

**STAFF REPORT
DEVELOPMENT COMMISSION
ZONING MEETING
CITY OF COLUMBUS, OHIO
OCTOBER 8, 2015**

1. **APPLICATION:** **Z15-034**
 Location: **5372 CENTRAL COLLEGE ROAD (43081)**, being 85.4± acres located on the north side of Central College Road, 3,040± feet west of Harlem Road (010-237999 plus 121 others; Rocky Fork/Blacklick Accord).
- Existing Zoning:** NE, Neighborhood Edge, NG, Neighborhood General, and NC, Neighborhood Center Districts.
- Request:** NE, Neighborhood Edge, NG, Neighborhood General, and NC, Neighborhood Center Districts.
- Proposed Use:** Single- and multi-unit residential development.
- Applicant(s):** M/I Homes of Central Ohio; c/o Laura MacGregor Comek, Atty.; 300 East Broad Street, Suite 450; Columbus, OH 43215.
- Property Owner(s):** Homewood Corp.; 2700 East Dublin-Granville Road; Columbus, OH 43231.
- Planner:** Shannon Pine, 645-2208, spine@columbus.gov

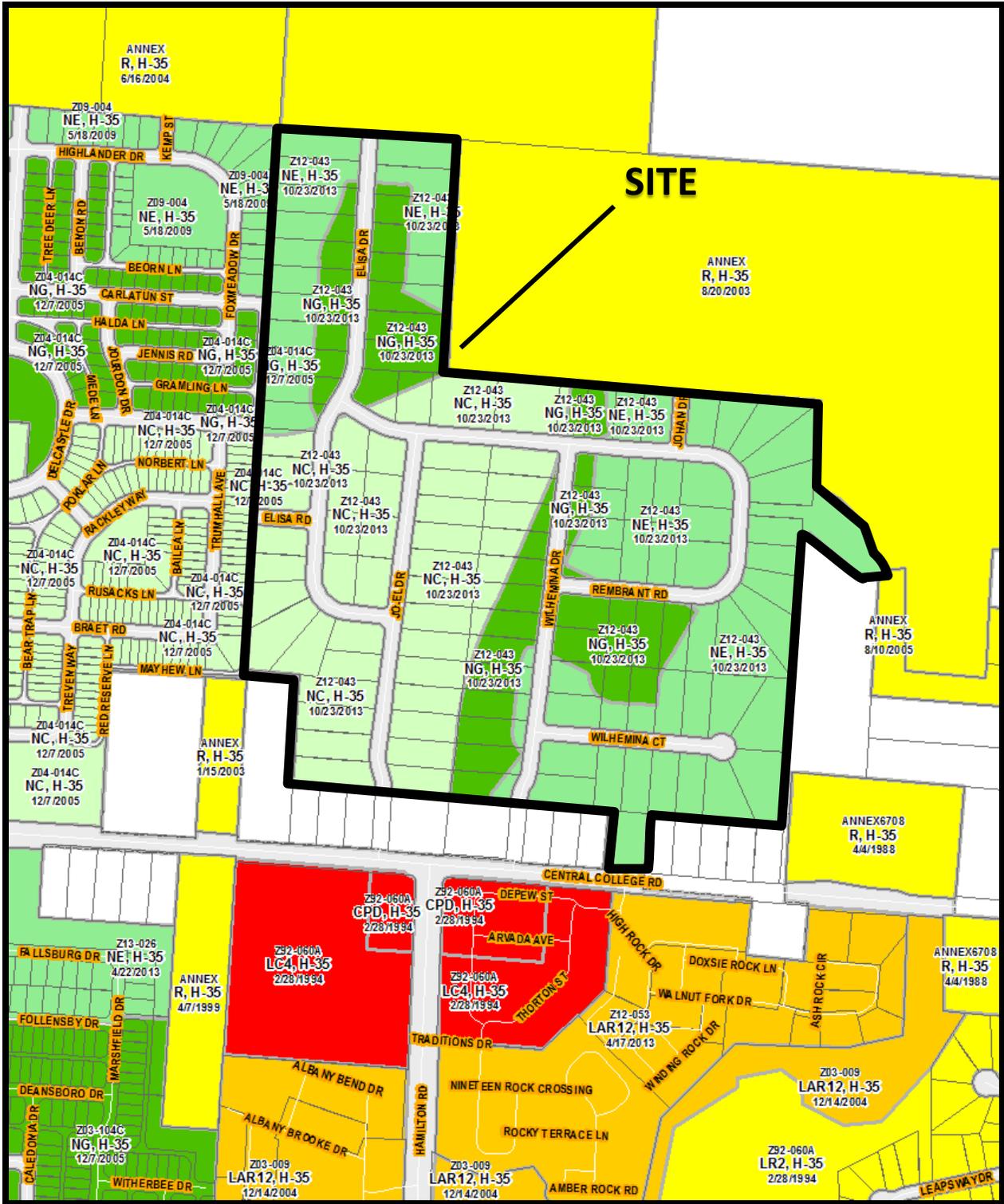
BACKGROUND:

- The 85.4± acre site is undeveloped and zoned in the NC, Neighborhood Center, NG, Neighborhood General, and NE, Neighborhood Edge Districts. The requested rezoning will allow a reconfiguration of the TND Districts as was accomplished in 2013 with Z12-043. The proposed changes include an increase in land zoned in the in the NE, Neighborhood Edge District, and decreases in land zoned in the NG, Neighborhood General, and NC, Neighborhood Center Districts.
- Farmland zoned in the R, Rural District is located to the north. Single-unit dwellings in the NG, Neighborhood General, and NE, Neighborhood Edge Districts are located to the west. *Rocky Fork Creek* and a single-unit dwelling in Plain Township are located along the eastern border of the site. Single-unit dwellings in Plain Township are located to the south. Also, to the south across Central College Road is undeveloped land zoned in the CPD, Commercial Planned Development and L-C-4, Limited Commercial Districts, and multi-unit residential development in the L-AR-12, Limited Apartment Residential District.
- The site is within the boundaries of the *Rocky Fork/Blacklick Accord* (2003), which recommends Traditional Neighborhood Development in the Neighborhood, Neighborhood Center and Neighborhood Center Commercial designations for this location. The Rocky Fork/Blacklick Accord Implementation Panel voted to approve the request on August 20, 2015.

