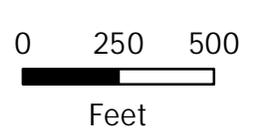
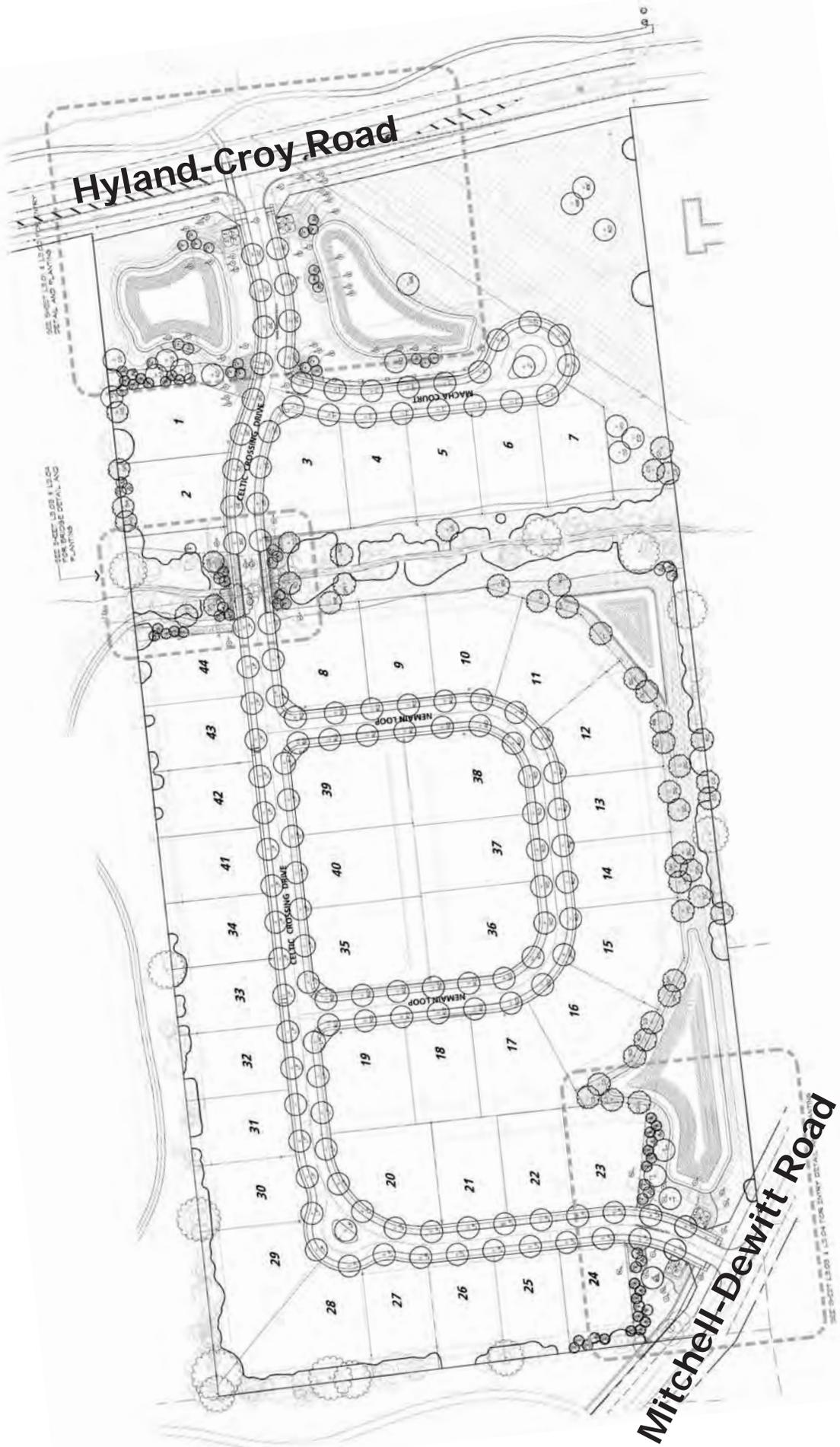


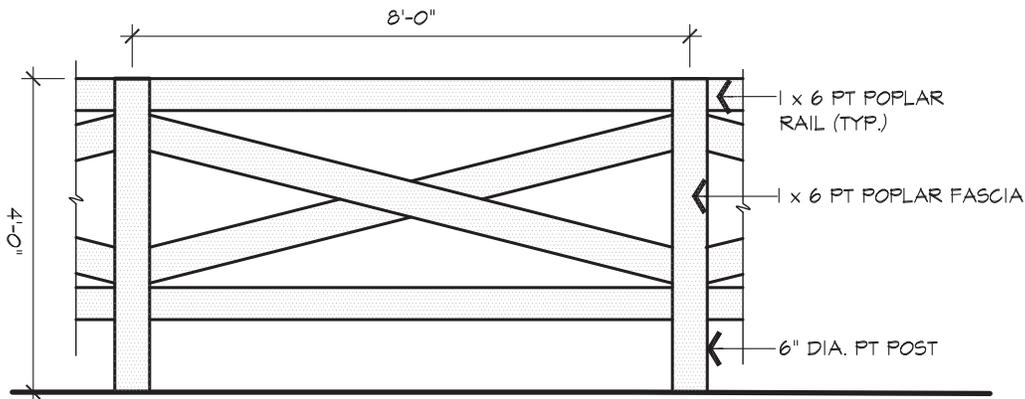
13-063FDP-FP
 Final Development Plan/Final Plat
 Celtic Crossing
 Hyland-Croy Rd



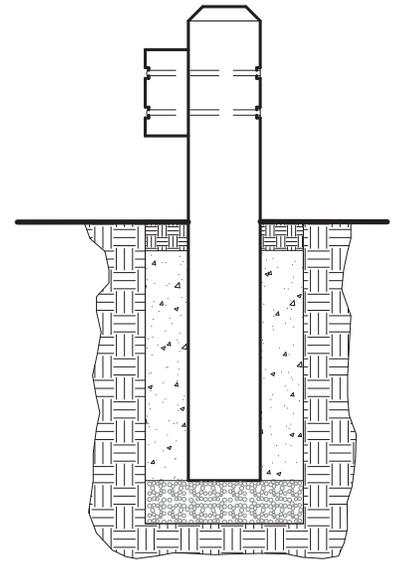
Proposed Site Plan



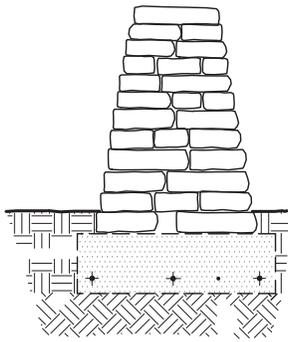
Proposed Site Details



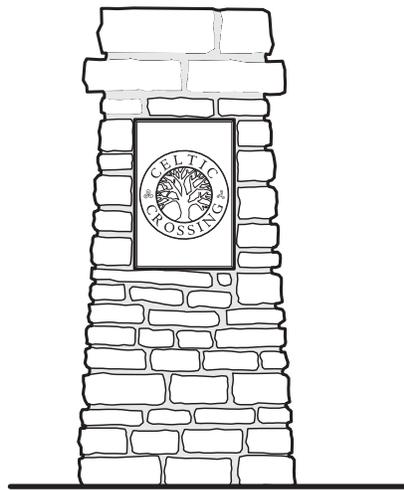
A Cross Buck Wood Fence



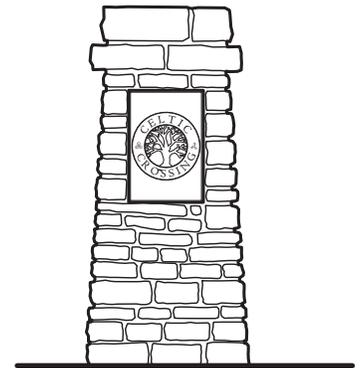
B Timber Guardrail



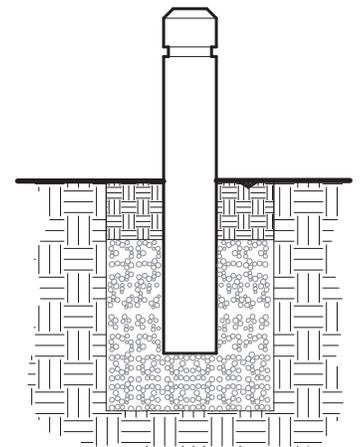
C Stone Entry Wall



D Large Stone Entry Column



E Small Stone Entry Column



● Natural Area Boundary Marker



Low Mow Grass Details

- *Following 4 sheets*

PRODUCT SPECIFICATIONS

Fine Fescue Links Blend

Features:

- Low Maintenance Grasses
- Very Fine Textured
- Drought Resistant
- Low Mature Plant Height
- Little or no mowing

Ingredients:

40% Gotham Hard Fescue
30% Foxfire Creeping red fescue
20% Shadow II Chewings fescue
10% Marco Polo Sheep Fescue

Description:

Fine Fescue Links Blend is designed for low maintenance areas such as far roughs on golf courses, orchards, roadsides and slopes. Fine Fescue Links Blend requires minimal fertilization and is attractive in an unmowed state because of its very fine texture and low mature plant height. Mowing is necessary once a year to remove seed heads. Fine Fescue Links Blend can be grown in sun or shade, and has excellent winter hardiness. All varieties used have dark green color and improved disease resistance as well as endophyte content which aids in stress tolerance and insect resistance.

Geographical Adaptation:

Fine Fescue Links Blend is adapted to shaded areas throughout the cool humid and cool arid zones. Fine Fescue Links Blend can also be used for slope seeding and erosion control in the Warm Arid zone.



Suggested Usage:

Any low maintenance areas where mowing will be infrequent. Fine Fescue Blend requires minimum fertilization and no supplemental irrigation after establishment. This blend is also good for erosion control, and can be used as a companion for wildflower and native grass seed mixtures. In an unmown state, Fine Fescue Links Blend will create a "Scottish links" golf rough appearance.

Recommended Seeding Rates:

New Establishment
2-3 lbs/1000 sq ft for low maintenance (unmown areas)
4-5 lbs/1000 sq ft for mown turf
Renovation
20-75% existing cover -1-2 lbs/1000 sf

Recommended Maintenance Practices:

Turf Establishment Guidelines:

Adequate seed bed preparation is important in new turfgrass establishment as well as in overseeding. Check soil pH and apply LESCO Starter Fertilizer prior to seeding

Seed at recommended rate. Cool season grasses germinate best in the 60° to 85° F (16° to 30° C) soil temperature range. Frequent light irrigation and/or seed starter mulch is required for optimum germination.

Germination should be visible within 21 days; complete turf establishment will take three to six months.

SPECIFICATIONS FOR BIDDING:

Fine Fescue Links Blend
033569

PACKAGED IN 50 LB WOVEN
POLYPROPYLENE BAGS



JOHN DEERE
LANDSCAPES

LESCO

#033569
50 lb. bag

Fine Fescue Links Blend

#33569
50 lb. bag

John Deere Landscapes • 5610 McGinnis Ferry Road • Alpharetta, GA 30005 • 800-347-4272







Photo credit: Bob Mugaas, U of MN

APPROVED DEVELOPMENT TEXT

Preliminary Development Plan

CELTIC CROSSING

Dublin, Ohio

*Land Owner/
Developer*

Stavroff Interests, Ltd.
565 Metro Plac^e South, Suite 480
Dublin, OH 43017
Phone: (614) 764-9981
Contact: Kevin McCauley

Legal:

Smith and Hale
37 W Broad St, Ste 725
Columbus, OH 43215
Phone: (614) 221-4255
Contact: Ben Hale, Jr.

*Land Planning/
Landscape Architecture:*

The EDGE Group
330 West Spring Street, Suite 350
Columbus, OH 43215
Phone: (614) 486-3343
Contact: Greg Chillog

Engineering:

EMH&T
5500 New Albany Road
Columbus, OH 43054
Phone: (614) 775-4500
Contact: Brad Holland

Approved: Planning and Zoning Commission February 7, 2013

Submittal: City Council 2nd Reading April 8, 2013

APPROVED DEVELOPMENT TEXT

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APPROVED DEVELOPMENT TEXT

SECTION I-
Development Overview

APPROVED DEVELOPMENT TEXT

CELTIC CROSSING

Development Overview

I. Location and Size

- The site is located completely within the City of Dublin and Union County
- The site is located approximately 1,030' north of the intersection of Brand and Hyland-Croy Roads, immediately west of Hyland-Croy Road and Dublin Jerome High School Stadium and practice field
- The site is ±28.110 acres in area, measuring ±758' in the north/south direction and ±1,682' in the east west direction.

