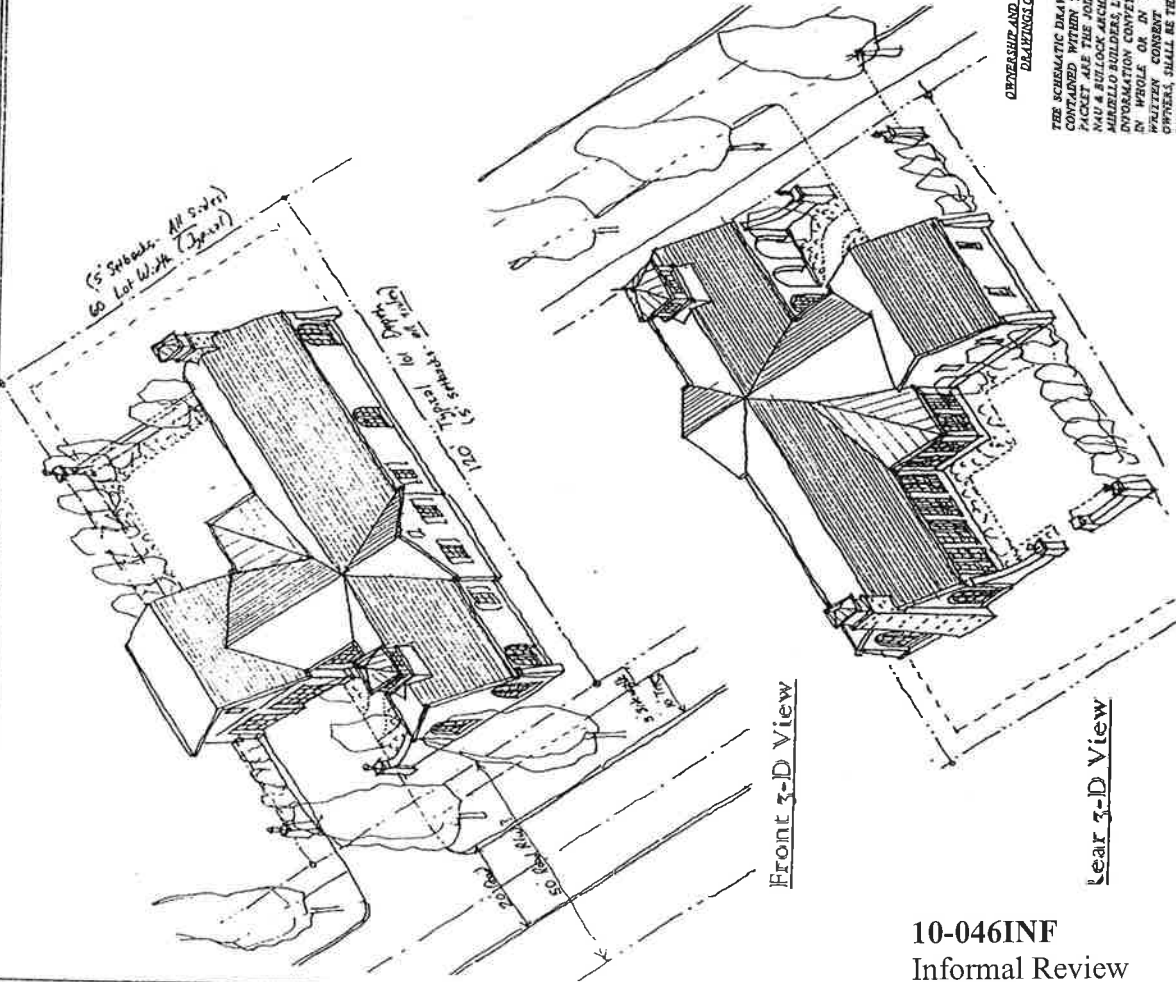
Plan Type 'T'