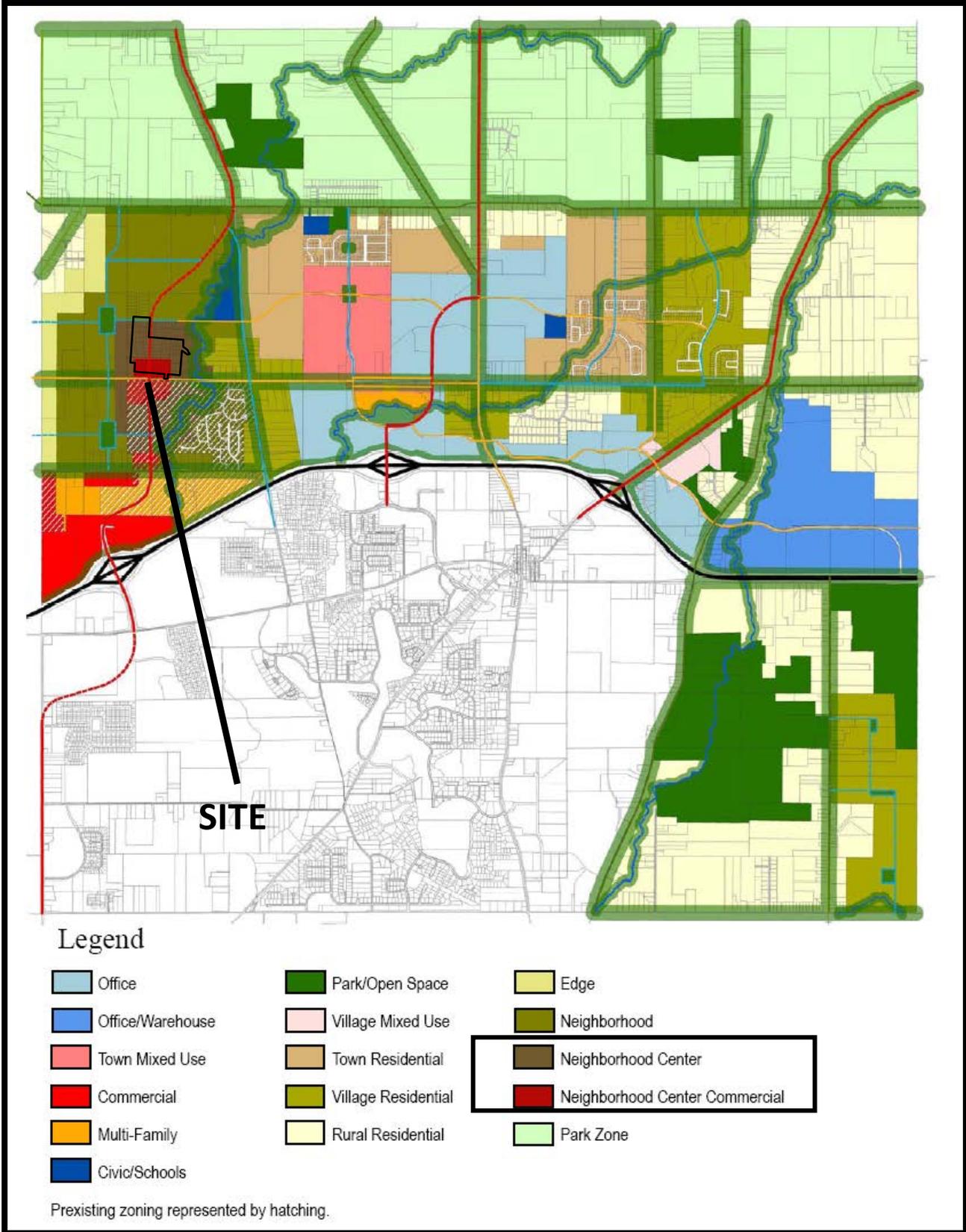
- The proposed TND will include a maximum of 482 residential units, which result in an overall decrease of 26 units with a density change from 5.94 units/acre to 5.64 units/acre. The reallocation of the TND districts will result in an increase of open space of 0.24± acres, and sidewalks and bicycle racks will be incorporated throughout the development per City Code requirements.
- Companion Council Variance CV15-039 is requested to vary requirements for garage setbacks, dwelling façades, lot lots, and to permit more than 50% of the site to be within the NE district. That request will be heard by City Council and will not be considered at this Development Commission meeting.
- The site is included within the Pay as We Grow plan for the Northeast growth corridor which requires the developer to pay a specified amount per dwelling unit towards infrastructure costs. The specifics of the funding requirements will need to be finalized prior to this application being submitted to City Council for consideration.
- The *Columbus Thoroughfare Plan* identifies Central College Road as a 4-2 arterial requiring a minimum of 50 feet of right-of-way from centerline, and North Hamilton Road, which is to be extended through the site, as a 4-2D arterial requiring a minimum of 60 feet of right-of-way from centerline.

CITY DEPARTMENTS' RECOMMENDATION: Approval.