II. Existing Conditions and Character

- The site is rectangular in shape
- The site is located in the North Fork Indian Run Watershed. The site generally drains from north to south. Highpoints are located at the northwest corner (elevation 942) and northeast corner (elevation 936). A low point (elevation 930) is located where an existing stream flows off the property along the southern boundary
- A stream bisects the property north to south, with 1/3 of the site east of the stream and 2/3 of the site west of the stream. A stream corridor protection zone with a buffer of 63' on both sides has been designated for this stream
- The site is located entirely out of the 100 year floodplain
- Tree rows and brush line the perimeter of the property and the stream
- 380 trees exist on the site, 13 of those are landmark trees. Of the 380 trees, 121 (32%) are dead or in poor condition, 2 are landmark trees in poor condition.
- The site is generally flat, there are no steep slopes on the site
- No buildings exist on the site

III. Existing and Proposed Land Uses

- The Dublin Community Plan - Existing Land Use Map designates the site as "Rural Residential/Agricultural" and "Vacant/Undeveloped."
- Surrounding land uses include Residential Low Density (unincorporated properties south of the site), Parks/Open Space

(Glacier Ridge Metro Park) and Public Institutional/Civic (Dublin Jerome High School)

- The Dublin Community Plan - Future Land Use Map classifies the site as "Mixed-Residential/Rural Density (1.5 d u /ac.)"
- Proposed uses are residential, open space and parks
- The proposal is to develop the tract with 44 single-family lots for a gross density of 1.56 dwelling units per acre.

IV. Parks and Open Space

- A total of 8.75± acres (±31.1%) will remain free of development and will include the required Hyland-Croy and Mitchell-Dewitt Roads setbacks and the storm water management facilities
- The open space areas will be owned by the City of Dublin and maintained by a private home owners association.

V. Provision of Utilities

General

- All utilities, including sanitary sewer, water, telephone, electric, and gas, are available at this site.
- All utilities will be designed and constructed to meet the standards established by the City of Dublin Engineer.
- A comprehensive storm water management system will meet City of Dublin design criteria
- All utilities shall be placed in appropriate locations on the lots that will best preserve the existing trees in good or fair condition.

Sanitary Sewer

- Sanitary sewer to the Celtic Crossing development will be serviced from an existing 12-inch sanitary sewer (CC-12770) located on the east side of Hyland-Croy Road
- An 8-inch sanitary sewer will be extended across Hyland-Croy Road from existing manhole 17 to service the entire proposed development

Water

- Water service to the Celtic Crossing development will be serviced from an existing 16-inch water main located on the east side of Hyland-Croy Road
- An 8-inch water main will be extended across Hyland-Croy Road to service the entire proposed development
- Public water mains will be constructed along the proposed roadways within the development

Storm Water – Existing

- The site drains from north to south and is tributary to an existing un-named ditch that runs through the eastern third of the property.
- 29 acres of offsite area drains from the north across the site to the ditch mentioned above.
- The predominant soil type is Brookston, a Type B/D soil which will function as a Type C soil. The secondary soil types are Blount and Crosby, Type C soils. All will have a pre-developed runoff curve number of 70.

Storm Water –Post Developed

- In the post-development condition the site drainage will be handled by two separate storm water management systems. One system will be located on the east side of the existing ditch and the other will be located on the west side of the existing ditch
- Both systems will accept drainage from impervious areas such as roadways, driveways, roofs, and sidewalks and some back yard drainage
- The west system will be two wet basins connected by a shallow swale. This system will have a tributary area of approximately 13.6 acres. This system will outlet into the un-named ditch that runs through the proposed site.
- The east basin will be a wet basin that will have a tributary area of approximately 4.3 acres and outlet into the un-named ditch that runs through the proposed site.
- Approximately 27.8 acres of offsite area from the north may be directed to the existing ditch via an off-site swale or rear yard swales on the north side of the property.

APPROVED DEVELOPMENT TEXT

CELTIC CROSSING

Development Overview

VI. Access and Circulation

- Vehicular access to the site will be from a single access point on Hyland-Croy Road and from a single access point on Mitchell-Dewitt Road
- Celtic Crossing Drive will connect the access points along Hyland-Croy and Mitchell-Dewitt Roads and extend through the site along the northern and western borders.
- Macha Court will be a cul-de-sac street extending south from Celtic Crossing Drive on the eastern third of the development.
- Nemain Court will be a loop street extending from Celtic Crossing Drive on the western two thirds of the development

APPROVED DEVELOPMENT TEXT

SECTION II-
Development Standards

APPROVED DEVELOPMENT TEXT

CELTIC-CROSSING

Development Standards

I. DEVELOPMENT STANDARDS

Basic development standards are addressed in this text regarding proposed density, general site issues, traffic, circulation, landscaping, and architecture. These component standards ensure consistency and quality throughout the development. Unless otherwise specified in the submitted drawings or in this written text, the development standards of Chapter 152 and 153 of the City of Dublin Code shall apply.

II. PERMITTED USES

Permitted uses shall include the following:

- A. Single-family detached homes.
- B. Open spaces and related park features

III. DENSITY

A maximum of forty-four (44) residential homes shall be permitted in this PUD.

IV. LOT STANDARDS

Single-family homes in this development will be constructed on traditional lots with fee simple ownership. Specific lot standards shall apply to each of these development types:

A. Fee simple lots

1. Lot Size

- a. Lot Area: Twelve thousand six hundred (12,600) square feet minimum
- b. Lot width at the right of way line: Fifty (50) feet minimum
- c. Lot Width at the building line: Ninety (90) feet minimum
- d. Lot Depth: One hundred forty (140) feet minimum. Irregularly shaped lots shall have a minimum lot depth of 140 feet along at least one side lot line, provided that minimum buildable depth requirements are met.

2. Lot Setbacks

- a. Front yard: There shall be a minimum front yard setback of twenty (20) feet from the right-of-way line or as shown on the

approved preliminary plat. The requirements of the Subdivision Regulations Chapter 152.019(C)(6) shall not be applicable to this development.

- b. Rear yard: There shall be a minimum rear yard setback of twenty-five (25) feet as indicated on the preliminary plat.
- c. Side yard: There shall be a minimum side yard of six (6) feet for buildings, provided, however, that there shall be a minimum of fourteen (14) feet total side yard per lot.
- d. Hyland-Croy Road: There shall be a minimum building and pavement setback of two hundred (200) feet from the proposed Hyland-Croy Road right-of-way. Storm water management facilities, landscaping, multi-use paths, open space, park amenities and entry features may be located within this setback to enhance the rural character of the Hyland-Croy Road corridor.
- e. Mitchell-Dewitt Road: There shall be a varying building and pavement setback of two hundred (200) feet from the proposed Mitchell-Dewitt Road right of way east of the entry drive to fifty (50) feet from the proposed Mitchell-Dewitt Road right of way west of the entry drive, as indicated on the preliminary plat. Storm water management facilities, landscaping, multi-use paths, open space, park amenities and entry features may be located within this setback to enhance the rural character of the road corridor.

3. Lot Coverage

The maximum lot coverage shall be forty-five (45) percent.

4. On-Lot Stream Corridor Protection Zone

- a. Portions of the Stream Corridor Protection Zone may be platted on individual lots.
- b. No building, structure, fence, patio, recreational or athletic facility, or any other improvement of any kind may be placed temporarily or permanently upon, in or under the area designated hereon as a "On Lot Stream Corridor Protection Zone" nor shall any work be performed thereon which would alter the natural state of the zone or damage any of the trees or vegetation therein.
- c. No tree may be removed from the zone except for the removal of dead, diseased, decayed, or noxious trees and other understory vegetation or as may be required for conservation or in keeping with good forest management practices. Areas without trees or understory vegetation on the lot may be maintained as lawn.

V. STREET ACCESS AND/OR IMPROVEMENTS

A. Access

1. Hyland-Croy Road:

- a. One full access intersection shall be provided.

2. Mitchell-Dewitt Road:

- a. One full access intersection shall be provided.

VI. STREET STANDARDS

A. Public Streets

- 1. Right-of-Way Width: Fifty (50) feet minimum
- 2. Pavement Width: Twenty-eight (28) feet minimum as measured back-of-curb to back-of-curb
- 3. Drive Lanes: Two (2)
- 4. Parking Lanes: Parking shall be permitted on one side of public streets internal to the PUD opposite the waterline and fire hydrants
- 5. Tree Lawn: Not less than seven (7) feet in width.
- 6. Sidewalk: Four (4) feet wide minimum; sidewalks shall be concrete.
- 7. Multi-use path: Eight (8) feet wide minimum, multi-use paths shall be constructed of concrete when located directly in front of single-family lots and may be constructed of asphalt when located elsewhere.

VII. UTILITIES

A. Design and Construction

- 1. All utilities shall be designed and constructed to meet the standards established by the City of Dublin Engineer.

APPROVED DEVELOPMENT TEXT

CELTIC-CROSSING

Development Standards

B. Location

1. All utilities shall be placed in appropriate locations on the individual home lots that will best preserve the existing trees in good or fair condition.

VIII. STORM WATER MANAGEMENT

A. Design and Construction

1. A comprehensive storm water management system shall be developed, following the City of Dublin storm water management policies.
2. Storm water management in the post development condition is anticipated to be handled by two separate systems: an "east system" and a "west system". Both will accept impervious areas such as roadways, sidewalks, driveways, roofs and some back yard drainage.
 - a. The "west system" shall be generally located along the southern property line and will include two wet basins connected by a shallow swale. This system will outlet into the existing un-named ditch.
 - b. The "east system" will be a wet basin generally located east of the proposed cul-de-sac. This system will outlet into the existing un-named ditch.

IX. TREE PRESERVATION, REMOVAL AND REPLACEMENT

A. Tree Preservation

1. It is the intent of the developer to preserve as many good and fair condition trees as possible on site. A good faith effort will be made to preserve existing trees in good and fair condition where appropriate.

B. Tree Preservation Zone

1. A fifteen (15) feet wide tree preservation zone shall be established at the rear of all lots along the northern and western property lines. This zone shall be indicated on the preliminary and final plats.
2. No tree or vegetation may be removed from the zone except for the installation and/or maintenance of utilities as approved in the final development plan, removal of dead, diseased, decayed, or noxious trees and other vegetation or as may be required for conservation or aesthetic purposes or in keeping with good forest management

practices. Areas without trees or understory vegetation on the lot may be maintained as lawn.

3. No building, structure, fence, patio, recreational or athletic facility, or any other improvement of any kind may be placed temporarily or permanently upon, in or under the area designated hereon as a "Tree Preservation Zone" nor shall any work be performed thereon which would alter the natural state of the zone or damage any of the trees or vegetation therein.
4. Disturbance of any part of the zone by maintenance shall be restored as nearly as practicable to the original condition.
5. A tree protection fence, minimum four (4) feet in height, shall be installed around the perimeter of the tree preservation zone prior to any construction activities. The fence location shall be indicated on the final development plan and shall remain in place until occupancy has been granted or as otherwise approved by the City Forester for all lots, as indicated on the preliminary plat.

C. Tree Replacement Plan

1. Tree replacement shall be per code unless otherwise approved by City Council.
2. The master developer shall be responsible for the replacement of all subject trees affected due to the development of the site.
3. All site required tree replacement must be completed prior to the issuance of the first building permit or within six (6) months, due to unfavorable weather conditions.
4. All individual lot tree replacement must be completed prior to issuance of an occupancy permit or within six (6) months, due to unfavorable weather conditions.

X. PARKS AND OPEN SPACE

1. The open space will meet that required under Code. All open space shall be dedicated to the City. All open space areas shall be maintained by a forced and funded homeowners association.
2. Access to the Metro Park will be provided, subject to Metro Parks District approval, by the extension of multi-use paths through open space areas of the project to the Metro Park. Access may occur within the stream corridor protection zone. Final design for connections and associated screening shall be presented and approved during the Final Development Plan phase.