Base Model



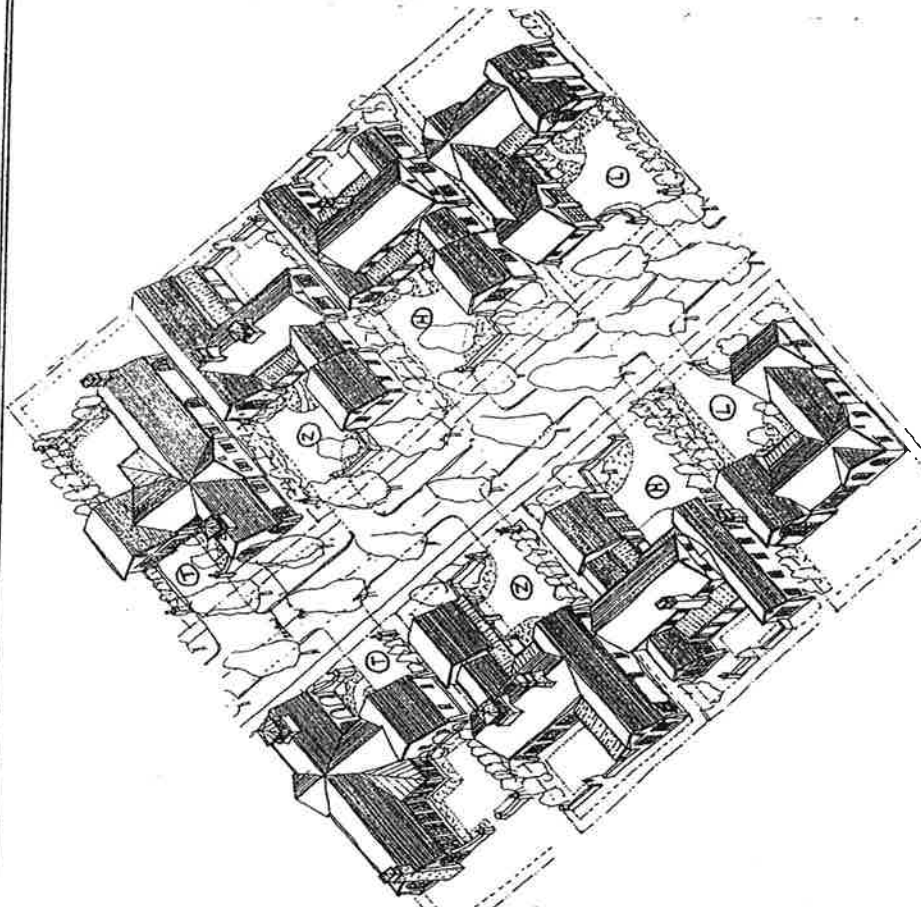
Francisco Mirtello Cluster Homes
Tartan West
Conceptual/Schematic Drawings
Nau & Bullock Architects
12th March 2003