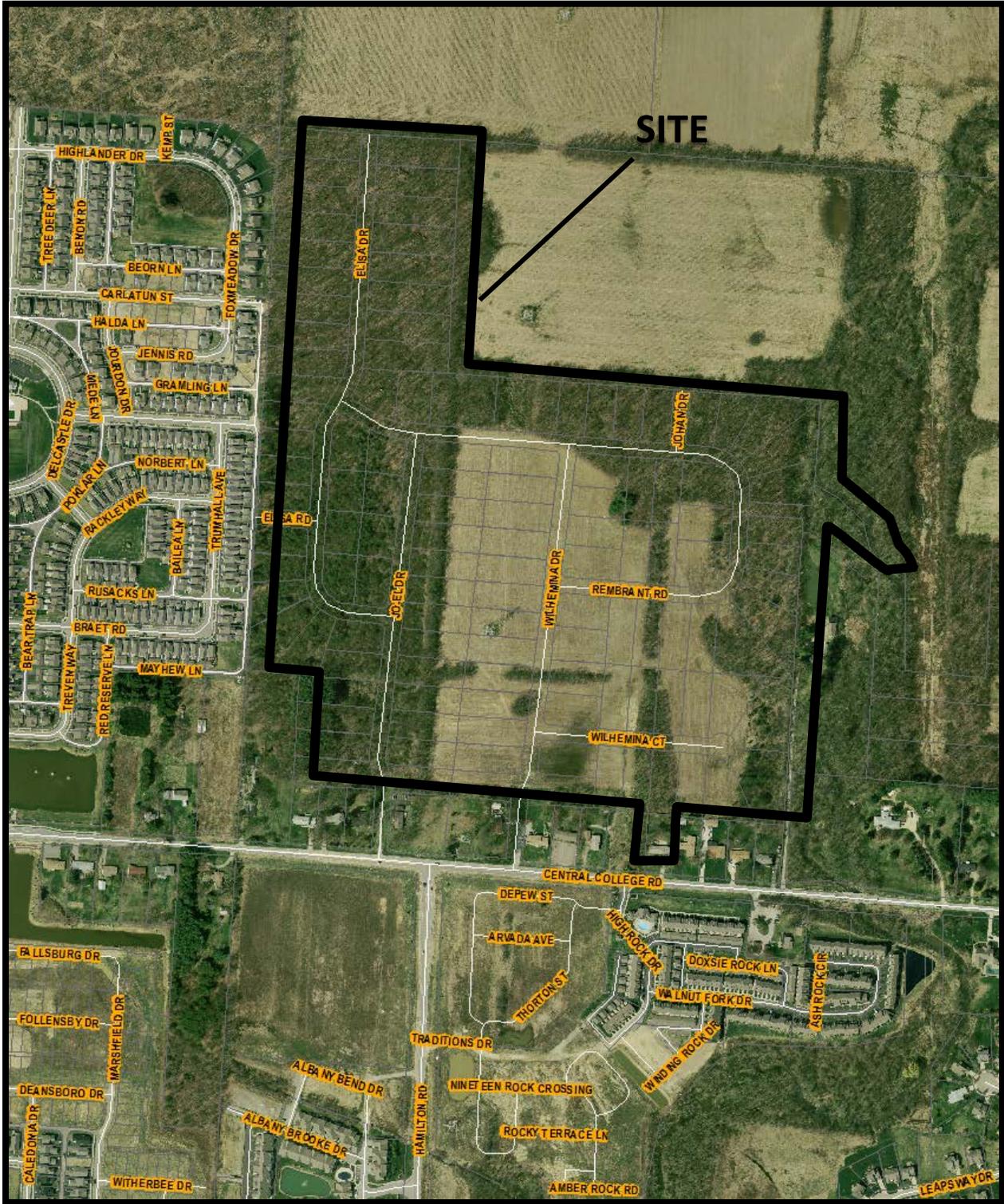
The reallocation of the TND districts will not negatively impact the existing surroundings and will allow the applicant to pursue their marketing and design objectives while maintaining the goals of Traditional Neighborhood Development. The proposal is consistent with TND principles and will result in a decrease in the over-all number of units with increased open space.



.....Z15-034
 5372 Central College Road
 Approximately 85.4 acres
 NE, NG, & NC to NE, NG, & NC



.....N15-034
 5372 Central College Road
 Approximately 85.4 acres
 NE, NG, & NC to NE, NG, & NC



.....Z15-034
5372 Central College Road
Approximately 85.4 acres
NE, NG, & NC to NE, NG, & NC

Hellebrekers Development
Statement Addressing TND Principles
MI Homes of Central Ohio LLC, Homewood Corporation, and Pulte Group
August 14, 2015

The Hellebrekers Property is approximately 85.4 acres, located north of Central College Road and west of Rocky Fork Creek ("Site"). It is immediately east of the Upper Albany West Subdivision (originally and thereafter subsequently rezoned by MI Homes to TND and R2), and west and south of the Harlem Road LLC Property. The Site was previously platted with single-family lots while in the County, but was never built. The Site was later annexed to the City of Columbus and includes three properties along Central College that provide access to the larger overall site.

Hamilton Road is planned to extend through this Site, bisecting it almost in half. A large overhead power line bisects the Site as well, in almost the same alignment as the Hamilton Road extension.

It is the intention of this development to incorporate the principles of the Traditional Neighborhood Development Ordinance, and the standards set forth in the Community Plan for the Rocky Fork-Blacklick Accord West Village. The precedent set forth by these documents has resulted in the creation of viable TND communities that focus on the pedestrian, as well as vehicular requirements.

The main purpose for this rezoning is to eliminate alley loaded single family residential lots in the neighborhood general district and replace them with single family front loaded residential in the neighborhood edge district.

A. *The basic increment of planning is the transit-supportive, mixed-use neighborhood of a minimum density of five units per acre.*

The plan provides for a mix of residential product types, with density transitions from higher density uses adjacent to the MI development on the west to lower density, larger lot single-family development to the east along Rocky Fork Creek. At present, there is little or no market demand for alley-loaded lots. This product has been widely used in the area both within the existing MI development to the west, as well as the Dominion/Pulte TND developments south and west of this Site.

The density after this rezoning will be 5.64 u/a. This density is considered a transit-supportive density.

- B. *The neighborhood is defined by an easy walking distance from edge to center, ranging from a quarter mile to a half mile.***

Since the Site is bisected by the Hamilton Road extension, we feel we have two neighborhoods. However, the walking distance to reach any of the parks or village greens is within TND code requirements. The largest neighborhood park (10.1 acres) and village greens (.9 and 0.4 acres) located east of Hamilton Road, are generally a walking distance of 1200 feet or less for the residents located at the furthest point away from these areas within this development. Additional open spaces, neighborhood park (2.2 acres), village square (2.2 acres), and green, are located on the west side of Hamilton Road providing additional areas of open space for the residents of this development.

The applicant has incorporated the road stubs from the adjacent Upper Albany and Harlem Road properties, to provide an interconnected street grid and green space system that promotes pedestrian flows throughout this and the other developments. Sidewalks will carry pedestrians to neighboring parks and greens. A pedestrian pathway will be developed within the greens along Hamilton Road to further enhance pedestrian connections. It is possible that a future transit stop could be established by COTA along the Hamilton Road Corridor.

- C. *A variety of housing stock serves a range of incomes and age groups and includes backyard apartments and residential units adjacent to work places.***

Two housing types will be available within this development: an attached townhouse product, detached residential homes. The options of housing stock will provide a range of housing prices that are anticipated to appeal to differing income and age levels.

- D. *A variety of business types are accommodated, from retail and professional offices to outbuildings for startup businesses. The office stock serves a range from home occupations to conventional office buildings. The retail stock includes a range from the corner store to small supermarkets.***

Through prior rezonings, the commercial districts were determined more appropriate at

the south east and south west corners of Hamilton Road at Central College Road.

E. *Special sites are reserved for civic buildings to serve as symbols of the community, thus enhancing community identity.*

Several sites have been located throughout the plan that could accommodate a civic building. In the Neighborhood Center, a Village Square has been designed and located to provide both visual and physical links to the green and civic spaces west of Hamilton Road. This area could incorporate a civic building and swimming pool. The Village Green east of Hamilton Road, centrally located within the Neighborhood General, would be an ideal location for a civic building or structure, or an area for cultural and recreational activities for the entire neighborhood. Bike racks will be provided.

