



CITY OF DUBLIN

**PLANNING AND ZONING COMMISSION**

**RECORD OF ACTION**

**SEPTEMBER 18, 2003**

**Division of Planning**  
5800 Shier-Rings Road  
Dublin, Ohio 43016-1236

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

**4. Area Rezoning 03-071Z – Coffman Road/Brand Road**

**Location:** 13 parcels comprising an area of approximately 24 acres, as annexed from Washington Township in 1973, generally on the south side of Brand Road, west of Coffman Road.

**Existing Zoning:** Washington Township Districts.

**Request:** Review and approval of an ordinance to establish Dublin R-1, Restricted Suburban Residential District.

**Property Owners:** Floyd and Patricia Bostic, 7143 Coffman Road; Kristan Swingle, 5281 Brand Road; Jack and Joan Eggspuehler, 7027 Coffman Road; Coffman Company, Ltd., 20 North Street; Bin-Ming and Lin L. Hwang, 5615 Brand Road; Michael Wade, 5775 Brand Road; Michael and Susan Eger, 5545 Brand Road; Richard Coulter, 5740 Brand Road; Michael and Judith Teets, 5805 Brand Road; James and Angela Haley, 5705 Brand Road; James Kesterson, 5777 Brand Road; Lawrence and Susan Clemente, 5675 Brand Road; and Washington Township Board of Trustees, 5825 Brand Road. The above addresses are all located within Dublin, Ohio, unless otherwise noted.

**Applicant:** City of Dublin, c/o Jane S. Brautigam, City Manager, 5200 Emerald Parkway, Dublin, Ohio 43017.

**Staff Contact:** Anne Wanner, Planner.

**MOTION:** To approve this area rezoning because it will apply an appropriate Dublin zone, will provide for effective development administration, will maintain the established development pattern, and is consistent with the Community Plan.

**VOTE:** 7-0.

**RESULT:** This area rezoning was approved. It will be forwarded to City Council with a positive recommendation.

STAFF CERTIFICATION

Barbara M. Clarke  
Planning Director

follows: Mr. Messineo, yes; Mr. Saneholtz, yes; Mr. Sprague, yes; Ms. Boring, yes; Mr. Gerber, yes; and Mr. Ritchie, yes. (Approved 6-0.)

**3. Area Rezoning 03-070Z – Post Road to Brand Road, West of Muirfield Drive and East of Hyland-Croy Road**

Anne Wanner said this area includes 150 acres and estate lots on Avery Road, parts of Avery Park and the Trabue Nature Preserve, and several churches. She said these pockets were not part of an adjacent zoning plan, and R-1, Restricted Suburban Residential District is proposed for most parcels. R, Rural District is proposed for the agricultural piece east of Post Preserve.

Ms. Wanner said this application involves the Humbert property, on which there is a pending PUD request. If the Humbert property is rezoned first, staff will withdraw it from this case. A few residents attended the informational meeting. Several church representatives called her. This is consistent with the Community Plan and staff recommends approval.

Mr. Gerber moved for approval of this area rezoning because it will apply an appropriate Dublin zoning classification, will provide for effective development administration, will maintain the established development pattern, and is consistent with the Community Plan, provided that the Freshwater/Humbert tract of 5.26 acres (File No. 03-092CP) will be deleted from this ordinance if it has been approved by City Council prior to this case moving forward. Mr. Zimmerman seconded, and the vote was: Mr. Ritchie, yes; Ms. Boring, yes; Mr. Sprague, yes; Mr. Saneholtz, yes; Mr. Messineo, yes; Mr. Zimmerman, yes; and Mr. Gerber, yes. (Approved 7-0.)

**4. Area Rezoning 03-071Z – Coffman Road/Brand Road**

Anne Wanner said this area involves estate lots, mostly along the south side of Brand Road, and to the west of Coffman Road. One lot is north of Brand Road. She said this is a request for R-1, Restricted Suburban Residential District, the same as the zoning map has shown for years. She said several owners attended the informational meeting, and she has spoken to several on the phone. Ms. Wanner said staff is recommending approval of this housekeeping matter.

