



REPORT

Planning and Development Dept.

To: President and Members of City Council
Council Appointees

From: Carrie R. Handy, Interim Director of Planning and Development

Subject: **Comments Regarding Planning Commission's Recommendation
Petition to Amend the Zoning Map
"R-1B" District to "PD" District
Preliminary Development Plan
Proposed Redevelopment Project
Former Green Acres Property
East Lorain Street, East College Street and Oberlin Road**

Date: April 3, 2015

The Oberlin Planning Commission highlighted areas of concern regarding The Community Builders' Preliminary Development Plan for the redevelopment of the Green Acres property (latest revision submitted January 16, 2015) in its recommendation to Council on the petition to amend the Zoning Map and the application for preliminary development plan approval. Those areas of concern are noted below for the Council's information and Staff has provided additional discussion regarding each in an effort to address each area as thoroughly as possible:

Density of the Proposed Development:

[Planning Commission:](#) The Community Builders' (TCB) Preliminary Development Plan is not compatible with the community's preference for low density development and the conservation of natural features for this location as stated in the City of Oberlin's Comprehensive Plan adopted by ordinance on January 3, 2005 and updated March 2, 2011. The TCB Plan would develop 41% of the site for high density housing at 10 units per acre, visibly altering the existing neighborhood pattern of single family units on ¼ + acre lots. The current zoning (R1-B) for the Green Acres site could permit a maximum of 52 units without any conservation restrictions.

[Staff Comments:](#)

The density calculation that staff uses to look at the overall density of a proposed development involves dividing the total number of dwelling units by the total number of acres. In this instance, we would not calculate the individual density of each type of residential unit as the plan

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is for the entire property and the considerable amount of green space set aside for a community park and open space around the multi-family units should be taken into consideration.

The Green Acres site is approximately 15.22 acres in area. The Preliminary Development Plan proposes the future development of up to fifty (50) townhouse and apartment units as well as six (6) single-family house sites. As a result, the overall gross density would be about 3.68 units per acre.

The subject property's current zoning is "R-1B" District. That zoning classification requires a minimum lot area of 11,250 sq. ft. which results in a gross density of about 3.87 units per acre. The proposed development density is, therefore, considered to be consistent with the gross density that could be anticipated for this area.

The Commission noted that the current zoning would permit 52 dwelling units without conservation restrictions (no park space). While this number of units is up to debate depending on the internal lot pattern and subdivision roadway design, it is only four (4) less units than what is being proposed by TCB with the conservation of the park space.

It is also noted that the pattern of neighborhood lot sizes varies widely from less than a quarter acre sized lots to 7.5 acres. There are also very large parcels for the commercial and industrial development adjacent to and immediately across East Lorain Street.

Consistency with the Comprehensive Plan:

Planning Commission: The Comprehensive Plan identifies this site for future conservation and recreation purposes which restrict development to no more than 60% of the buildable site (13.64 acres after public ROW is deducted). The TCB Plan would develop 5.7 acres or 41% of the total Green Acres site which would leave an additional 2.5 acres for future development of single family development under the Conservation Development District Regulations (1344.03). TCB's plan limits any future development on the remaining 2.5 acres to 2 additional housing units in order to preserve "net density" within a Conservation Development District. The higher density of TCB's Plan does not address community preferences and neighborhood characteristics in a balanced design that reflects Oberlin's Comprehensive Plan.

Staff Comments:

The Comprehensive Plan's Future Land Use Map/Plan actually designates the subject property for future "low density residential development (conservation development preferred)". In examining the density of the applicant's proposal for the subject site, it is noted that the overall density of the development would be about 3.68 units per acre, a relatively low density.

The proposed Development Plan also utilizes general concepts of "conservation development design" in that the density of units was increased on the southern portion of the site in order to preserve open space and an approximately five (5) acre neighborhood park site toward the

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northwest corner of the site, and to provide ample open amenity space around the proposed townhouses and apartment building. It is noted that the standards of the City's Conservation Development District zoning district would not be applied to the proposed development as that is not the zoning district which is being requested by TCB, but rather the Planned Development District.