F. *A variety of civic spaces take the form of parks, greens, squares and plazas.*

A variety of civic spaces are dispersed throughout the Site. Along Hamilton Road are a series of linear greens totaling approximately 4.5 acres. These greens parallel the road, creating a green corridor with retention ponds and pathways to link to the adjacent residential units and Town Center. To the east and west of Hamilton Road are two open spaces, one centrally located in the Neighborhood Center as a Village Square, 2.2 acres, and the other located in the Neighborhood General as a Green, 0.9 acres. This Village Square and Green may be utilized as a place for passive/active recreation. A physical connection via a 6' pedestrian path is provided from the Village Square and Green to the 10.1 acre Neighborhood Park along the creek.

A landscape theme shall be developed within these linear open spaces along Hamilton Road on the east side as well as on the west side to create a unified frontage. Because a portion of this area is under the power line easement, we anticipate the landscape theme to incorporate a more rural landscape feel, consisting of randomly grouped ornamental trees, shrubs and low evergreens. However, this landscape should appear natural in character.

Along Rocky Fork Creek, a setback of 250' from the centerline of the creek has been maintained to protect the stream. This setback has been increased in other areas along the creek to create a 10.1 acre area that will serve as a neighborhood park and tree preservation area. This park will also provide visual interest and access to the creek

corridor.

On the west side of Hamilton Road in the northwest portion of the Site, a 2.2 acre park has been reserved as another tree preservation area. Within the Neighborhood Center there is a 2.2 acre Village Square that may be utilized for a civic building and swimming pool. ____

Civic spaces provided total 22.6 acres, or 26.4% of the gross Site area. _____

G. *A variety of thoroughfares are designed to be equitable to the pedestrian, bicycle and automobile. Thoroughfares are connected in such a way as to encourage walking and reduce the number and length of automobile trips.*

A variety of thoroughfare types have been provided, including alleys, local and collector streets, commercial and arterial streets, as well as bicycle paths and sidewalks. All thoroughfares are interconnected within this development and to adjacent developments, to encourage walking and reduce the number and length of automobile trips.

All thoroughfares shall incorporate the required sidewalks, landscaping and lighting as specified by the TND Code, with the exception of the Hamilton Road landscape as noted above.

The Hamilton Road extension is a critical roadway through this property, and links development from the south to proposed development north. Per the City of Columbus, a right-of-way of 120' has been indicated on all plans.

The east west connector has also been shown on the plans to link the Upper Albany West and George Properties. The right of way shown for this roadway is 60' through the Upper Albany West, and has been extended through our Site at the same right-of-way.

H. *Building frontages spatially delineate thoroughfares and civic spaces, and mask parking lots.*

The streetscape defines the thoroughfares, and is characterized by a variety of house types. In all cases, the streets will be defined by the homes. These will generally have tight setbacks to promote a pedestrian oriented streetscape. Some of the homes (Neighborhood Edge) will feature garages set back from the front façade, or garages

located behind the homes. On-street parking will be provided for guests within the neighborhoods. Parking lots will be masked by vegetation or other suitable measures, to a height of 4 feet.

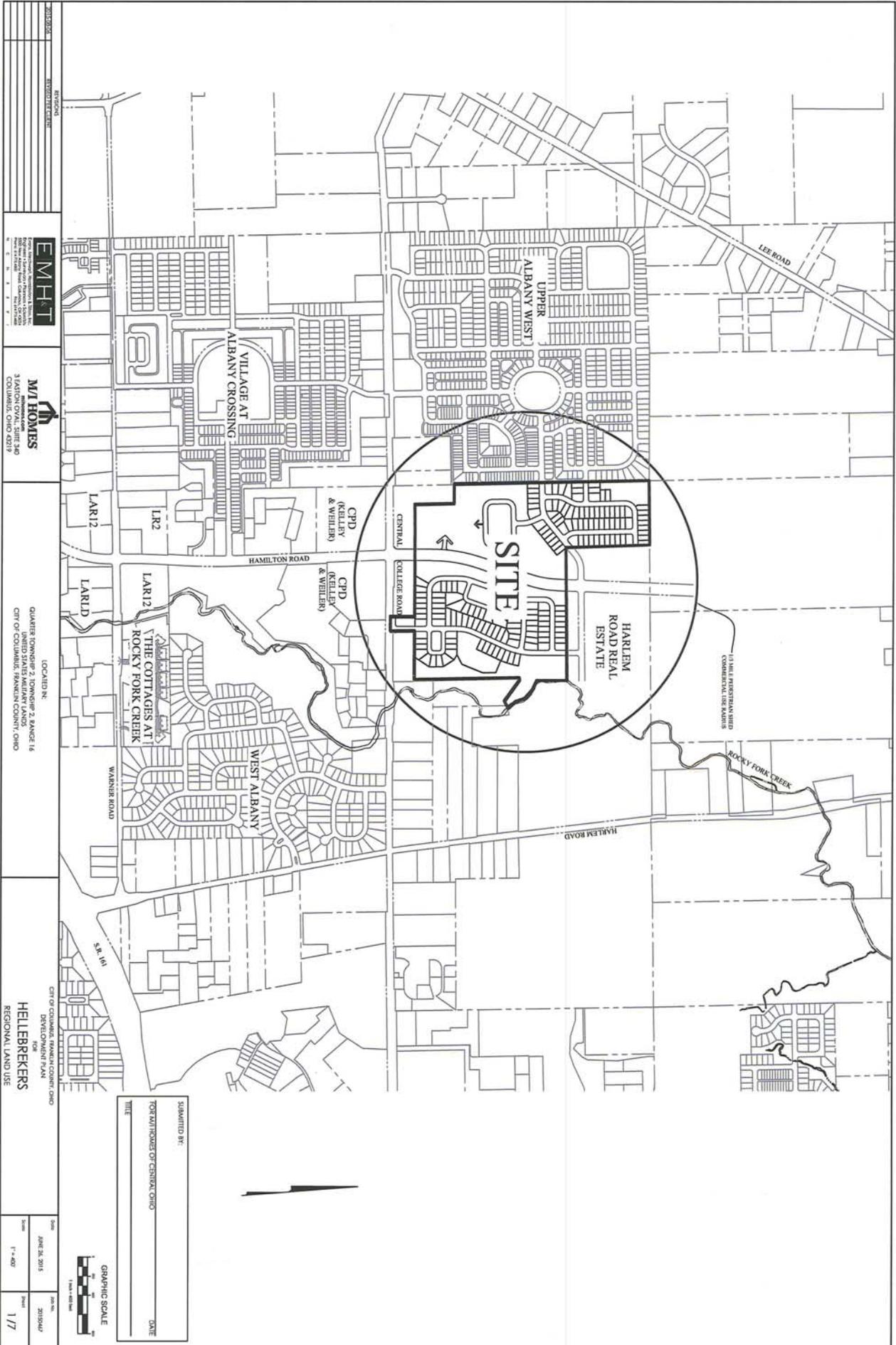
I. Smaller block sizes reflecting intensity of use for each district will serve to support the above principles.