XI. ARCHITECTURE

A. General Character

1. The character of the development shall be one (1), one and one-half (1½) and two (2) story single-family homes with a variety of two (2) or three (3) car garages that will mimic the quality of the surrounding homes in adjacent neighborhoods and will adhere to the City of Dublin Residential Appearance Standards Code.

B. Permitted Building Height

1. Maximum of thirty-five (35) feet, as measured per the Dublin Code.

C. Permitted Exterior Materials

1. Cladding Materials
 - a. The exterior cladding of all structures on all lots shall be finished using all natural materials, including brick, thin brick, stone, manufactured stone, wood, engineered wood, fiber-cement siding products, stucco or any combination thereof.
 - b. Stucco shall be prohibited as a cladding material on all structures east of the stream and two lots nearest Mitchell-Dewitt Road (Lots 1-7, 23 and 24 as indicated on the Preliminary Plat).
2. Trim Materials
 - a. Wood, engineered wood, vinyl, aluminum, EIFS, copper or fiber-cement products.
 - b. Shutters shall be considered as "trim" for the purpose of meeting the Residential Appearance Code requirements.
3. Roofing Materials
 - a. Dimensional asphalt shingles, wood, slate, concrete, tile or metal.

D. Permitted Exterior Colors

1. Cladding Colors
 - a. Natural earth tones and/or warm neutral colors, including white.
 - b. High-chroma colors are not permitted.
2. Trim Colors
 - a. Natural earth tones and/or warm neutral colors, including white.

APPROVED DEVELOPMENT TEXT

CELTIC-CROSSING

Development Standards

- b. Complementary or contrasting to siding color.
- 5 Roofing Colors
- a. Roofing colors shall be from the color range of natural materials such as, but not limited to wood shakes and black.
 - b. High-chroma colors are not permitted.

E. Architectural Elements

- 1 Four-sided Architecture
- a. Similar architectural design elements and details shall be consistent throughout all elevations of the structure.
 - b. Dublin Residential Appearance Code will be adhered to throughout the entire community unless otherwise stated herein.
- 2 Chimneys
- a. "Cantilevered" 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.
- 3 Garages
- a. All single-family dwellings shall have an attached or detached garage of sufficient size to accommodate a minimum two (2) standard sized automobiles, side by side.
 - b. Lots East of Stream (Lots 1-7)
 - i. Side and court load garages are permitted. Single-bay front load garages are permitted as part of a court load configuration.
 - ii. Front loaded garages, not part of a court load configuration, are prohibited.
 - iii. Auto court areas associated with court load garages require an upgraded pavement material, see Section XII Landscaping.
 - iv. Lots 1 and 2 as indicated on the preliminary plat are limited to west facing garages unless a single-bay front load garage is utilized as part of a court configuration.
 - c. Lots West of Stream (Lots 8-44)
 - i. Side, court and front loaded garages are permitted.

- ii. Lots 23 and 24 as indicated on the preliminary plat are limited to north facing garages only and single-bay front load garages as part of a court configuration.
 - d. Front loaded garages shall not extend beyond the foremost façade or covered front porch of the home by more than six (6) feet. Not more than forty (40) percent of all lots shall be permitted to include front loaded garages that extend beyond the foremost façade or covered front porch of the home.
 - e. All garage doors shall be decorative and upgraded garage doors, similar to "carriage-style" doors.
 - f. In those instances where a garage is utilized and an auto courtyard is created in the front of the house, a minimum thirty (30) inch high wall or hedge shall be installed along the courtyard pavement parallel to the street.
 - g. In those instances where a side loaded garage is utilized, a minimum thirty-six (36) inch height, seventy-five (75) percent opacity hedge shall be installed along the entire length of driveway pavement, parallel to the rear yard, so as to prevent headlight pollution into the rear of neighboring properties.
- 4 Prominent Facades
- a. Corner lots, end lots, pie-shaped lots and lots adjacent to large open spaces present highly-visible, side facades (Lots 1, 3, 8, 19, 20, 23, 24, 35, 36, 38 and 39 as indicated on the preliminary plats). Each street-facing elevation on these lots must contain at least three design elements, in any combination, as defined in the Dublin Zoning Code 153.190.

F. Architectural Diversity

1. The same or similar front elevations shall not be repeated within
- a. Two (2) lots on either side of the subject lot.
 - b. Three (3) lots directly across the street from the subject lot.
 - c. Any lot on a cul-de-sac bulb.
2. Corner lot influence shall be determined separately by the front elevation orientation.
3. Open space areas may provide similar separation as lots within the influenced area. In this case, the open space area may be considered an influenced lot or lots.
4. Lots located on curves or corners may not share a direct line of site with the fronts of three lots across the street, depending on the front elevation orientation of nearby corner lots. In this case, an additional

lot or lots on the same side of the street as the subject lot may instead be considered an influenced lot, in addition to the two lots on either side of the subject lot.

5. A Lot Diversity Matrix shall represent the intended interpretation of the architectural diversity standards relative to the preliminary development plan and preliminary plat included herein. Changes to lot layout, count, numbering, size, shape and/or orientation of lots going forward shall require a modified Lot Diversity Matrix at the time of Final Development Plan or Final Plat. Any future modified matrix shall provide an interpretation of the architectural diversity standards that is consistent with the matrix included herein.

G. Lot Diversity Matrix

The Lot Diversity Matrix represents the intended interpretation of the architectural diversity standards.

Subject Lot #	Influenced Lot #
1	2, 3, 4, 5, 6, 7
2	1, 3, 4, 5, 6, 7, 44
3	1, 2, 4, 5, 6, 7
4	1, 2, 3, 5, 6, 7
5	1, 2, 3, 4, 6, 7
6	1, 2, 3, 4, 5, 7
7	1, 2, 3, 4, 5, 6
8 west	9, 10, 38 east, 39, 42, 43, 44
8 north	39, 40, 42, 43, 44
9	8, 11, 12, 38 east, 39 east, 43
10	8, 9, 11, 12, 13, 38, 39 east
11	9, 10, 12, 13, 37, 38, 39 east
12	10, 11, 13, 14, 36 south, 37, 38
13	11, 12, 14, 15, 36, 37, 38
14	12, 13, 15, 16, 36, 37, 38
15	13, 14, 16, 17, 36, 37, 38 south
16	14, 15, 17, 18, 35 west, 36, 37
17	14, 15, 16, 18, 19, 35 west, 36
18	16, 17, 19, 32, 35 west, 36
19 east	17, 18, 31, 32, 33, 35, 36 west
19 north	20, 30, 31, 32, 33, 35, 40
20	19 north, 21, 22, 27, 28, 29, 30
21	20, 22, 23, 25, 26, 27
22	20, 21, 23, 24, 25, 26
23	21, 22, 24, 25, 26
24	21, 22, 23, 25, 26
25	21, 22, 23, 24, 26, 27
26	20, 21, 22, 24, 25, 27, 28
27	20, 21, 22, 25, 26, 28, 29, 30
28	19 north, 20, 21, 26, 27, 29, 30
29	19 north, 20, 21, 27, 28, 30, 31
30	19 north, 20, 27, 28, 29, 31, 32

APPROVED DEVELOPMENT TEXT

CELTIC-CROSSING

Development Standards

31	19 north, 20, 29, 30, 32, 33, 35
32	19, 20, 30, 31, 33, 34, 35
33	19, 31, 32, 34, 35, 40, 41
34	32, 33, 35, 39 north, 40, 41, 42
35 west	18, 19, 32, 33, 34, 36
35 north	19, 20, 32, 33, 34, 39 north, 40
36 west	15, 16, 17, 18, 19 east, 35 west, 37
36 south	14, 15, 16, 17, 18, 35 west, 37, 38 south
37	12, 13, 14, 15, 36, 38,
38 east	8 west, 9, 10, 11, 12, 37, 39 east
38 south	10, 11, 12, 13, 36 south, 37, 39 east
39 east	8, 9, 38, 42, 43, 44
39 north	8, 35 north, 40, 41, 42, 43, 44
40	8, 19, 34, 35, 39, 41, 42
41	33, 34, 35 west, 39 east, 40, 42, 43
42	8, 34, 39, 40, 41, 43, 44
43	8, 39, 40, 41, 42, 44
44	2, 8, 39, 42, 43

H. Plan Approval

1. The Master Developer shall retain the right of individual plan approval for all single family homes within the subdivision.

XII. LANDSCAPING

A. General Overall Landscape Character

1. Open space areas shall balance naturalized and formally maintained elements to provide a low maintenance design that contributes to the rural character of the corridor.
2. Naturalized treatments that include mass plantings of perennial grasses in no-mow and low-mow areas shall transition to formally maintained areas near streets and intersections. Well defined edges shall be used to create transitional areas between formally maintained and naturalized landscape zones.
3. Entry features, retention/detention areas and other plantings shall blend to create a natural effect that is characteristic of the surrounding area.

B. Hyland-Croy Road Landscape Treatment

1. A landscape treatment shall be installed in the setback and open space area along Hyland-Croy Road.
2. Entry features may be located within this treatment and shall have a formal character. Entry features may include fencing, masonry columns, signage, planting, lighting and irrigation.

3. Large open areas shall transition from preserved tree rows, to naturalized areas featuring no-mow or low-mow grasses, to formally maintained areas along streets and around entry features.
4. Storm water management facilities may be located in this treatment and may be in the form of wet ponds, wetlands or dry basins.
5. Multi-use paths or sidewalks may be located within this treatment. A multi-use path along the entire Hyland Croy Road frontage is not required to be constructed as part of this development.
6. Final design for this treatment shall be presented and approved during the Final Development Plan phase.

C. Mitchell-Dewitt Road Landscape Treatment

1. A landscape treatment shall be installed in the setback and open space area along Mitchell-Dewitt Road.
2. Entry features may be located within this treatment and shall have a formal character. Entry features may include fencing, masonry columns, signage, planting, lighting and irrigation.
3. A landscape screen shall be provided to create a buffer between the lots and Mitchell-Dewitt Road. This treatment may include evergreen and deciduous trees, ornamental trees and evergreen and deciduous shrubs.
4. Final design for this treatment shall be presented and approved during the Final Development Plan phase.
5. Multi-use paths or sidewalks may be located within this treatment. A multi-use path along the Mitchell-Dewitt Road frontage is not required to be constructed as part of this development.

D. Entry Features

1. Entry features shall include fencing, masonry columns, integrated project signage, landscaping, lighting and irrigation.
2. The design shall contribute to and maintain the rural character of the area.
3. Final location, design, and standards for entry features and related landscaping and signage details shall be presented and approved during the Final Development Plan phase.
4. All entry features will be owned and maintained by the homeowners association. Necessary easements or reserves for entry features shall be provided on the final plat.

E. Storm Water Facilities

1. Storm water facilities shall be located in the open space areas. These facilities may be in the form of wet ponds, wetlands, and/or dry basins.
2. Final location, design, and standards for these facilities shall be presented and approved during the Final Development Plan phase.
3. A maintenance outline for all facilities shall be presented and approved during the Final Development Plan phase.

E. Street Trees

1. Street trees will be installed in accordance with the City of Dublin Code. Final location shall be determined by the City Forester.

F. Fencing

1. Fencing shall be per code.

G. Open Space/Lot Line Demarcation

1. A line of demarcation, as identified on the Conceptual Landscape Plan, Exhibit PDP-6, shall be provided where lots abut open space areas to prevent encroachment of homeowner maintenance onto public open space areas.
2. The line of demarcation may be a low, split rail fence, wood posts at property corners, landscaping or any other means to define the private property from public property. Final design and details of this element shall be approved as part of the final development plan.

H. Private Sidewalks

1. A minimum three (3) foot wide sidewalk shall be required for every residence. This private sidewalk shall extend from the front door to the driveway, where applicable, as the driveway may abut the front door in auto-court situations.

I. Auto Court Pavement (Lots 1-7)

1. Auto court areas created by court loaded garages shall utilize an upgraded pavement material.
2. Upgraded pavement material types (not standard concrete or asphalt) shall include, but not be limited to brick, interlocking concrete pavers, stamped concrete and/or architectural concrete.

APPROVED DEVELOPMENT TEXT

J. Cul-de-Sac Islands

1. Cul-de-sac islands shall be landscaped with lawn and /or plant material

Any lawn and/or plant material located within an island shall be maintained by the HOA.