The proposed Development Plan also is considered to be consistent with several of the following housing, land use and transportation goals of the City's Comprehensive Plan as well as those of subsequent planning efforts by the City:

(a) *Encouraging Infill and Density.* Infill development has been identified as a high priority for future development and redevelopment in Oberlin. "Infill" is construction of new or replacement structures and uses (particularly dwellings, but also business uses) on unused or underutilized lots within the developed areas of the City. Infill development makes full, efficient use of the infrastructure in which the community has already invested (streets, sidewalks, utilities) and to intensify the use of areas already devoted to urban development.

The benefits of infill may include more efficient use of established services (police, fire, schools, etc) by making it less necessary to expand the service areas. Infill may also reduce the extent of sprawl of new development. Intensification of the core areas also means that more people will be within walking distance of local commercial areas, downtown, schools, parks, and other community amenities. A greater density of neighbors may also contribute to the liveliness of the neighborhoods, the number of "eyes on the street" for neighborhood security, and may also result in other social benefits.

(b) *Connecting Neighbors and Neighborhoods.* A consistent theme in the public discussions regarding the Comprehensive Plan has been the desire to connect neighborhoods. It is recommended that these connections be made through interconnection of the movement systems - streets, walkways, and bikeways. Connection can also be increased through intentional infill of land use patterns. Examples are the construction of new housing in a manner which joins older neighborhoods together, a new park which provides a common area for recreation and socialization, or a commercial area which conveniently serves the needs of two or more neighborhoods.

The proposed Preliminary Development Plan provides for vehicular, bicycle and pedestrian connections to existing streets and sidewalks which connect to surrounding neighborhoods and to the City's bicycle path. This "infill" development also serves to connect two older residential areas and which provides for a new park which will be common area for recreation and socialization of residents from the development and surrounding neighborhoods.

(c) *Becoming a More Sustainable Community and Consideration of the "Triple Bottom Line."* Many of the strategies recommended in the Comprehensive Plan fit under the broad umbrella of sustainability. Most important are those which encourage and reward infill or close-in development, alternative transportation such as walking and biking, and the use of

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environmentally-sound site development practices. Oberlin continues to seek additional ways to increase the sustainable characteristics of the community.

(d) *Encourage Conservation Development.* Several areas within the City have been identified for low density residential land use in the Comprehensive Plan. It is recommended that these areas be considered for “conservation development”. This development format evaluates the land to determine the areas that are most suitable for preservation and the areas that are most suitable for development. Flexible development standards encourage clustering of dwellings in the developable sections and preservation of the balance.

It is noted that the proposed Preliminary Development Plan has clustered proposed residential dwelling units around the perimeter of the subject site in order to preserve as much open space as possible on-site. This Plan proposes a large neighborhood park as well as a significant amount of open amenity space around the proposed townhouses and the apartment building.

(e) *Oberlin Parks and Recreation Strategic Plan.* The Oberlin Parks and Recreation Strategic Plan specifically refers to park and recreation needs in the northeast area of the City where the subject property is located. One goal of the Plan is to “acquire and develop park land in the northeast portion of the City near Oberlin Road to address geographic deficiencies in the level of service (gaps in service radii).” There also exists a gap in the service radii to the east of downtown Oberlin that runs from the north to the south borders of the community and approximately one quarter of a mile wide. Roadside Park is the nearest park to this service gap but is considered to be inaccessible and less desirable as a community open space according to citizen input received.

This Strategic Plan cites the Green Acres Property as a potential location for a park/community open space in order to provide a solution to this gap in service.

The proposed Development Plan proposes an approximately five (5) acre neighborhood park site would forward the above-noted goal of the City’s Park and Recreation Strategic Plan.

(f) *Climate Action Plan.* The City’s 2013 Climate Action Plan also specifically mentions the development of the Green Acres property. The Plan calls for the City “to create a model neighborhood with all houses built to high performance standards, which are expected to include both passive and active solar features with the goal of acquiring most if not all operating energy from the sun. Creative design of the property will provide the City with the opportunity not only to have a climate positive neighborhood, but also one that has common open space and vegetable gardens, aesthetically pleasing locations and relationships among houses, and attractive landscaping created to complement neighboring properties.”