Generally, all of the blocks are 600' in length or less, which serves to support the above principles. There is one larger block to the east of Hamilton Road, but still within TND Code compliance. This area has been re worked to front the green on 3 sides and provide that green at the terminus of the entry road.

J. Miscellaneous Commitments.

- The connection to Upper Albany Crossing Dr. and/or Carlatun St. shall not be permitted for the neighborhood center district until an extension to Hamilton Rd. north of Central College Rd. is constructed and that provides access to the area comprising this rezoning application. The neighborhood edge district in the upper north west area of the site may access Upper Albany Crossing Dr. and or Carlatun St.
- At the proposed site access to Central College Rd. located approximately 700' east of the intersection of Central College Rd. & Hamilton Rd., the developer shall provide an eastbound left turn lane with a length of 161' (includes taper) at this access point. With the approval of the Department of Public Service, these improvements may be modified or a fee in lieu of construction may be permissible.
- At the proposed site access to Central College Rd. located approximately 700' east of the intersection of Central College Rd. & Hamilton Rd., if this access point is the only access point serving this development, a maximum of 200 dwelling units may utilize this access point as the sole means of ingress and egress for such dwelling units.

A handwritten signature in blue ink, consisting of several loops and a long horizontal stroke extending to the right.



REVISIONS	DATE	BY

EMH-T
 ENGINEERING & ARCHITECTURE
 2000 W. STATE ST. SUITE 200
 COLUMBUS, OHIO 43261
 TEL: 614.266.1111
 FAX: 614.266.1112

M/I HOMES
 3 EASTON OVAL
 COLUMBUS, OHIO 43219

LOCATED IN:
 QUARTER TOWNSHIP 2, TOWNSHIP 2, RANGE 16
 CITY OF SCHAMBERG, FRANKLIN COUNTY, OHIO

CITY OF COLUMBUS, FRANKLIN COUNTY, OHIO
 DEVELOPMENT PLAN
 FOR
HELLEBERGERS
 REGIONAL LAND USE

DATE	DATE
JUNE 26, 2015	20150427
SCALE	SCALE
1" = 400'	1/17

SUBMITTED BY:
 FOR M/I HOMES OF COLUMBUS, OHIO

DATE

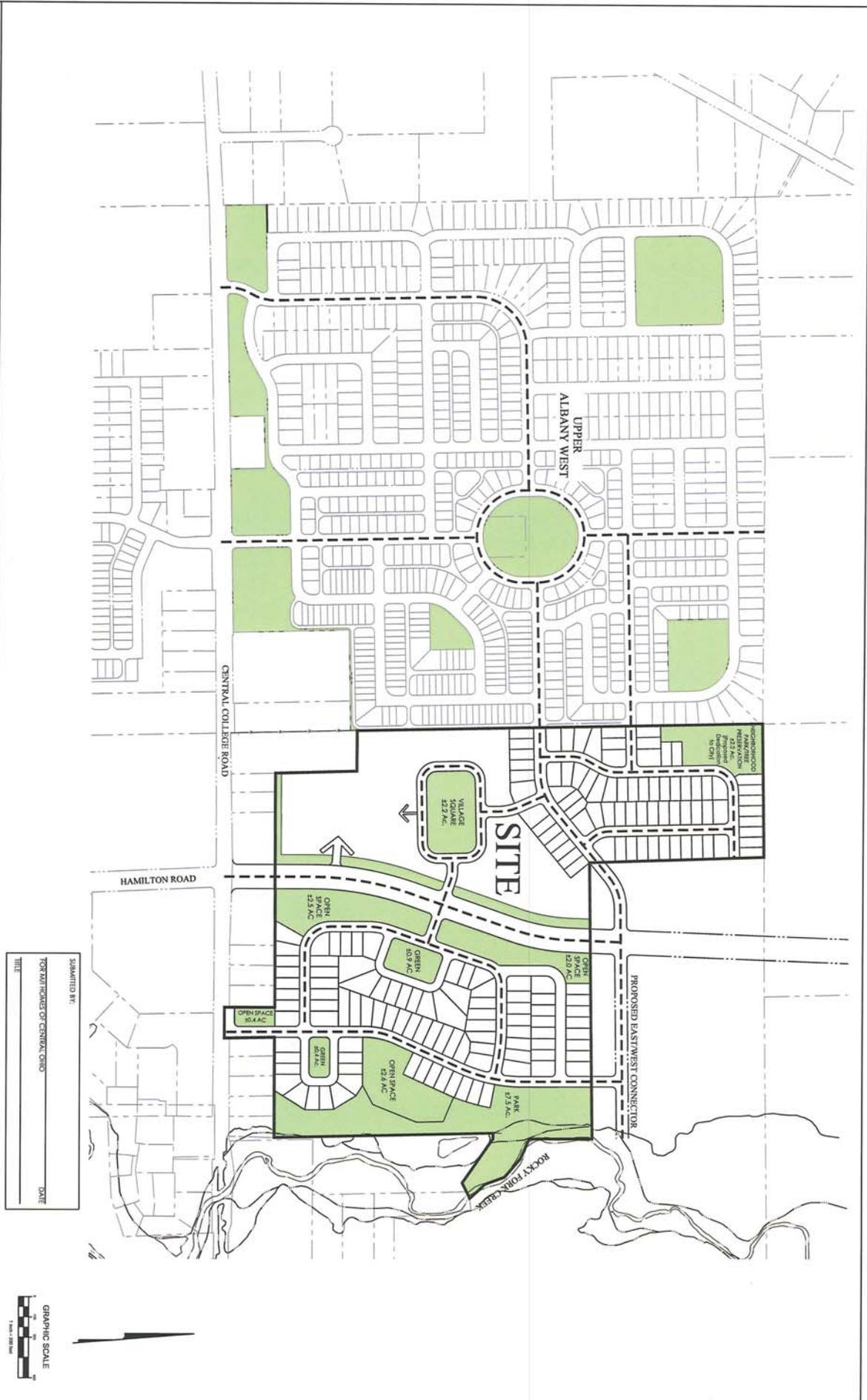


NO.	REVISION	DATE
1	REVISED PER CLIENT	
2		
3		
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LOCATED IN:
QUARTER TOWNSHIP 2, RANGE 2, RANGE 14
UNITED STATES MAILING LANDS
CITY OF COLUMBUS, FRANKLIN COUNTY, OHIO