Mr. Saneholtz made the motion to approve this area rezoning because it will apply an appropriate Dublin zoning classification, will provide for effective development administration, will maintain the established development pattern, and is consistent with the Community Plan. Mr. Ritchie seconded, and the vote was: Mr. Gerber, yes; Ms. Boring, yes; Mr. Zimmerman, yes; Mr. Sprague, yes; Mr. Messineo, yes; Mr. Ritchie, yes; and Mr. Saneholtz, yes. (Approved 7-0.)

**5. Area Rezoning 03-072Z – Coffman Road to Dublin Road, between Brand Road and I-270**

Anne Wanner said this involves estate lots on the south side of Brand Road and the west side of Dublin Road plus Coffman High School. It requests R-1, Restricted Suburban Residential District for most of the land. The high school is to be R, Rural, to reflect the historic zoning map. She showed slides. She said very few attended the informational meeting. She has spoken to one owner plus Ralph Feasel from Dublin Schools. She said staff recommends approval.

Mr. Zimmerman made the motion to approve this rezoning application because it will apply an appropriate Dublin zone, will provide for effective development administration, will maintain the established development pattern, and is consistent with the Community Plan. Mr. Messineo seconded, and the vote was: Mr. Ritchie, yes; Mr. Gerber, yes; Ms. Boring, yes; Mr. Sprague, yes; Mr. Saneholtz, yes; Mr. Messineo, yes; and Mr. Zimmerman, yes. (Approved 7-0.)

#### **6. Area Rezoning 03-073Z – Post Road/Avery Road to I-270**

Anne Wanner said these 112 acres involve the properties along Post Road, including 12 homes. Several parcels are now part of the expanded Coffman Park. This proposal is to establish the R-1, Restricted Suburban Residential District for areas to the north of Post Road and LI, Limited Industrial District to the south consistent with the historical zoning map. Ms. Wanner said six people attended the informational meeting. This case includes the Dublin Justice Center, some farmland, and other vacant land. She said staff recommends approval.

Joe Polis, said F, J & S Investments owns 5375 Post Road, and the LI allowable uses are totally contrary to what Dublin really wants. For over ten years, staff has been pushing for park, offices, and hotels. They bought this in 1986 for a proposed KinderCare which was disapproved. In 1989, they applied for a building permit to build an office/warehouse, but Pat Bowman and Bobbie Clarke asked them not to pursue it. Staff's reason was that the City had plans for a park and a new City office complex in the area, and the proposed office/warehouse was not compatible. Mr. Polis said they acquiesced and withdrew the permits.

In 1986, Dublin notified them that it was considering rezoning for several Post Road properties to PLOR, Planned Laboratory, Office, and Research District. Dublin approved the Perimeter Mall project in 1988, and that plan shows their site as a potential hotel. Mr. Polis said attorney Harrison Smith said then, and it is still true, that the existing zoning, which was a combination of LI and GI, is inappropriate. He presented some written documentation.

In 1997, Children's Hospital was interested in this site, but they built on Venture Drive because the staff put them off. In 2000, Office Suites Plus wanted to build an office building, and staff again discouraged them. Later, the staff wrote them a letter saying that office and hotel were appropriate. He referred to the Dublin Community Plan and the Civic Center area plan, none of which recommend the uses permitted in LI. Mr. Polis said the LI zone, given everything that has happened, did not make sense. Based upon prior Dublin input, he thought 99 percent of the LI permitted uses would be discouraged. The conditional uses provide for even more unwanted uses. In his opinion, enacting the proposed LI district would do nothing for the property, the owner, the area, or the City. Proper uses would be office, hotel, community commercial, institutional, laboratory, or research. He said that was the only usable zoning.

Ms. Clarke said Mr. Polis' comments reflect her recollection of these many events. The staff believes that LI uses "stink," but the goal here is to establish clear Dublin zoning, not to take away existing property rights. Dublin's zoning map has showed this property as LI for 20 years, but staff cannot find an ordinance that conveyed LI zoning. This is also true for all "area rezoning" cases. The staff was told to methodically establish Dublin zoning, as separate from township or county zoning. She said staff would be happy to work with Mr. Polis to zone the parcel as SO, or an appropriate classification. That would be preferable, but that is not today's assignment.