XIII. HOMEOWNERS ASSOCIATION

All residential property owners located within the Celtic Crossing PUD shall be required to join and maintain membership in a forced and funded homeowners association, which will be formed prior to any lots being sold. Homeowners association responsibilities shall be detailed within Declarations of Covenants and Restrictions as approved by the City of Dublin before being duly recorded in the office of the Union County Recorder. These Declarations of Covenants and Restrictions shall run with the land and shall include, without limitation, the requirements imposed upon the homeowners association in this text.

APPROVED DEVELOPMENT TEXT

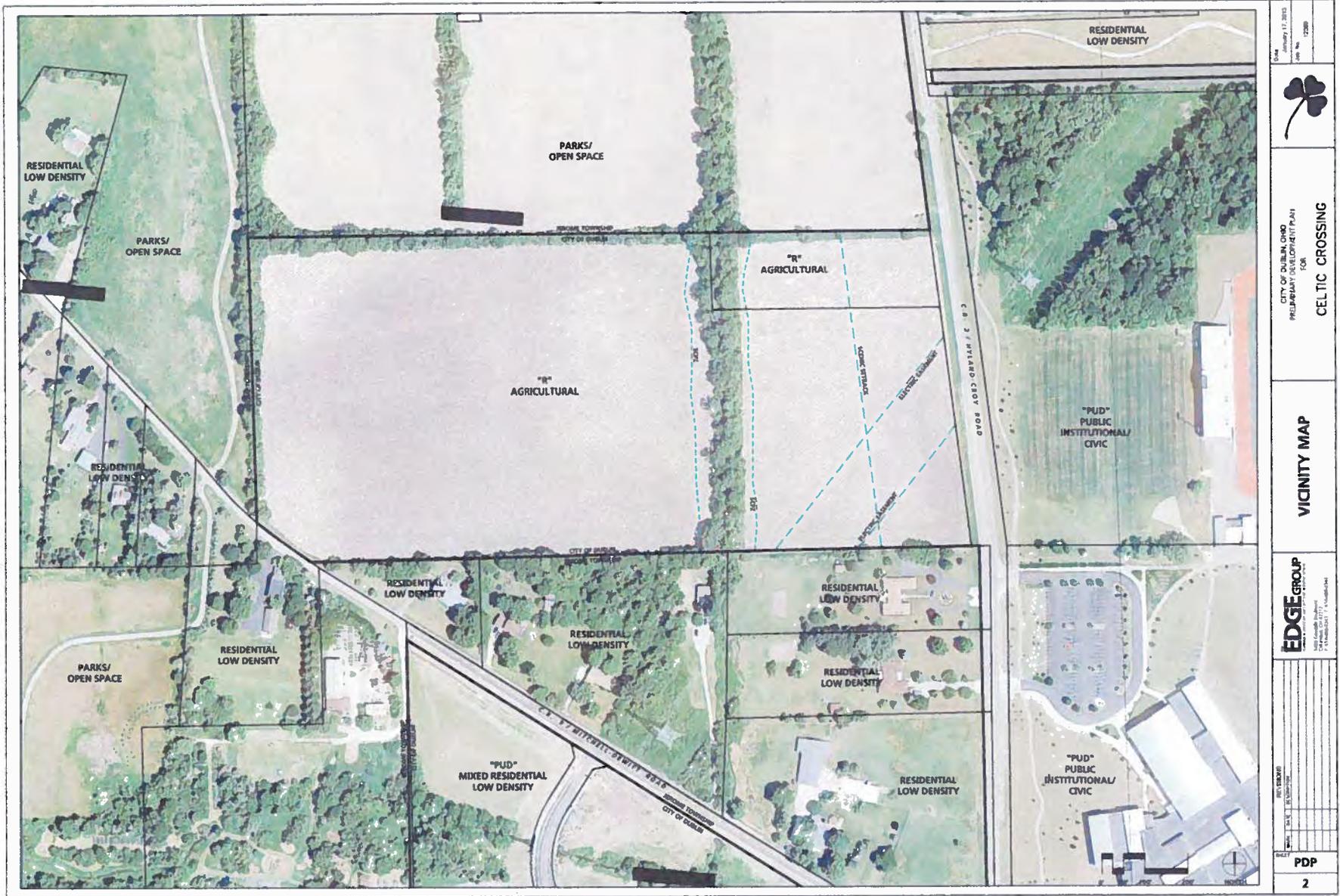
SECTION II-
Exhibits

APPROVED DEVELOPMENT TEXT



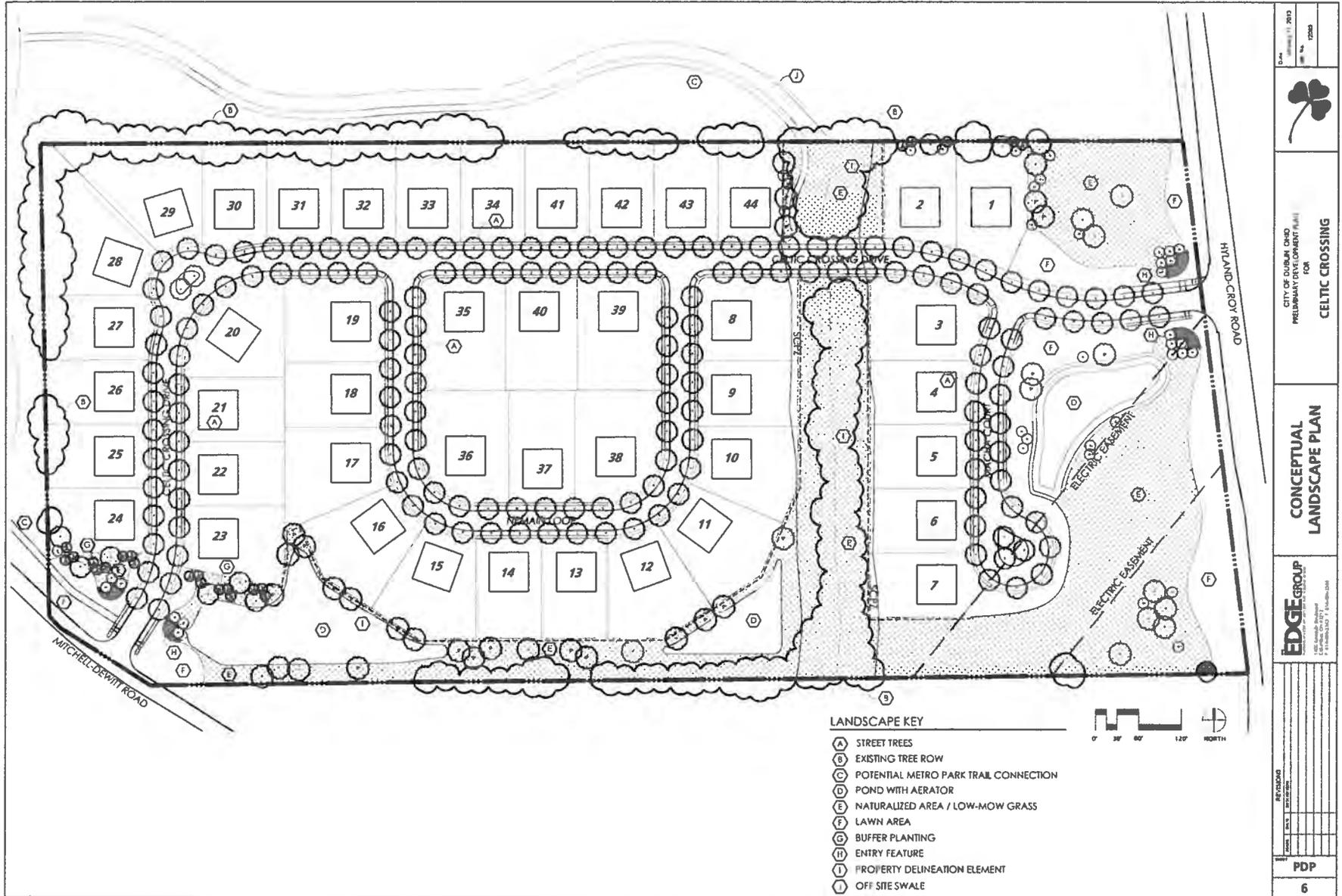
Date: January 17, 2013 Job No.: 12080
CITY OF DUBLIN, OHIO PRELIMINARY DEVELOPMENT PLAN FOR CELTIC CROSSING
REGIONAL CONTEXT MAP
EDGE GROUP <small>PLANNING AND DESIGN</small> <small>10000 W. STATE ST., SUITE 200</small> <small>WESTLAND, OHIO 44092</small>
PDP 1

APPROVED DEVELOPMENT TEXT

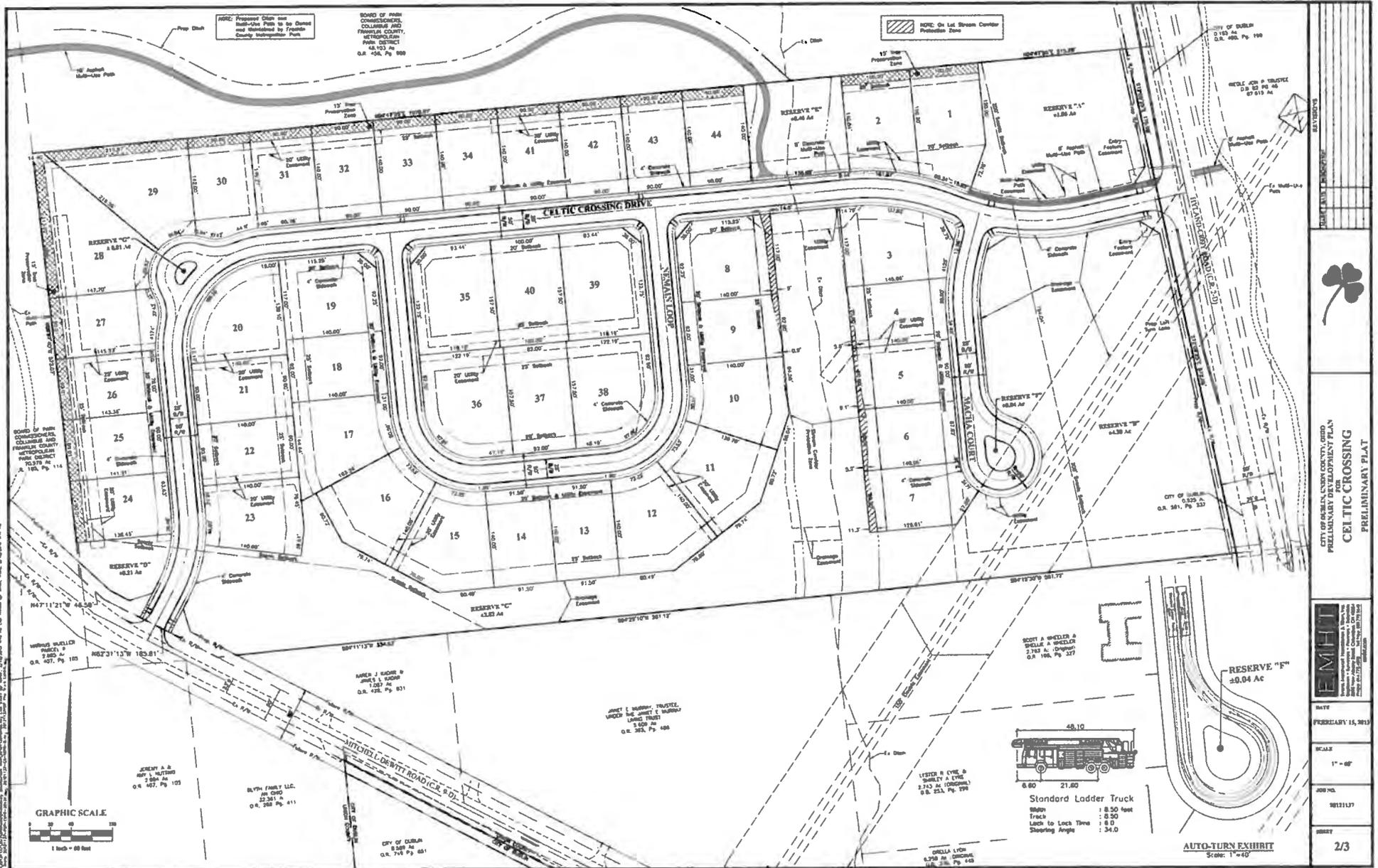


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APPROVED DEVELOPMENT TEXT



APPROVED DEVELOPMENT TEXT



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Vice Mayor Salay stated that there seems to be some dispute among those who spoke tonight about the DSL Board's support of the amendments.