The proposed Preliminary Development Plan is intended to feature high performance dwelling units which are positioned to take advantage of passive solar gain. The subject development will also have community gardens, common open space, and attractive landscaping. There is also

ample green space between units and units are located at setbacks similar to or greater than those found to the west of the site on the north side of East College Street.

Compliance with Development Standards in the Zoning Code:

Planning Commission: The Preliminary Development Plan does not satisfy the following Standard for Review of a proposal for a Planned Development District provided in Chapter 1338.04(a)(1) of the Oberlin Zoning Ordinance.

Ordinance 1338.04(a)(1) “The comprehensive nature and design of the Development Plan, including the appropriate and intentional design of the physical, aesthetic and economic relationships among its parts”. The Planning Commission finds this Preliminary Development Plan is not comprehensive in its design of the physical, aesthetic or economic relationships between proposed uses for the site. The Proposed Development Plan does not integrate its own proposal for high density rental housing with the other proposed uses for the site including single family development and public access to conservation and recreational elements of the site. The physical, aesthetic and economic relationships of all proposed uses must be carefully considered and integrated to ensure all elements are mutually supportive and contribute to the overall quality of development. The Proposed Development Plan for 1/3 of the site does not demonstrate how their project will relate and support other proposed uses for the remaining 2/3 of the site. The Plan does not promote inclusion of different economic groups and household types because it narrowly targets the project to a small segment of potential renters. The project's feasibility depends on federal tax subsidies which expire after 15 years. The long term impact on values of adjacent residential is likely to be negative. The proposed project would concentrate fifty residential units within a 5+ acre site to conserve their costs in land and services. The massing of these multi-unit structures, including a 3 story 30 unit structure, would dominate the landscape and conflict with proposed single family and surrounding residential development. A truly comprehensive design for Green Acres can be realized through a more robust engagement of stakeholders including residents, community leaders and development organizations. The Planning Commission has determined that professional design expertise is needed to assist in defining the comprehensive design guidelines specific to Green Acres before proceeding with further review of Preliminary Development Plans.

Staff Comments:

The proposed Preliminary Development Plan provides a development concept for the entire site. It is anticipated that the developer will be further refining that plan as they work toward the development of the Final Development Plan. Such future revisions can reflect a more fully defined design for the park area and the single-family component of the project.

The design of the entire site was definitely considered during the development of TCB's design concept for the inclusion of different types of residential development which were sited to take advantage of the park and open space shown in the Preliminary Development Plan. The proposed

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single-family homes were sited to address the input of the neighbors on Oberlin Road. The residential units were oriented toward Oberlin Road and College Street since these are residential streets and not commercial streets like East Lorain Street in this neighborhood.

The plan incorporates the inclusion of three (3) different types of housing units – apartment units, townhouse units and single-family detached units. These units would attract different types and sizes of families who could have a broad range of incomes.

The Commission commented that project units were narrowly targeted to a small segment of potential renters. TCB is proposing that 45 of the 50 multi-family units be units supported by housing tax credits which means there are income limitations initially for those who want to live in those units. For example, a family of four with a household income of \$37,560 (head of household or two people making a combined \$18/hr.) would qualify for a unit. It is noted that while this family would have to income qualify to move into the unit, its income would not be verified again, allowing families to earn more income over time and thus increase the range of incomes in the development. Five (5) of the apartment units would be market rate or open to any income level and the proposed single-family homes would also be open to anyone.

The Commission also commented that the project's feasibility depends on federal tax subsidies which expire after 15 years. According to TCB, this statement is not entirely accurate and they have provided additional commentary to clarify this issue:

“The 15 year period impacts only the use restrictions and the tax beneficiary and has little to do with project financing or feasibility. Rather, the benefits of tax credit financing to the development are all capitalized at closing, helping to raise development equity to create the project. Once the project is built, the ongoing feasibility of the project is dependent primarily on conventional real estate practices – smart property budgets, proactive maintenance, and effective leasing. As an owner of over 8,000 units across the country (nearly 2000 in Ohio), TCB understands the strong project fundamentals necessary for sustained success and feasibility.”