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Front 3-D View

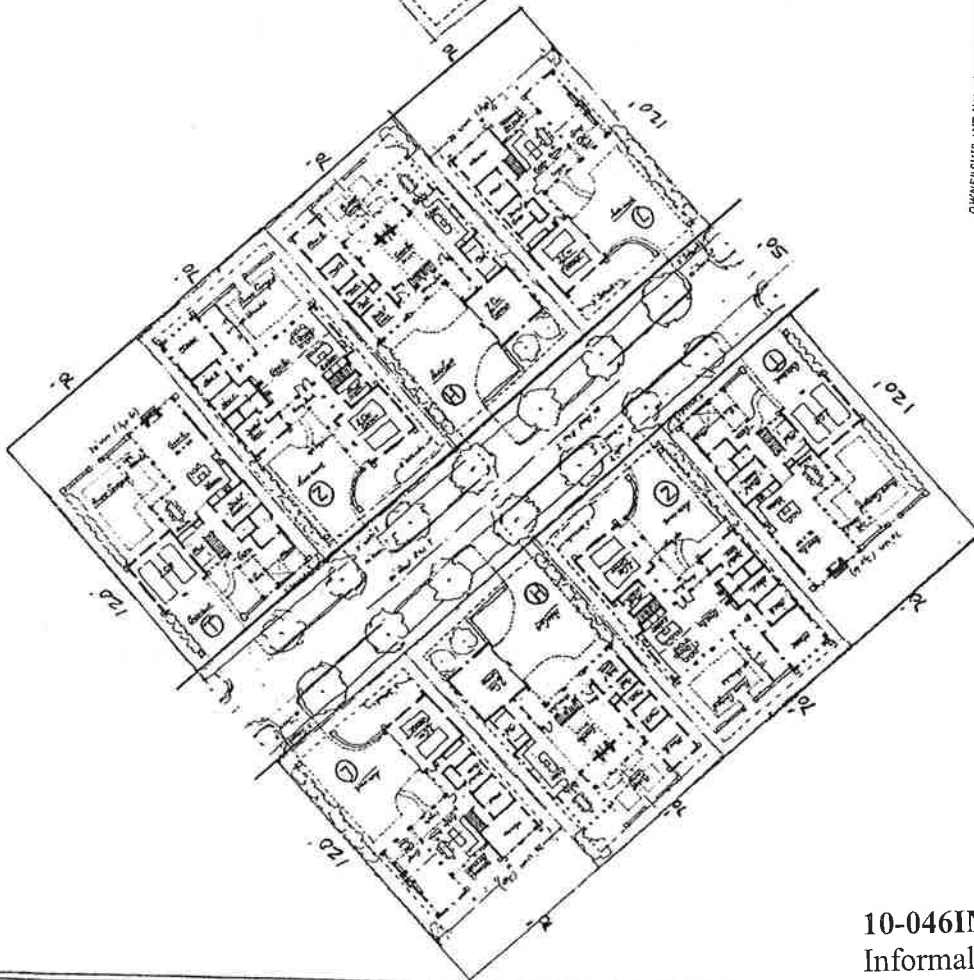
Rear 3-D View



Density/Massing Study - no scale!

LOTS : 70 x 120' TYP LOTS
: 2100 - 2500 SF -
(1ST 1/4) UNITS

Franco Mirtello Cluster Homes
Tartan West
Conceptual/Schematic Drawings
Nau & Bullock Architects
13th March 2003



Density Diagrams - no scale!

OWNERSHIP AND LANE OF ARCHITECTURAL DRAWINGS OR PROJECT DESIGN

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10-046INF

Informal Review

Tartan West Section 5: Lots 141-158

Tartan West Development



PLANNING AND ZONING COMMISSION

RECORD OF ACTION

MAY 5, 2005

CITY OF DUBLIN.

Land Use and
Long Range Planning
5800 Shier-Rings Road
Dublin, Ohio 43016-1236

Phone: 614-410-4600
Fax: 614-410-4747
Web Site: www.dublin.oh.us

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

6. Amended Final Development Plan 05-044AFDP – Tartan West PUD, Subarea I Modifications – 8640 Hyland Croy Road

Location: 55.8 acres located at the southeast corner of the development.

Existing Zoning: PUD, Planned Unit Development District (Tartan West plan).

Request: Review and approval of an Amended Final Development Plan under the PUD provisions of Section 153.053.

Proposed Use: Minor modifications to the requirements and restrictions for this subarea, including sideyard encroachments for window wells and air conditioning units, lot coverage, swimming pool location, and architecture.

Applicant: Steven J. Simonetti, Tartan Development Company West, LLC, 8070 Tartan Fields Drive, Dublin, Ohio 43017; represented by Brad Schoch, Schoch and Associates, 18 South High Street, Dublin, Ohio 43017.

Staff Contact: Jamie E. Adkins, Planner.

Contact Information: (614) 410-4644/Email: jadkins@dublin.oh.us.

MOTION: To approve this Amended Final Development Plan because it generally meets the revised PUD criteria, the standards comply with the final development plan and the intent of the preliminary development plan for the Tartan West development, and it will continue to provide a high-quality residential development, with the following added condition:

- 1) That the text amendment be revised to exclude wood as an approved foundation wall veneer material.

* Brad Schoch, Schoch and Associates, representing the applicant, agreed to the above condition.

VOTE: 6-0.

RESULT: This Amended Final Development Plan was approved.

STAFF CERTIFICATION

Anne Wanner, Senior Planner
Land Use and Long Range P

10-046INF

Informal Review

Tartan West Section 5: Lots 141-158

Tartan West Development

Mr. Meyers said the front entry of the building had a covered roof which was a porch, but there would not be any additional coverings for the front. However, they are planning on replacing the existing canvas awning at the other main entry of the building.

Ms. Boring asked if a canopy were ever considered on this addition that it be earth tone colored.

Mr. Meyers understood it would have to be approved by the Commission, but he agreed any future canopy on this addition would be earth tone.

Mr. Meyers agreed to the conditions as listed below.