Mrs. Boring commented that people are working under the belief that if something is working well, change is not needed. She does not believe it is working well. If the same concept is used going forward, a monopoly will continue to be supported. She has heard similar excuses from cable companies, utility companies, etc., that there is no need for competition if things are working well. It seems that people are fearful of competition, based on the input. It is very discouraging to hear about what has transpired over the past two months. If DSL and Dublin United parents were aware of what was transpiring, they would not be happy about it. Many people have contacted her regarding these matters. These amendments are consistent with Council's vision regarding recreational soccer programs. Council should approve these amendments and move forward.

Mayor Lecklider called for a vote on Resolution 14-13, including the correction that has been brought forward by Mrs. Boring and included in the document provided by Mr. Smith tonight, as well as the revision that relates to Article IV, Section 4(B) regarding the Treasurer. He asked for confirmation from Mr. Smith.

Stephen Smith, Jr. confirmed:

1. There was a change, noted by Mrs. Boring, to Section B(2)(1) that referenced an inadvertent strikeout of the language "or other person associated with DSL".
2. The language regarding the Treasurer in Article IV, Section 4(B) is to be separated out from the Executive Director duties. Further, the language that the Executive Director may serve as Treasurer is to be eliminated and Section 4(B) is to be pulled out and placed in its own section regarding the Treasurer.

He noted that a remaining issue relates to a requirement for two signatures for checks, and whether Council desires to set a threshold amount for requiring a second signature.

Ms. Chinnici-Zuercher stated that she could not recommend an appropriate threshold without having more information.

Mr. Smith responded that perhaps Council should make a recommendation to DSL about such a threshold amount and DSL could bring something back regarding what they believe is workable for them.

Ms. Grigsby stated that Council could direct staff at the administrative level to review and determine an appropriate amount for a threshold, based upon discussions with the DSL Board. Staff can then make Council aware of the dollar amount determined for such a threshold.

Vice Mayor Salay and Ms. Chinnici-Zuercher indicated they would support this plan.

3. It was the consensus of Council to require two signatures on checks in excess of a dollar amount to be administratively determined after discussion with the DSL Board.

Vote on the Resolution (including the three changes outlined above):

Vice Mayor Salay, yes; Mayor Lecklider, yes; Mr. Gerber, yes; Mrs. Boring, yes; Mr. Keenan, yes; Mr. Reiner, yes; Ms. Chinnici-Zuercher, yes

SECOND READING/PUBLIC HEARING - ORDINANCES

Ordinance 22-13

Rezoning Approximately 28.1 Acres Located on the West Side of Hyland-Croy Road, Approximately 1,030 Feet North of the Intersection with Brand Road and Mitchell-Dewitt Road, from R, Rural District to PUD, Planned Unit Development District (Celtic Crossing PUD) to Establish a 44-Lot Single-Family Detached Residential Development and 8.75 Acres of Open Space. (Case No. 12-082 Z/PDP/PP)

Mr. Goodwin stated that this rezoning ordinance was introduced at the March 11 Council meeting. The primary point of discussion at that meeting was the tree replacement

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requirements for the development. The applicant had proposed within the rezoning development text to include some modified tree replacement requirements versus a more typical tree waiver process, which typically comes before Council as a separate agenda item. Council expressed concern with this approach and requested that the language be removed from the development text and that a separate waiver be brought back to Council. The applicant has provided a revised development text that removes that language and now states that the tree replacement is per Code unless otherwise approved by Council. No tree waiver request has been included on tonight's agenda, however, as the applicant has elected not to pursue a waiver at this time. Per discussion with staff, they have decided to move through the final development plan review process with the Planning and Zoning Commission and seek additional opportunities to replace as many trees as possible on the site through that process. No other changes have been made to the text or the proposed development plan.

Ben Hale, Jr., Smith & Hale, 37 W. Broad, stated that this rezoning has been reviewed by the Planning Commission. The applicant worked very closely with the Parks Department regarding the bikepath, which will run from the school and through the park. They hope to resolve tree replacement needs through the final development plan process, but if a tree replacement waiver is needed, they will file an application requesting the waiver. An effort is being made to protect all the trees along the north property line. One of the reasons the bikepath has been placed within the field is to protect those trees. A drainage ditch along the north side of the property will pick up the sheet flow, empty it into the creek, and prevent it from reaching the homes. The bikepath and drainage issues have been thoroughly considered. They have been very careful to ensure that the homes along the tree line will not have future water issues. All the lots are 90 feet wide and can accommodate three-car garages.

Mr. Reiner stated that the plan provides an interesting variety of amenities for its future residents, and successfully retains most of the green area. The remaining question for him concerns the homeowner associations (HOA) ability to maintain it. How will it be set up?

Mr. Hale responded that most of the area will not require much maintenance. The creek will be left in its natural state. With the small number of residents, the HOA fee will not be large. The City will hold the title to the open space, so the residents will not have to pay taxes on that land. The space will also be low maintenance. In some cases, they have worked with Parks to take over some of that maintenance, although that should not be necessary in this development.

Mr. Reiner stated that, based on past experience, Council is concerned that this small number of houses will not be able to handle the cost of the maintenance and will ask the City to assume responsibility in the future. In this plan, there are three water features with aerators. He wants to ensure that the HOA funding is set up in such a way that these features are self contained and maintained, and do not become a burden for future taxpayers.

Mr. Hale responded that it will be a forced and funded association and will be able to handle the low-cost maintenance needs.

Mrs. Boring inquired if mailboxes are addressed during the plan reviews.

Mr. Goodwin stated that they would typically be addressed in the final development plan process. It is detail that is not always addressed. They can work with the developer, however, if a particular characteristic is desired.

Mrs. Boring requested that staff consider this feature during their reviews, as the mailbox appearance is important to the aesthetics.

Vote on the Ordinance: Mrs. Boring, yes; Mr. Gerber, yes; Mr. Reiner, yes; Ms. Chinnici-Zuercher, yes; Mr. Keenan, yes; Mayor Lecklider, yes.

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Mr. Hahn responded that anyone can fish in City ponds without a license. The state considers Dublin ponds to be private ponds, essentially, and any regulations would be local. The state has no legal status in this matter.

Ms. Chinnici-Zuercher asked about Section 96.28, which indicates that an organizer of an event in a park or recreation area must obtain a permit. Does this apply to the neighborhood parks as well as the larger ones?

Mr. Hahn responded that the concept does not apply to a gathering of neighbors in their neighborhood park. It does apply to those who have organized events, especially those that involve exchange of monies in the parks.

Ms. Chinnici-Zuercher stated that a homeowners association planning a picnic in their neighborhood park would not need a permit – is that correct?

Mr. Hahn responded that others could be in the park as well. However, if someone is renting a pavilion, they have exclusive rights to the pavilion.

Mayor Lecklider asked if the new Amberteigh North Park could be reserved for a picnic.

Mr. Hahn responded that the pavilion can be rented – so one renting a pavilion would have priority over an unscheduled group picnic. The parks are first come, first served.

However, if one rents facilities, they have exclusive rights to its use, such as a pavilion. Mayor Lecklider asked if the information is available online.

Mr. Hahn responded that any park amenities that can be reserved can be reserved through the online system.

There will be a second reading/public hearing at the March 25 Council meeting.

Ordinance 21-13

Adopting and Enacting a Supplement (S-33) to the Code of Ordinances for the City of Dublin, Ohio. (Request to dispense with public hearing)

Mr. Gerber introduced the ordinance.

Ms. Grigsby stated this is a housekeeping item, which codifies the legislation passed by City Council and by the state since the last update.

Vice Mayor Salay moved to dispense with the public hearing.

Mr. Reiner seconded the motion.

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

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

Ordinance 22-13

Rezoning Approximately 28.1 Acres Located on the West Side of Hyland-Croy Road, Approximately 1,030 Feet North of the Intersection with Brand Road and Mitchell-Dewitt Road, from R, Rural District to PUD, Planned Unit Development District (Celtic Crossing PUD) to Establish a 44-Lot Single-Family Detached Residential Development and 8.75 Acres of Open Space. (Case No. 12-082 Z/PDP/PP) (Second reading/public hearing April 8, 2013 Council meeting)

Vice Mayor Salay introduced the ordinance.

Mr. Goodwin noted this 28-acre site is located on the west side of Hyland-Croy, north of Mitchell-Dewitt Road. It is surrounded primarily by Glacier Ridge Metro Park to the north and west, and a few homes in Jerome Township to the south.

He noted the following:

- The site has frontage along Hyland-Croy Road as well as a small amount of frontage along Mitchell-Dewitt Road. It is also bisected by a tributary to the North Fork of the Indian Run and includes a stream corridor protection zone along that portion of the site. The site is also impacted by a high-tension power line easement that runs through a corner of the site.
- The proposed rezoning/preliminary development plan includes 44 single-family lots; seven of those are located to the east of the stream, and the proposed development text includes additional architectural requirements for those lots that would be visible from Hyland-Croy Road.

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- The proposed plan includes 8.75 acres of open space. The typical subdivision regulations would require at least 1.8 acres. Those open space areas include a 200-foot setback along Hyland-Croy Road as well as a variable width of 50 to 200-foot setback along Mitchell-Dewitt Road. The Community Plan generally recommends 100-200 foot setbacks along rural character roadways.
- The site includes 44 single-family lots, which is a density of 1.57 dwelling units per acre. The Community Plan recommends 1.5 units per acre for this site.
- The open space areas include three wet stormwater retention ponds.
- The site is also bordered by tree rows along the shared border with Glacier Ridge Metro Park to the north and the west, as well as trees along the existing stream. The development text includes a tree preservation requirement. The text also includes a proposed modification or waiver to the typical tree replacement requirements. This includes a tree for tree as opposed to inch for inch replacement as the Code requires. The primary location where trees are proposed for removal is for the stream crossing of a new street that would connect Hyland-Croy Road to Mitchell-Dewitt Road through the site, as well as a small number of trees in the southwest corner of the site to allow for improved site visibility at the intersection of the new Celtic Crossing Drive with Mitchell-Dewitt Road. That includes improved visibility to the Glacier Ridge Metro Park multi-use path, which crosses Mitchell-Dewitt Road to the west of the site.
- The development plan also includes two multi-use path connections directly to the Glacier Ridge path system – one to the north along the stream crossing. The applicant has also worked with Metro Parks to determine an alignment for a new path that would extend along the north edge of the site and connect to the existing path already in the Metro Parks, directly to the west of the site. In addition, the applicant has worked with Metro Parks to gain approval of another path that would run parallel to Mitchell-Dewitt Road and connect to the existing Metro Parks path system.
- The applicant is also proposing a marked pedestrian crossing at the new intersection of Celtic Crossing Drive with Hyland-Croy Road that would provide pedestrian access to the Dublin Jerome High School site.

Mayor Lecklider asked about the path to the north, and if this will be constructed at the applicant's expense.

Mr. Goodwin responded affirmatively. There will be an agreement with the Metro Parks regarding this item.

- The proposed development plan is accompanied by the preliminary plat, that is consistent with the requirements of the development text and the subdivision regulations.
- The plat indicates the location of the tree preservation zone and also indicates the location of the stream corridor protection zone. There are a small number of portions of lots along the stream that are included in the outer portion of the stream corridor protection zone. Engineering has reviewed this and found the requirements included in the development text to be acceptable.
- The plat also indicates the location of seven open space reserves that will be dedicated to the City and maintained by a forced and funded homeowners association.

He stated that Planning & Zoning Commission reviewed this application and recommends approval with eight conditions. Three of the conditions relate specifically to revisions of the development text, and these revisions have been completed. They have also made some minor modifications to the conceptual landscape plan, based on Planning & Zoning Commission conditions. The remaining conditions will be addressed at the final development plan stage.

The preliminary plat was recommended for approval with one condition, and that condition has been met. Planning staff recommends approval of Ordinance 22-13 at the second reading/public hearing on April 8, 2013.

Mayor Lecklider invited Council Input.

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Ms. Chinnici-Zuercher asked about the tree waiver request. How is this proposal advantageous to the City?