CITY OF COLUMBUS, FRANKLIN COUNTY, OHIO
DEVELOPER FOR
HELLEBREKERS
REGIONAL LAND USE



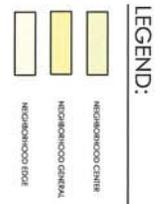
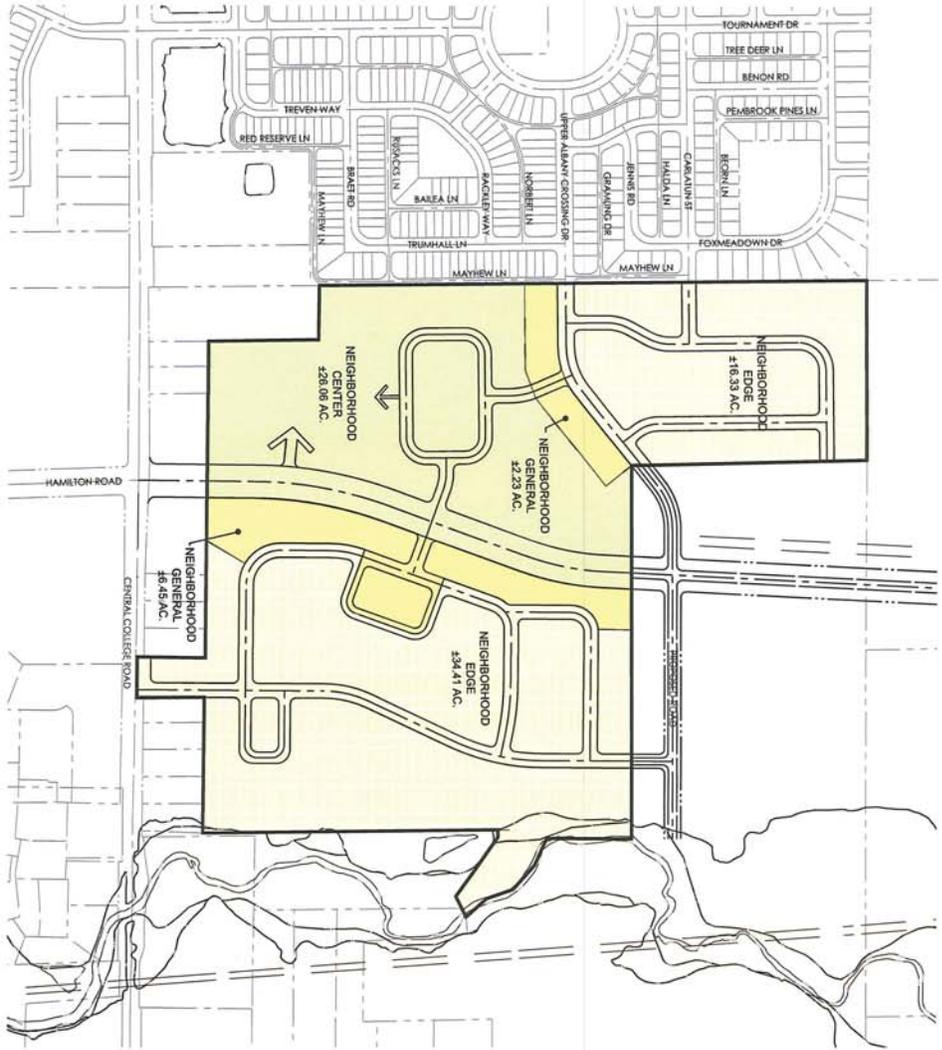
SEPARATED BY:	DATE:
FOR THE PURPOSE OF GENERAL OHIO:	
TITLE:	



DATE:	JUN 24, 2015	JOB NO.:	2015042
SCALE:	1" = 200'	SHEET:	2/7

DEVELOPMENT PLAN FOR HELLEBREKERS 2015042

25034



SITE DATA: OVERALL ZONING

TND SITE DATA:	EXISTING	PROPOSED	DIFFERENCE
Total Acres:	85.48 AC. ±	85.48 AC. ±	Some
Total Residential Units	508 Units	482 Units	-26 Units
Total Density	5.94 DU/AC. ±	5.64 DU/AC. ±	-0.30 DU/AC.
Neighborhood Center:			
Acres	28.99 AC. ±	26.06 AC. ±	-3.01 AC. ±
Units	347 Units	312 Units	-35 Units
Density	12.0 DU/AC. ±	12.0 DU/AC. ±	Some
Neighborhood General:			
Acres	17.3 AC. ±	8.68 ±	-8.62 AC. ±
Units	45 Lots	13 Lots	-32 Lots
Density	2.6 Lots / AC. ±	1.3 Lots / AC. ±	-1.3 Lots / AC.
Neighborhood Edge:			
Acres	39.19 AC. ±	50.74 AC. ±	+11.55 AC. ±
Units	116 Lots	157 Lots	+41 Lots
Density	2.9 Lots / AC. ±	3.1 Lots / AC. ±	+0.2 Lots / AC.