The Commission stated that the long term impact on values of adjacent residential is likely to be negative. In fact, TCB has indicated this statement is not consistent with their experiences in real estate markets across the country. There is much research available to confirm that the introduction of affordable housing developments in single-family neighborhoods does not affect the value of surrounding homes, however, that discussion is lengthy and, for the sake of brevity, has not been included.

Comments that the massing of the multi-unit structures, including a 3 story 30 unit structure, would dominate the landscape and conflict with proposed single family and surrounding residential development were made by the Commission. It is noted that East College Street is fronted by buildings ranging from 2-4 stories in height. The development proposal respects this precedent by fronting East College Street with 2-story townhouse buildings with massing, heights and setbacks consistent with the historical development pattern. A single 3-story building is in the middle of the site, screened by the townhouse buildings and setback a considerable

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distance from Oberlin Road and East College Street. Staff is of the opinion that these buildings would not “dominate the landscape.”

The Commission also indicated that, in its opinion, a truly comprehensive design for Green Acres can be realized through a more robust engagement of stakeholders including residents, community leaders and development organizations. Staff would refer the Council to the historical timeline provided in their packets which highlights all of the public meetings which have been conducted during the course of the development process. TCB has also engaged a “sustainability working group” of key local stakeholders to gain input and assistance with meeting project sustainability goals.

Planning Commission: The Preliminary Development Plan does not satisfy the following Standard for Review of a proposal for a Planned Development District provided in Chapter 1338.04(a)(2) of the Oberlin Zoning Ordinance.

1338.04(a)(2) **“The suitability of the site for zoning as a Planned Development District”. Planned Development Districts provide flexibility to encourage “creative, high quality design practices in the development of residential and commercial areas; promote harmony and integration with existing development; promote safe and efficient pedestrian, bicycle and vehicular movement; promote efficient layout of infrastructure; and to promote protection or enhancement of natural and historic resources”.** The Planning Commission is considering Green Acres for rezoning to a Planned Development District based on its significant size and its strategic location at the interchange of two major access roads adjoining residential, commercial and light industrial development. The site is strategically located to connect together existing and new residential development in an innovative design that provides safe access to the site and opportunities for engagement between new residents and recreational users from the surrounding neighborhoods and other parts of Oberlin. Other characteristics that could be enhanced by creative, high quality design practices include recreational and conservation needs that have been identified by community plans for this site along with residential development. The Planning Commission finds that the Preliminary Development Plan submitted for review does not offer creative, high quality design solutions to the challenges specific to the Green Acres site. The Preliminary Development Plan segregates their proposed new housing from public areas by restricting public access to designated walkways designed to bypass the housing project site. The conventional neighborhood street grid is replaced by a private access driveway to the central parking area that discourages resident engagement with each other and their neighbors who utilize public recreational amenities on the site.

Staff Comments:

Section 1338.04(a)(2) states the following standard for review:

The suitability of the site proposed for zoning as a Planned Development District, including its location, area, relationship to existing development in the community, natural features,

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relationship to community plans, and such other characteristics as the Planning Commission may deem important.

The Green Acres site is suitable for a “PD” District zoning as it is at a “crossroads” of land uses and major community connectors (roads, bike path) and could be developed in many different ways which would be compatible with the surrounding development. The “PD” District allows for the flexibility to mix land uses and be sympathetic to adjacent land uses and be creative in a development’s design.

The Preliminary Development Plan was conceived to address the following concepts:

- Maximize the large site within walking distance of downtown;
- Create parkland that could serve the broader community;
- Realize the City’s goals for modernizing and diversifying the housing stock;
- Extend the strong character and quality of East College Street eastward; and
- Mitigate the incompatibility of the abutting commercial, light industrial and residential uses.

The Planning Commission also commented that the Preliminary Development Plan segregates the proposed new housing from public areas by restricting public access to designated walkways designed to bypass the housing project site. The conventional neighborhood street grid is replaced by a private access driveway to the central parking area that discourages resident engagement with each other and their neighbors who utilize public recreational amenities on the site.

Staff notes that the open space planning is not fully developed and additional meetings will take place to further refine the design and connections to the park and open space on the subject property. TCB has already initiated meetings with the Recreation Commission and City staff to further develop this component of the design. The Final Development Plan will reflect a much more refined park/open space design and public/private access will be addressed.