Mr. Goodwin responded that the proposal is consistent with the City's requirements for building a street. The Community Plan actually shows a street in this particular location, including a stream crossing. The trees that will be impacted by this proposed street were anticipated to be removed. In terms of whether the modification to the tree preservation requirements is appropriate, that would be a question for Council to decide.

Ms. Chinnici-Zuercher summarized that the City had originally anticipated that trees would be removed because of a road that the City knew would be built at some point. Has it been the City's policy that in such a case the developer does not replace trees inch for inch but instead tree for tree?

Mr. Goodwin responded that it is not necessarily a policy. This approach has been undertaken with some other residential developments as well. This would not be the first time this approach has been taken.

Mr. Gerber commented regarding lots 35 through 40. Based on previous discussion at Council, he understood the direction to staff was to eliminate that type of design in which neighbors look directly into the backyards of other neighbors. The design and layout were to be more creative in order to avoid this scenario. He is disappointed to see this layout at this point in time. There have been recurring issues with such layouts in terms of trees and hedges and privacy issues.

Mr. Goodwin responded that the development text does indicate that in certain driveway and garage configurations – side loaded, for example – the rear edge of the pavement would require a hedge along the edge to avoid headlight trespass into the rear of the adjoining lots.

Mr. Gerber stated that his hope had been that future problems could be avoided at the layout stage of a development.

Mr. Goodwin stated that he is not familiar with this previous discussion. These cases occur throughout many developments when a new block is created and rear yards are shared. It is a common problem.

Ms. Chinnici-Zuercher stated that Mr. Gerber brings up a good point. While the City has experienced this type of layout in the past, Council had understood that the City would work to eliminate these issues in the future. There is yet another section to the left of this area that will have the same backyard situation. Perhaps one way to manage this would be in the text in relation to landscaping requirements for backyards. This is where the problems occurred previously, generating significant testimony at Council regarding resolution of the issues. It seems that the property owners will desire to have demarcation of their yard with something other than fencing. Somehow, language needs to be devised for the text that allows for this demarcation without having the appearance of a forest.

Mr. Goodwin asked if Council would like this considered as part of this development text, or as a consideration for future developments?

Mr. Reiner responded that he is not certain whether or not this can be injected into the text for this rezoning. What Council is asking of Planning staff going forward for a parcel such as this is to do a radial design so that houses are on cul de sacs. In the earliest phases of Mulrfield, the layout was carefully done so that side yard and backyard landscaping were not needed to block a view of neighbors. Council wants the Planning department to nurture the design proposals to avoid the problems that have occurred previously.

Mr. Gerber agreed.

Mrs. Boring asked for clarification about the tree preservation waiver. Is this proposed to be done through the development text?

Mr. Goodwin responded that the applicant has proposed a development text that includes a modification to the tree replacement requirements.

Mrs. Boring stated that she cannot approve any development text that includes such a waiver. When any development occurs, there will be roads constructed and trees will be impacted. There is a need to replace the trees so that there is shade provided. She

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cannot support this proposal with the waiver included in the text. The waiver needs to be considered as a separate issue so that careful review can be done.

Ms. Chinnici-Zuercher asked why staff is recommending this process versus the standard separate request for such a waiver by a developer.

Mr. Goodwin responded that this is not the first time this approach has been taken. However, discussion has recently occurred with the City Manager's office about the need to have a separate process for the tree preservation waiver. This needs to be rectified.

Vice Mayor Salay reported that in her regular meeting with the PZC Chair, Ms. Groomes asked if Vice Mayor Salay would relay to Council the Commission's frustration with the tree preservation waiver process and the fact that a developer indicates a need for a waiver and Council approves it. There does not seem to be quantifiable criteria. Ms. Groomes suggested there be such criteria established, as there will likely be many trees impacted by future development, such as the future Riverside Park, and by invasive species, such as the Emerald Ash borer. There will be a need for more trees in the future because of these factors. If developers are not replacing trees on site in accordance with the requirements, they should contribute monies to the Tree Preservation Fund. Ms. Groomes indicated that the Commission believes this process should be much more formalized so that a developer will know from the outset what their contribution will be based on the criteria established.

Mrs. Boring noted that the Code includes a provision that if trees are not replaced inch for inch, there is a calculation for monies to be paid in lieu of the required replacement. Including such a waiver in the text does not provide for this monetary contribution to the Tree Preservation Fund. By granting such waivers, monies will not be accumulated in the Tree Preservation Fund to provide replacements for these ash trees. There is a need to look at this more carefully versus granting a waiver via the development text. This should be removed from the development text and treated as a separate item by Council.

Vice Mayor Salay pointed out that a developer may choose to do the layout of a site differently to preserve more trees if they are aware of the costs of replacing the trees. This is Council's traditional approach to development and something valued by Council. She will meet with Ms. Groomes and the Law Department to discuss this matter further. There have been sites where a developer has been cognizant of tree preservation during the layout, and other sites where this did not occur.

Mr. Gerber agreed, but would like to hear from staff about how the issue of tree preservation waivers has been handled over the years and what is best going forward. There are at times legitimate reasons that the City would allow a fee to be paid in lieu of tree replacement, but not a waiver of the requirements for tree preservation. There may be occasions when the fee should not be waived whatsoever. He wants to have a report from staff about the various scenarios and their views on how this process has evolved over the years. It sounds as if Planning & Zoning Commission has had discussion about this matter. He would like to have more information from staff.

Mrs. Boring recalled that in the past, when a waiver request was brought forward, all of the details were included – the inch for inch replacement calculation and the monies involved, and what was being requested. Council could make a determination when they were aware of exactly what level of waiver was being requested. In this case, such information is not available.

Mr. Gerber added that these have been handled on a case-by-case basis over the years. He was not aware these waivers were being included in the development text. A discussion is needed about why they would be included in the text.

Ms. Grigsby stated that as part of the review of these packet materials, staff did have this discussion, noting that waiver requests need to be brought to Council separately. In the past, if brought forward at the time of rezoning, the waiver requests have typically been handled at the same point on the agenda as the rezoning. In a case where the need for a waiver was recognized after the rezoning was approved, perhaps at the final development stage, a separate request was brought to Council with all of the detailed information.

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Staff has had discussion that these should be handled as separate items, especially for tracking purposes to ensure that the tree replacement fees are collected.

Mr. Gerber commented that perhaps this waiver was incorporated into the development text because it would in some way expedite the entire process. In the past, he recalls fee waivers for projects being considered at the same time as rezonings.

Ms. Grigsby stated that she is not aware of how many projects had the waivers included in the development text, but in this one, there was discussion at staff level regarding the need for waivers to be brought forward as separate requests.

Ms. Chinnici-Zuercher noted that the rezoning is scheduled for second reading/public hearing on April 8. Given this time period, can the language regarding the tree waiver be removed from the text so that the waiver can be considered separately on the same night? The request can then include the specific information that is generally provided for Council's review.

Mr. Gerber added that Council can certainly append conditions related to tree preservation at this preliminary plan stage as well.

It was the consensus of Council to have the tree waiver request considered separately from the rezoning on the April 8 Council agenda. Council can add conditions to the rezoning to address this matter, if desired.

Mrs. Boring asked for clarification. Is staff indicating that Council has previously approved such waivers within the development text?

Mr. Goodwin responded that there have been a few residential planned unit developments that have included modifications to the tree replacement requirements within the text. Staff can provide that information to Council as well.

Mrs. Boring stated that she is disappointed that staff allowed this to occur, in view of the fact that waivers to the tree preservation requirements were to be done for specific circumstances. There is a need to replace trees, as has been stated. She is hopeful that this situation does not occur in the future.

Mayor Lecklider invited the applicant to provide testimony.

Kevin McCauley, Stavroff Interests Ltd., 565 Metro Place South, Suite 480 commented in regard to the tree preservation waiver. Recognizing the need for a tree waiver request, they wanted to move the process along as quickly as possible. They went through the analysis with the Planning & Zoning Commission. Ms. Groomes' concern was that the site would be left with fewer trees at the end of the process. It was determined through analysis that – even with the waiver in place – with all the street trees and the other landscaping trees being installed, this site will end up with more trees than prior to development. It was not an issue of the applicant being harmed or not – they were looking at the site in its entirety and the outcome. The true benefit of the tree preservation policy is that trees are not removed and the site is not "harmed" by having fewer trees after development. Therefore, the tree waiver request was included in the text to help the applicant a cost basis so that they do not have to plant even more trees. They can provide the analysis to Council if desired. Planning & Zoning Commission did approve the text that included this waiver.

Mr. Goodwin commented that this is an accurate interpretation of the discussion at Planning & Zoning Commission. The discussion of whether or not street trees should be considered in this review was an issue. Typically, the street trees required to meet other portions of the Code would not factor into the tree preservation calculations. This is a different way of looking at the issue.

Ms. Chinnici-Zuercher agreed that, typically, the street trees required for development are not included in this computation for tree preservation.

Ms. Chinnici-Zuercher noted that a letter from the School District has been provided regarding the connection path at the north end. How will that appear?

Mr. McCauley responded that it will be the same type as the Metro Parks path in terms of width. The path crosses Hyland-Croy and runs all the way from the north end of the site,

RECORD OF PROCEEDINGS

Dublin City Council

Minutes of

Meeting

March 11, 2013

Page 13

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held

20

down along the creek bed on the front of lots 1 and 2, and across Hyland-Croy. At that point, there is open space between the path on that side of the road to the path fronting the high school. The path will be connected all the way to the high school path.

Ms. Chinnici-Zuercher asked what type of path this will be.

Mr. McCauley responded it will be a multi-purpose, eight or 10-foot wide path.

Ms. Chinnici-Zuercher asked how pedestrians will cross the street at this location.

Mr. McCauley responded there will be a marked crosswalk with flashers similar to those on Hyland-Croy at Tullymore Drive.

Ms. Chinnici-Zuercher stated that her concern is with the potential of the School District requesting a tunnel in this location in the future, and that funds should be set aside or bonded for this purpose.

Ms. Grigsby stated that there is a similar crossing further to the south. She is not aware of any discussion that would imply the Schools would make that request. Of course, they could do so in the future. However, based upon how the City has looked at Hyland-Croy in terms of development, staff would not recommend a tunnel at this location.

Ms. Chinnici-Zuercher added that this subdivision includes only 44 houses, which will not generate a tremendous number of people crossing the street in this location. As the west side of Dublin continues to develop, staff should continue to monitor future needs for tunnels, based upon additional elementary or middle schools to the system.

Ms. Grigsby responded that staff is not aware of any plans for an elementary school in this area, based on the Glacier Ridge Elementary being located just to the north.

Mr. Goodwin noted that there are physical constraints in the Hyland-Croy corridor itself in terms of the feasibility of a tunnel, given the depth of the water table. Engineering could speak to this issue in more detail.

Mayor Lecklider asked if staff is satisfied that the drainage can be handled on this site. His general impression in driving by this site is that the soil conditions result in standing water on a frequent basis.

Mr. Goodwin responded that as part of the preliminary development plan, the applicant was required to do a flood plain analysis. They provided sufficient information to Engineering staff and the staff is comfortable at this stage in the development process that stormwater will be handled adequately. Much more detail will be provided with the final development plan.

Mr. McCauley commented further in regard to the tree waiver request and the connections for the bikepath. One of their considerations was that a bikepath along Hyland-Croy was the requirement under the Code. They requested not to provide that path, but to provide instead all of the other connections as described. These are being done all at their cost, and they have posted a maintenance bond with Metro Parks for three years to maintain those paths. This is a \$40-50,000 path system and upgrade. They believe that the desire was to connect the high school paths with the paths on the west side of Hyland-Croy, and that was their focus. It is a benefit to the neighborhood as well. If they cannot obtain the waivers as requested, they may need to look at the other amenities they plan to provide.

Mayor Lecklider asked staff if they have clear direction about how Council would like to consider the tree waiver.

Mr. Goodwin responded that staff's understanding is that Council would like this removed from the text and treated as a separate consideration.

Ms. Chinnici-Zuercher added that this can be considered on the same night as the second reading.

Mrs. Boring stated that Council does need all of the computations regarding the tree waiver request in order to give consideration on April 8.

Mayor Lecklider stated that the applicant has indicated they have such information available.

Mr. McCauley responded that they have done a preliminary analysis of this and will complete it for the next hearing.