ISSUED BY: _____ DATE: _____

TITLE: _____



EMH-T
Engineering & Mapping, Inc.
2000 North Main Street, Suite 100
Columbus, Ohio 43219

M/I HOMES
3 EASTON OVAL, SUITE 340
COLUMBUS, OHIO 43219

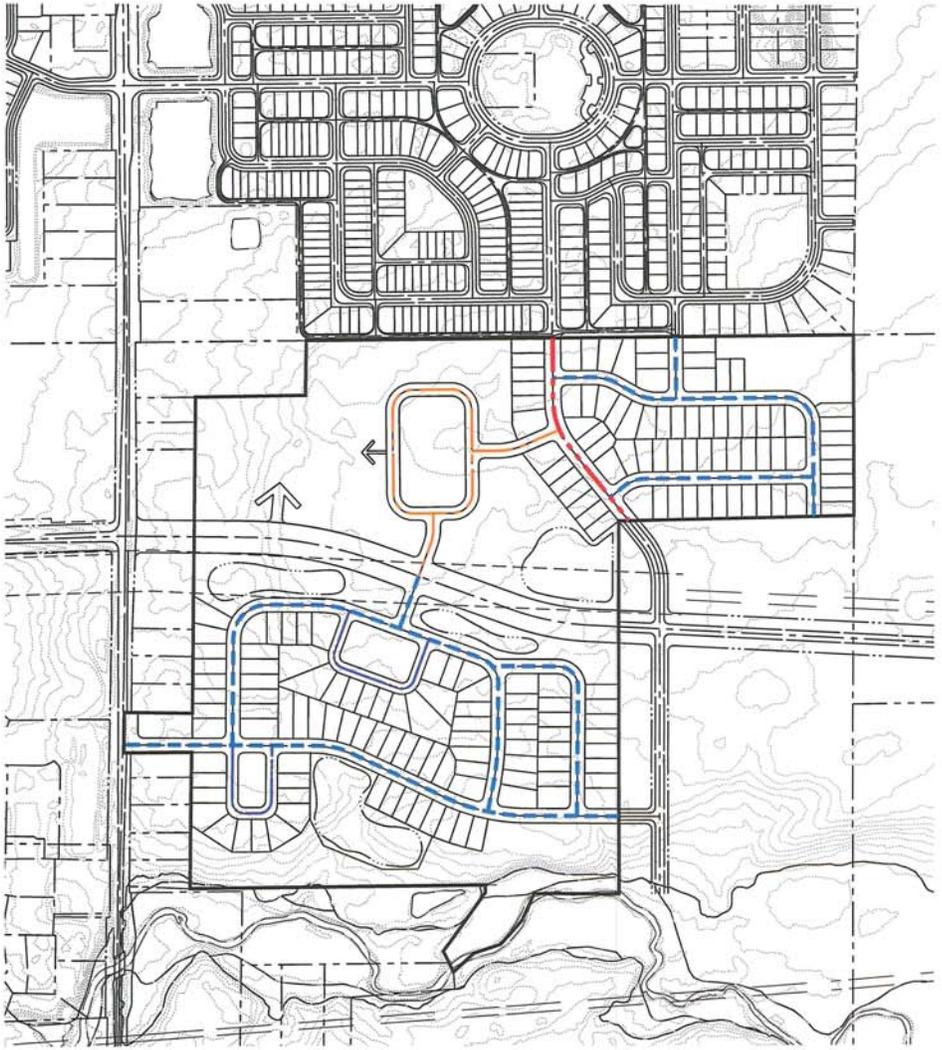
LOCATED IN:
QUARTER TOWNHIP 14 NORTH, RANGE 9, PLAT 16
UNITED STATES TOWNSHIP LAND
CITY OF COLUMBUS, FRANKLIN COUNTY, OHIO

CITY OF COLUMBUS, FRANKLIN COUNTY, OHIO
DEVELOPMENT PLAN
FOR
HELLERBEKERS
ZONING DISTRICT PLAN

DATE: JUNE 24, 2015
SCALE: 1" = 200'

DATE: 20150427
SCALE: 5/7

215-034



THOROUGHFARE PLAN

ROAD TYPES:

- COLLECTOR: CO-60-32
- STREET: ST-52-26
- STREET: ST-48-22
- CLOSE: CL-42-22

SUBMITTED BY: _____ DATE: _____

FOR AUTHORITIES OF CANTON, OHIO

TITLE: _____



<p>EMHHT Engineering, Mapping, & Technology 10000 W. Chester Road, Suite 100 Columbus, Ohio 43240 614.881.1111</p>	<p>M/I HOMES 3 EASTON OVAL, SUITE 340 COLUMBUS, OHIO 43219</p>	<p>LOCATED IN: QUARTER TOWNSHIP 2, TOWNSHIP 2 RANGE 16 CITY OF COLUMBUS, FRANKLIN COUNTY, OHIO</p>	<p>CITY OF COLUMBUS, FRANKLIN COUNTY, OHIO DEVELOPMENT PLAN HELLERBEKERS THOROUGHFARE PLAN</p>	<p>DATE: JUNE 24, 2015 SCALE: 1" = 200'</p>	<p>JOB No.: 2015042 SHEET: 7/7</p>
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RECORD OF PROCEEDINGS

August 20, 2015

6:00 PM
New Albany Village Hall
99 West Main Street, New Albany

I. Call to Order

Meeting opened at approximately 6:13 pm at New Albany Village Hall with the following members present: Steven Studenmund, Dave Paul, Kasey Kist, Dean Swartz, Meera Parthasarathy, Jay Herskowitz, and Mike Chappellear. Mike Chappellear chaired the meeting. Staff members present were Stephen Mayer, City of New Albany; Ben Collins, Plain Township; and Christopher Lohr, City of Columbus.

II. Organization

Mr. Chappellear welcomed the new members, Mr. Studenmund and Mr. Herskowitz, and asked that they introduce themselves to the panel.

Mr. Studenmund introduced himself and his work experience with the Columbus and Franklin County Metroparks.

Mr. Herskowitz introduced himself and his work experience as a municipal engineer.

Mr. Herskowitz made a motion to nominate Mr. Chappellear for the Plain Township co-chair position, seconded by Mr. Kist. The motion passed 7-0.

Mr. Paul made a motion to nominate Ms. Burton for the Columbus co-chair position, seconded by Mr. Swartz. The motion passed 7-0.

Ms. Parthasarathy made a motion to nominate Mr. Swartz for the New Albany co-chair position, seconded by Mr. Kist. The motion passed 7-0.

III. Record of Proceedings

Mr. Swartz made a motion for approval of the June 25, 2015 minutes, seconded by Mr. Paul. Motion passed 4-0-3, with Mr. Studenmund, Ms. Parthasarathy, and Mr. Herskowitz abstaining due to not being present at the June meeting.

IV. Old Business

Mr. Chappellear started discussion about the project at 161 and Hamilton reviewed by the panel in February and March of 2015. The panel in March voted against recommending approval of the rezoning presented. Mr. Chappellear asked for clarification of whether the rezoning had been approved, Mr. Lohr confirmed that the rezoning had passed City Council. Mr. Chappellear asked for confirmation that there had been no speakers at City Council present, besides the applicant. Mr. Lohr confirmed that it was his

understanding that no speakers were present, and Mr. Paul, who was in attendance for the vote confirmed.