Mr. Gerber made the motion to approve this Amended Final Development Plan because it meets the requirements of the Planned District regulations and the Muirfield PUD, it is compatible with the existing building and surrounding architecture of the area, and it is consistent with the Future Land Use Map within the Community Plan, with two conditions:

- 1) That tree protection fencing be indicated on the plans, subject to staff approval; and
- 2) That the site design meets Stormwater Regulations to the satisfaction of the City Engineer.

Mr. Zimmerman seconded the motion, and the vote was as follows: Mr. Messineo, yes; Ms. Jones, yes; Ms. Boring, yes; Ms. Reiss, yes; Mr. Zimmerman, yes; and Mr. Gerber, yes. (Approved 6-0.)

6. Amended Final Development Plan 05-044AFDP – Tartan West PUD, Subarea I Modifications – 8640 Hyland Croy Road

Mr. Gerber said this site is zoned PUD, Planned Unit Development District. He said this is a request for minor modifications to the requirements and restrictions to this subarea including sideyard encroachments for window wells and air conditioning units, lot coverage, swimming pool location, and architecture. Amended Final Development Plans require review and approval of the Planning and Zoning Commission. He said following approval, the applicant may apply for building permits.

Mr. Gerber swore in those who intended to testify in regards to this case.

Ms. Boring pulled this case from the Consent agenda and instead of a full staff presentation, asked for a brief explanation about the window wells and why air conditioners could not be placed in the rear yards.

Brad Schoch, Schoch and Associates, representing the applicant, explained that many of the lots had some topography to them which will allow them to eliminate a window well. However, on the lots lacking topography, the window well itself would measure approximately 48 inches deep at a maximum. He referred to a slide of a diagram that best illustrated what they were proposing. He said they would have control over the orientation of these homes, and if and when, a window well would be necessary, if there is a concern about access around the sideyards of the lots, that they will maintain at least an eight-foot separation between window wells if they oppose each other or window wells if they end up on a similar lot. Mr. Schoch said their market is finding that these are primarily single-family homes, and their buyer wants an additional bedroom in the

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lower level and for them to satisfy the building code which asks for a certain amount of natural daylight and ventilation to those rooms, they are needing some window wells. He said there is also jaggging in the walls, so there are times where potentially, the window well could end up elsewhere.

Mr. Schoch said sometimes, the mechanical rooms in these homes are along the side portion of the house, and to be efficient and work properly, they are asking for relief in the ability to conceal them with landscaping and locate them there. He said many of these homes back up to the lake, and the location of air conditioners on the backs of the homes is also obviously going to affect the nice view.

Ms. Boring said air conditioner units should be encouraged in the back, subject to engineering approval so that view sheds are not cluttered. She asked why it was necessary to specify that in the text.

Anne Wanner said the Code was silent on the placement of air conditioning units specifically. She said the Appearance Code addressed mechanicals such as the cable and electrical boxes which are typically placed in the rear of the building. In this case, a clear view is wanted towards some of the lake views. She said air conditioning units are in the side yards in many neighborhoods, but they have larger side yards and do not have encroachment issues with air conditioners. Ms. Wanner said lots in Dublin are typically 80 feet or larger in width.

Mr. Gerber said over the last few years, there has been a concerted effort to put the units in the rear. However, this is a little different, and he thought it was acceptable because there were reasons to justify it. He said it had been the Commission's practice to add that language specifically in the text.

Ms. Wanner said this text did not have this specific text for air conditioners, and they were requesting an "amendment" to permit them in the sideyards.

Ms. Boring reiterated that if this language had been included in the text, the Commission did not have discretion because they had previously approved this language.

Ms. Wanner agreed and stated that the mechanicals would be required to be screened on all sides. She said it would appear as a landscape element.

Ms. Boring said if the air conditioning units were in the sideyards where neighbors had bedrooms, it was a real distraction. She said that was one reason she liked them in the rear yards, other than the look.

Steve Simonetti, Tartan Development, said to their benefit, it was not up to the buyer to locate the units. He said it would primarily be up to their builder. However, he said he tended to agree with Ms. Boring and shared her opinion that the air conditioning units can generate noise. He said their buyers are being told that the air conditioning units are being arranged in a way so they have as little impact on their neighbors as possible. He said he would encourage the architects to place the air conditioning units towards the rear of the home.

Ms. Boring asked for clarification on the placement of window wells.