Held _____

20 _____

There will be a second reading/public hearing of the Ordinance on April 8, 2013.

Ordinance 24-13

Authorizing the City Manager to Execute Necessary Conveyance Documentation to Acquire a 0.279 Acres (with 0.279 Acres as Present Road Occupied), More or Less, Permanent Multi-Use, Utility, Grading and Drainage Easement, a 0.012 Acres, More or Less, Temporary Easement, and a 0.020 Acres, More or Less Temporary Easement from Sumphan and Tanaporn Karuchit.

Vice Mayor Salay introduced the ordinance.

Ms. Ott noted that staff has begun negotiations with a number of property owners in the Brand Road corridor for the addition of a multi-use path. This ordinance will authorize acquisition of easements and some present road occupied at the appraised value of \$19,100. She offered to respond to questions.

There will be a second reading/public hearing at the March 25 Council meeting.

INTRODUCTION/PUBLIC HEARING/VOTE – RESOLUTIONS

Resolution 10-13

Authorizing the City Manager to Enter into a Broadband Services Agreement with Metro Data Center, LLC.

Vice Mayor Salay introduced the resolution.

Mr. McDaniel stated that every three years, the City makes a significant increase in broadband services purchasing due to the changing requirements of its own hosted solutions and bandwidth-heavy applications that the City deploys on an ongoing basis. Due to a combination of having to purchase the service in incremental allotments and the need to carry some additional capacity, the City currently has some excess capacity that will not be used in the immediate future. Due to this excess capacity, and the City's servers now being located in the Metro Data Center, the City has the opportunity to lease some of that excess capacity to Metro Data Center for \$1,750 per month. This is similar to the City's lease of excess capacity of fiber optics. They are purchased in increments and cannot be used all at once. It provides the City the opportunity for revenue from the excess capacity until such time as the City may need it. This agreement does permit the City to pull that capacity back at such time when the City is ready to use it. The term of the agreement is three years, which is commensurate with the three-year lease agreement in which the City recently purchased the bandwidth.

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

STAFF COMMENTS

Ms. Grigsby reported that last Wednesday, a Joint Economic Development District informational session was held at the Marysville wastewater treatment facility. Several representatives from area townships were present and three City staff members attended. This was an educational update, similar to that which occurred last summer. Discussion indicated that the next step would be to schedule a meeting with a facilitator to begin to identify steps necessary to move forward.

Mayor Lecklider inquired how this might affect the City of Dublin.

Ms. Grigsby responded that it may not affect the City. The City would be interested in having the ability to participate in the JEDD through which the City could potentially be involved in the future development that may occur. The City might be able to capture some of revenues generated from the development, that are in addition to those needed for capital improvements within the JEDD district. There are many issues related to the City's participation due to the water and sewer agreement Dublin has with the City of Columbus. In addition, there is the potential for one of the townships not to approve the City of Dublin's involvement. Those issues are being evaluated.

Mayor Lecklider stated that at one time, he recalls discussion regarding entering into JEDD agreements related to the SR161/ US33/Post Road area. Is there anything imminent in this location that might involve the City of Dublin?



City of Dublin

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PLANNING AND ZONING COMMISSION

RECORD OF ACTION

FEBRUARY 7, 2013

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

- 3. **Celtic Crossing** **Hyland-Croy Road**
12-082 Z/PDP/PP **Rezoning with Preliminary Development Plan**
Preliminary Plat

Proposal: A new residential subdivision with 44 single family lots on 28 acres on the west side of Hyland-Croy road, north of the intersection with Brand Road.

Request: Review and recommendation to City Council of a rezoning with preliminary development plan for a new planned unit development district under the provisions of Zoning Code Section 153.050. This is also a request for review and recommendation to City Council of a preliminary plat under the provisions of the *Subdivision Regulations*.

Applicant: Kevin McCauley, Stavroff Interests Ltd., represented by Ben Hale, Smith and Hale, LLC.

Planning Contact: Justin Goodwin, AICP, Planner II.

Contact Information: (614) 410-4677, jgoodwin@dublin.oh.us

MOTION#1: To recommend approval to City Council for this Rezoning with Preliminary Development Plan application because the proposal is consistent with the Community Plan recommendations for this site and the applicable review criteria for a Planned Development, with eight conditions:

- 1) That additional landscape buffering be provided on the portion of Lot 24 within the Mitchell-Dewitt scenic setback, provided that it does not interfere with stormwater drainage in this location;
- 2) That the development text be revised so as not to prohibit homeowner maintenance of lawn areas within the tree preservation zone;
- 3) That the applicant construct a left-turn lane with a pedestrian crossing on Hyland-Croy Road, prior to Conditional Acceptance of the subdivision improvement, to the satisfaction of the City Engineer;
- 4) That gaps in the existing tree row along the rear of Lots 1 and 2 be augmented with additional trees/and or other landscape materials as part of the final development plan;
- 5) That existing trees and other vegetation be removed with the construction of the Celtic Crossing Drive/Mitchell-Dewitt intersection as indicated on the Intersection Sight Distance exhibit;
- 6) That the applicant continue to work with the Metropolitan Park District to seek approval of an additional path connection along Mitchell-Dewitt Road for inclusion in the final development plan;
- 7) That technical inconsistencies and omissions in the lot diversity matrix be revised prior to Council review; and
- 8) That the applicant provide verification of formal agreements with the Metropolitan Park District and the Dublin City School District regarding the timing, construction and maintenance responsibilities for all off-site multi-use path and stormwater swale improvements prior to approval of the final development plan.

*Ben Hale Jr. agreed to the above conditions.

VOTE: 7 - 0.

RESULT: This Rezoning with Preliminary Development Plan application was approved.

RECORDED VOTES:

Chris Amorose Groomes	Yes
Richard Taylor	Yes
Warren Fishman	Yes
Amy Kramb	Yes
John Hardt	Yes
Joseph Budde	Yes
Victoria Newell	Yes

PLANNING AND ZONING COMMISSION

RECORD OF ACTION

FEBRUARY 7, 2013

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

3. Celtic Crossing **Hyland-Croy Road**
12-082 Z/PDP/PP **Rezoning with Preliminary Development Plan**
Preliminary Plat

Proposal: A new residential subdivision with 44 single family lots on 28 acres on the west side of Hyland-Croy road, north of the intersection with Brand Road.
Request: Review and recommendation to City Council of a rezoning with preliminary development plan for a new planned unit development district under the provisions of Zoning Code Section 153.050. This is also a request for review and recommendation to City Council of a preliminary plat under the provisions of the *Subdivision Regulations*.
Applicant: Kevin McCauley, Stavroff Interests Ltd., represented by Ben Hale, Smith and Hale, LLC.
Planning Contact: Justin Goodwin, AICP, Planner II.
Contact Information: (614) 410-4677, jgoodwin@dublin.oh.us

MOTION #2: To recommend approval to City Council for this Preliminary Plat application because it complies with the applicable review criteria and the existing and anticipated development standards, with one condition:

- 1) That the preliminary plat be revised to identify the Macha Court cul-de-sac island and the Celtic Crossing Drive 'eyebrow' loop island as platted reserves prior to submission for City Council review.

*Ben Hale Jr. agreed to the above condition.

VOTE: 7 - 0.

RESULT: This Preliminary Plat application was approved.

RECORDED VOTES:

Chris Amorose Groomes	Yes
Richard Taylor	Yes
Warren Fishman	Yes
Amy Kramb	Yes
John Hardt	Yes
Joseph Budde	Yes
Victoria Newell	Yes

STAFF CERTIFICATION


 Justin Goodwin, AICP
 Planner II

PLANNING AND ZONING COMMISSION

MEETING MINUTES

FEBRUARY 7, 2013

3. Celtic Crossing 12-082 Z/PDP/PP

Hyland-Croy Road Rezoning with Preliminary Development Plan Preliminary Plat

Chair Chris Amorose Groomes introduced the following Rezoning with Preliminary Development Plan and Preliminary Plat application requesting a new residential subdivision with 44 single family lots on 28 acres on the west side of Hyland-Croy Road, north of the intersection with Brand Road. She explained that this application will require two motions and both application components will be forwarded to City Council for the final decision based on the Commission recommendations. She confirmed that Amy Kramb, who had pulled the consented case for questions, did not need to hear the staff presentation prepared by Justin Goodwin.

Amy Kramb noted that on the Preliminary Plat, Lot 20 there was a 20-foot utility easement shown, but no 25-foot rear yard setback was marked.

Justin Goodwin said for the corner lot, two side yards are proposed, rather than a rear yard due to the way it relates to adjacent properties. He explained that there was still a rear yard requirement measured per the development text, but it was not platted. Mr. Goodwin said the rear yard would be angled.

Ms. Kramb referred to the proposed scenic setback by Lot 24. She noted that it cuts across the back corner of the lot.

Mr. Goodwin demonstrated where the previously proposed 35-foot building setback line on the lots near Mitchell-DeWitt was located on the previous Concept Plan. He said one lot has been eliminated and shifted to the west, northward approximately 18 feet from the Mitchell-Dewitt Road right-of-way. He explained that the applicant is now proposing a variable width setback, of 200 feet on the easternmost portion and where it intersects the rear of Lot 24, about 50 feet from the right-of-way, extending across the rear corner of that lot. Mr. Goodwin said that Planning has asked that the applicant provide additional landscape buffering on that portion of that lot within that 50-foot zone. He said that piece of the setback also overlaps the tree preservation zone on the lot. He said the conceptual landscape plan showed a landscape buffer south of the lot in the open space reserve, but Planning has asked that they provide additional landscaping on the lot.

Ms. Kramb noted that the Preliminary Plat did not have the path shown on the Mitchell-Dewitt Road side, but said she knew that they were still working with the Metro Parks to develop it. She asked if a revised Plat would be necessary to show the path.

Mr. Goodwin said if they received approval from Metro Parks to make the path connection, they would continue to show it on the final development plan as shown on the preliminary development plan and it would be included on the final plat. He said explained that the path connection is not being required, but Planning is asking that the applicant make their best effort to seek Metro Parks' approval.

Ms. Kramb asked where the offsite swale mentioned in the Planning Report was shown on the plat.

Mr. Goodwin said the swale was identified on the plat as a 'proposed ditch'.

Ms. Kramb suggested that the sentence structure or Condition 2 was awkward due to the double negative used. She suggested instead the wording, 'That the development text be revised to allow the homeowners to maintain the lawn areas within the tree preservation zone'.

Mr. Goodwin agreed to reword Condition 2.

Ms. Kramb pointed out a typographical error in the preliminary plat condition written in the Planning Report.

Mr. Goodwin said that Planning would also like to modify the preliminary plat condition to include the proposed out loop as a platted reserve as well.

Ms. Kramb asked if there had been any discussion with the school about the students parking within the development during school hours. She pointed out that Scioto High School had posted No-Parking signs throughout the development during specific hours.

Mr. Goodwin said he would ask the applicant to address that situation with the schools.

Ms. Kramb said she thought the proposed 24-inch caliper trees were too large and the inch-per-inch should be a lower number. She said in the text it stated that trees measured 6 to 24 inches can be replaced tree-by-tree versus inch-per-inch, but that anything over 24 inches is per caliper.

Ms. Amorose Groomes said that she had requested that Claudia Husak to see how many caliper inches that represented.

Mr. Goodwin said that Planning has reviewed what the applicant has preliminarily identified for removal and primarily for the stream crossing at Celtic Crossing Drive and along Mitchell-Dewitt Road to improve the site distance to the Metro Parks' path crossing. He said if measured by Code or replacement required per Code that would be approximately 80 trees at 2.5-inches per tree minimum. Mr. Goodwin said with the amount of inches they have currently identified and the requirement as they are proposing, there is one tree they have identified that is greater than 24 inches. He said that tree is actually 25 inches and would require 10 replacement trees. He said the remainder of trees identified thus far would be tree-per-tree or 35 trees would be required as proposed. He said there is a difference of about 54 trees. Mr. Goodwin noted that the conceptual landscape plan seemed to indicate somewhere in the realm of 50 deciduous trees that are simply illustrated, but that would have to be resolved at the time of the final development plan.

John Hardt asked where the 24-inch tree was located.

Mr. Goodwin said unfortunately, it was located at the Celtic Crossing Drive stream crossing.

Ms. Kramb reiterated that she personally would go lower on the number.