V. *New Business*

5372 Central College Road (Z15-034 & CV15-039):

Review and Action regarding a Columbus application to reconfigure the existing combination of Traditional Neighborhood Development (TND) zoning districts on an 89.4 acre tract located on the north side of Central College Road at Hamilton Road.

<i>Acreage:</i>	85.49 ac
<i>Current Zoning:</i>	Neighborhood Edge (NE), Neighborhood General (NG), Neighborhood Center (NC)
<i>RFBA District:</i>	West Village Neighborhood Center & Neighborhood Center Commercial
<i>Proposed Use/Zoning:</i>	Single Family Residential (NE) & Multifamily (NC)
<i>Applicant(s):</i>	MI Homes of Central Ohio c/o Laura MacGregor Comek
<i>Property Owner(s):</i>	Homewood Corp.

Mr. Lohr presented the staff report. Staff asked that the applicant consider improving east-west connectivity in the portion of the site east of Hamilton, which had been reduced when compared to the previous site plan. Additional considerations included providing for a transition between the NC district and the existing single family homes to west, and encouraging the applicant to preserve mature trees through incorporation in rear and side yards, clustering development in the NC district, and preservation of trees located within proposed open and civic spaces.

Ms. Laura Comek, for the applicant, introduced herself, giving background that she rezoned the property in 2003 and 2013. She indicated that the bottom line was that the area was overbuilt for alley-loaded lots and the rezoning presented would eliminate these types of lots. Ms. Comek is representing MI, Dominion (Pulte), and Homewood .

Mr. Chappellear asked about how, in the most recent rezoning, there were six different pond areas scattered around, and current plans show three. For water retention areas and aesthetics, have you reduced the amount of pondage and has the character changed so as to be less natural? Concerned that site on Hamilton south of site used a “ditch” for retention.

Ms. Comek commented that they were preserving trees at the NW corner of the site and along the creek. The ponding requirements are via EPA so they don’t have much say, but the ones that are shown will hold water in as natural a setting as possible, as was negotiated with City of Columbus.

Mr. Paul indicated that this would likely mean tall grasses and cattails.

Mr. Chappellear asked if there has been any thought for a walkway between homes and the Rocky Fork creek? His understanding is that there is a desire for trail along creek to connect Metroparks with areas to the south.

Ms. Comek indicated that they would be giving the area along the creek to the City of Columbus.

Mr. Herskowitz asked if the stream corridor protection zone been identified?

Ms. Comek indicated yes and it is reflected in the plans.

Mr. Paul asked about NG & NC districts, which are undefined, and whether they have changed, including

with regards to water features previously shown.

Ms. Comek said that the area is unchanged, the water feature will be present but the multi-family housing product for the NC district hasn't been identified yet.

Mr. Paul asked that even though it is undefined, there is a reduction in units?

Ms. Comek indicated that he was correct, the reason for the reduction is that the NC was slightly changed to allow for the NG along the edge in order to meet TND requirements.

Mr. Chappellear asked about the integration with the MI homes to the west

Ms. Comek indicated that they saw it as a natural extension of those homes by MI.

Mr. Swartz asked about the E-W street and connectivity to Harlem.

Ms. Comek gave background of studies in which the street was shown as a major E-W collector road. The siteplan provides for it but since they don't control the land to the north, they don't have a say.

Mr. Lohr provided clarification that Planning is working with Public Service to ensure connectivity via the E-W road to Harlem, and beyond.

Ms. Parthasarathy commented that there is a large stand of trees in the western portion of the site, is there an opportunity to preserve more stands of trees?

Ms. Comek said that probably not, outside of the areas marked green in the site plan the answer is maybe. What we agreed to last time the site was rezoned was to work with Columbus Recreation & Parks to make sure the public greens were large enough that they could have trees preserved.

Mr. Chappellear gave background on the site that it had probably been 15-20 years since any farming occurred and that a previous owner had placed trees, some of which may be 25 years old.

Ms. Parthasarathy noted a potential opportunity to mirror the site plan so that the neighborhood edge single family is on the western portion, allowing for wooded lots and preservation of additional tree stands.

Ms. Comek indicated that they can't change the site plan since properties are in contract based on the zoning.

Mr. Swartz asked about a turn lane and the Hamilton & Central College intersection.

Ms. Comek indicated that yes a turn lane is planned and that the intersection would be signaled eventually

Mr. Chappellear asked if there had been any thought about a roundabout.

Ms. Comek indicated that had not been looked at.

Mr. Chappellear asked about the number of lanes Hamilton would have headed north.

Ms. Comek noted that the ROW of Hamilton will have 120 ft to allow for 5 lanes, but they won't build that. It will be able to expand later.

Mr. Swartz said that part of his frustration is that this has been set since 2003. Looking at the current plan and what preceded it, why is this better?

Ms. Comek said that it's not better, it's just different.

Mr. Swartz also noted concern with the percent compliance on the checklist, specifically related to the destruction of trees, noting that trees are not only for visual effects, but reduce needs for cooling. Real estate listings always call out wooded lots as an amenity.

Ms. Parthasarathy noted the larger effects of destruction of trees with relation to global warming.

Ms. Comek reiterated that these are indeed desirable but that the site has generally been set for some time.

Mr. Chappellear asked about the issue of a buffer between neighboring single family to the west

Ms. Comek commented with regard to the existing alley and that the most likely scenario, would be an alley, buffer with a fence, and another alley. The reason being that expanding the existing alley would require variances that would have the opposition of neighboring homeowners.

Mr. Paul commented that screening, specifically of headlights should be taken into account

Mr. Chappellear noted that just because development took place a certain way 10-20-50 years ago, doesn't mean it has to be done the same way.

Ms. Comek commented that vested rights exist with the land at this point, properties in contract based on zoning.

Mr. Swartz said that essentially the issue is that the site is not a blank slate, as is often the case.

Ms. Comek agreed.

Mr. Chappellear asked about how the HOA will work for this development.

Ms. Comek indicated that the existing HOA for the MI homes will cover the NW section, separate HOA for the portion east of Hamilton to be created.

Mr. Chappellear summarized the panel's viewpoint that they would like to see additional trees and water.

MOTION: To recommend this application Z15-034 for approval.

MOTION BY: Mr. Swartz, seconded by Mr. Paul.

RESULT: Approved 4-3, (Swartz, Parthasarathy, Herskowitz)

VI. Adjournment

With there being no further business, the meeting was adjourned at approximately 7:07 pm.