Ms. Amorose Groomes said that he said there were approximately 54 trees that are not being replaced. She said that he was said that they were 54 trees short of being able to put those on here. She translated that they equaled about 125 – 130 caliper inches per tree, and that the net loss today is 130.

Mr. Goodwin said that it was 222 inches.

Ms. Amorose Groomes said she was looking for the net gain or loss. She asked if it was correct that the net loss on this property, counting per inch, is about 130.

Mr. Goodwin said that was correct, but that does not include the street trees that will be added as required by the Landscape Code. He said he did not know how many street trees would be required.

Ms. Amorose Groomes said on this site, she thought there would be at least 30 or 40 street trees would be required.

Ms. Kramb referred to page DS-1 in the development text, 4A-2 – Lot Setbacks, C – Side yard. She said the word 'setback' was missing after 'side yard'.

Ms. Kramb said if decisions were made about the tree replacement, obviously the inches would need adjusted.

Ms. Kramb referred to the development text, DS-3 – Architectural Elements, E, and said she felt it was too specific to say 'similar to carriage-style doors'.

Ms. Kramb recalled that at the previous meeting, a fence was proposed between what is now to be wet ponds. She asked if there would still be a fence.

Mr. Goodwin said there was an option in the development text to continue to have a split rail fence in that area, however where lots border the Stream Corridor Protection Zone, it would not be permitted for those portions of the lot that are still within a small portion of the Zone. He said in those areas, the applicant has discussed having a small wooden post that would indicate where the edge of property line is located, but it was not clear if it would be a fence in those other areas.

Victoria Newell and Joe Budde said they had no comments or questions.

Warren Fishman said he counted about 161 street trees on the picture. He asked if the picture was accurate. He said there would be at least two trees on each of the 90-foot lots, and in some cases there would be three trees.

Ms. Amorose Groomes said it appeared that the trees were 30 or 35-foot on center. She said the drawing was not to scale. She asked the applicant if that was truly representative of what the final landscape drawing might look like.

Greg Chillog, The Edge Group, 1400 Goodale Boulevard, Columbus, said that the illustrative plan was close, and that was where they would start. He explained that the numbers always vary based on the individual lot layout, where the driveways are, and where the utilities fall. He said it pretty much follows a 35 to 40-foot run of trees around the perimeter of the site.

Mr. Fishman asked what was the distance on Lot 23 between the side yard and the landscaping.

Mr. Goodwin said the landscape buffer is drawn on the illustrative landscape plan bordering up to the lot line of Lot 23, but the plants would not be right on the lot line. He said he believed they were intended to vary within the zone.

Mr. Fishman asked what the distance there was from the lot line to the water.

Mr. Chillog said it was 25 to 30 feet from the lot line to the water.

Mr. Fishman asked if the side yards were normal.

Mr. Chillog said the side yards were a six-foot minimum totaling fourteen feet.

Mr. Fishman asked if that was on both sides of the lot.

Mr. Goodwin clarified that the side yards were six feet on one side and eight feet on the other.

John Hardt said he was most concerned at the last meeting about the southwest corner, and he appreciated the last lot being moved farther away from Mitchell-DeWitt Road which was an improvement. He said he was also concerned that the landscape plan shows a landscape buffer treatment there which potentially will block the sightlines again. He said he would like to defer to Ms. Amorose Groomes for advice on what kind of plant material could be used in a landscape buffer treatment that is relatively low and appropriate for a place where there is a sightline problem.

Ms. Amorose Groomes suggested the landscape material not be low, but instead, high with deciduous trees so that you could look underneath them. She said that today, with urban tree growing so prevalent, a clear trunk height of seven feet can be requested. She said that the Commission could specify when there is a final landscape drawing that the trunk height on the trees to be located in that area have a clear trunk height of seven feet which would still give protection and not block the view sheds as much.

Mr. Hardt asked if the Commission would see the detailed landscape planting drawing.

Mr. Goodwin said that the Commission would see the detailed landscape plan with the final development plan, and it could be handled at that time. He pointed out that the intersection sight distance analysis performed by EMH&T suggests that the landscape buffer area would not be within that sight triangle along the new street or the intersection of the Metro Parks trail. Mr. Goodwin said the sight distance triangle was included in the Planning Report.

Mr. Hardt reiterated that he was cautious about the plantings in the landscape buffer.

Mr. Hardt noted that the school had public paths and a highly used site, and there was the Park a highly used site, and there was a connection. He said between the two sites, were two residents' front yards. He asked why the path and crosswalk could not go through the Reserve space to get into the Park without going through the front yards.

Mr. Goodwin said he believed the primary design reason was to couple it with the Celtic Crossing Drive stream crossing and minimize other crossings.

Kevin McCauley, Stavroff Interests, 565 Metro Place South, Dublin, Ohio said if they took it to the other side with the second stream crossing, there would be more trees removed for two culverts. He said it was the best way to save the most trees and did not require two culvert crossings. He said the location chosen was more economical and it saved trees.

Mr. Goodwin said he was not sure that if there was separate pedestrian-only crossing that it would require a culvert, but it would have possibly affected the trees.

Mr. Hardt suspected that it really was due for economic reasons. He said he did not buy the tree argument because this configuration is bringing the path through the stream corridor which would have some tree affect.

Mr. Chillog said that the trees belong to the Metro Parks. He said they could handle access to the park from their end by working around trees and removing trees on their property, but in order to get one access point through the Park, they would have to go very wide with the footprint and work around where the Parks want it to be routed. He said it was not just economics. He said the path is sited as such by working closely with Metro Parks who do not want to remove trees. He pointed out that on the west, the path curves north to avoid trees and to go through an existing break in the woods.

Mr. Hardt referred to the Regional Context Map and said it still showed the previously submitted layout of the development with Lots 24 and 25.

Richard Taylor referred to the development text, DS-2 – Permitted Exterior Materials, 2) Trim Materials B) Shutters shall be considered as trim for purpose of meeting the Residential Appearance Code requirements, but the Code actually states, 'Trim shall be used when shutters are not used'. He said it seemed redundant and therefore should be stricken from the development text.

Mr. Goodwin agreed it should be stricken from the text.

Ms. Amorose Groomes said she wanted to keep a close eye on the net loss of trees. She said she was not so concerned about counting caliper, as she was the net. She said in her mind, street trees count for the net, so she was hopeful that they get as many of those back as possible. She said it looked like it would be close, so she was okay with that.

Ms. Amorose Groomes invited public comments with respect to this application. [There was none.]

Ms. Amorose Groomes confirmed that all the Commissioners' questions had been addressed.

Motion #1 and Vote – Rezoning with Preliminary Development Plan

Mr. Taylor moved to recommend approval to City Council for this Rezoning with Preliminary Development Plan application because the proposal meets the Community Plan designation for this site and the applicable review criteria for a Planned Development, with eight conditions:

- 1) That additional landscape buffering be provided on the portion of Lot 24 within the Mitchell-Dewitt scenic setback, provided that it does not interfere with stormwater drainage in this location;
- 2) That the development text be revised to allow homeowner maintenance of lawn areas within the tree preservation zone;
- 3) That the applicant construct a left-turn lane with a pedestrian crossing on Hyland-Croy Road, prior to Conditional Acceptance of the subdivision improvement, to the satisfaction of the City Engineer;
- 4) That gaps in the existing tree row along the rear of Lots 1 and 2 be augmented with additional trees/and or other landscape materials as part of the final development plan;
- 5) That existing trees and other vegetation be removed with the construction of the Celtic Crossing Drive/Mitchell-Dewitt intersection as indicated on the Intersection Sign Distance exhibit;
- 6) That the applicant continue to work with the Metropolitan Park District to seek approval of an additional path connection along Mitchell-Dewitt Road for inclusion in the final development plan;
- 7) That technical inconsistencies and omissions in the lot diversity matrix be revised prior to Council review; and
- 8) That the applicant provide verification of formal agreements with the Metropolitan Park District and the Dublin City School District regarding the timing, construction and maintenance responsibilities for all off-site multi-use path and stormwater swale improvements prior to approval of the final development plan.

Ben W. Hale, Jr., Smith and Hale, representing the applicant agreed to the above conditions.

Ms. Newell seconded the motion.

The vote was as follows: Mr. Budde, yes; Ms. Amorose Groomes, yes; Ms. Krumb, yes; Mr. Fishman, yes; Mr. Hardt, yes; Ms. Newell, yes; and Mr. Taylor, yes. (Approved 7 – 0.)

Motion #2 and Vote – Preliminary Plat

Mr. Taylor moved to approve this Preliminary Plat application because it complies with the applicable review criteria and the existing and anticipated development standards, with one condition:

- 1) That the preliminary plat be revised to identify the Macha Court cul-de-sac island and the Celtic Crossing Drive 'eyebrow' loop island as platted reserves prior to submission for City Council review.

Ben W. Hale, Jr., Smith and Hale, representing the applicant agreed to the condition.

Ms. Newell seconded the motion.

The vote was as follows: Mr. Hardt, yes; Ms. Amorose Grooms, yes; Ms. Kramb, yes; Mr. Fishman, yes; Mr. Budde, yes; Ms. Newell, yes; and Mr. Taylor, yes. (Approved 7 - 0.)

PLANNING AND ZONING COMMISSION

RECORD OF DISCUSSION

JANUARY 3, 2013

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

**2. Celtic Crossing
12-082CP**

**Hyland-Croy Road
Concept Plan**

Proposal: A new residential subdivision with 45 single family lots on 28 acres on the west side of Hyland-Croy road, north of the intersection with Brand Road.

Request: Review and non-binding feedback on a concept plan for a potential new Planned Unit Development District under the provisions of Zoning Code Section 153.050.

Applicant: Kevin McCauley, Stavroff Interests, Ltd., represented by Ben Hale, Smith and Hale LLC.

Planning Contact: Justin Goodwin, AICP, Planner II

Contact Information: (614) 410-4677, jgoodwin@dublin.oh.us

RESULT: The Commission reviewed and commented on this proposal for a new Planned Unit Development. Commissioners were generally supportive of the proposed land use and layout but agreed that a greater setback along Mitchell-Dewitt Road was needed. Some Commissioners suggested eliminating lots to achieve a greater setback while others recommended the applicant explore changes to the layout of the proposal. The Commission urged the applicant to review the proposed stormwater management facilities for feasibility and maintenance requirements and to further study the Stream Corridor to determine the appropriate width of the protection zone so that home sites would not have to encroach. Commissioners also urged the applicant to address visibility issues along Mitchell-Dewitt Road near the Metro Park multi-use path crossing. Commissioners agreed that a second multi-use path connection to the Metro Park along Mitchell-Dewitt Road was desirable, but most did not feel that a path was necessary on Hyland-Croy Road until future roadway improvements are programmed by the City.

COMMISSIONERS PRESENT:

Chris Amorose Groomes
Richard Taylor
Warren Fishman
Amy Kramb
John Hardt
Joseph Budde
Victoria Newell

STAFF CERTIFICATION



Justin Goodwin, AICP
Planner II

Amy Kramb said knowing that the text does not limit the amount of verbiage or things they can put on these signs was a concern. She said there were five eight-foot tall signs on Hospital Drive within approximately one-quarter of a mile. She said she hoped there would not be lots of text placed on the signs. She said in general, she was fine with the application and the three conditions.

Warren Fishman said that he appreciated the number of signs that were needed at a hospital. He said he hoped that the signs would be kept simple and streamlined with a font as simple as possible. He said the Hospital building is impressive, and he hated for it to be cluttered with a lot of signs. He said the proposed signs seemed necessary for the Hospital and he had no problem with them.

Joe Budde referred to the proposed Physicians Office sign at the round portico entrance, and asked why the street address was not in the blue panel where there is a little arrow with no note to it. He said people will have a difficult time finding it if they do not know which street number it is.

Jim Lytle said that the same street number was used for entire building. He said that if they added the number on the sign, it would be redundant because it is included on the main identity sign in front and on the primary canopy as the main entrance for the building. He explained the entrance down farther is for sports medicine and their physicians only, and that there was an additional access through the main building that could be used.

Victoria Newell said overall, she was in support of this application. She said she thought the additional wayfinding signs were good. She agreed that when looking at the overall sign plan, that it was a large plethora of signs, but when driving through the site, it did not seem like she was bombarded with the signs everywhere. Ms. Newell complimented the applicant for removing the proposal for address signage along Avery-Muirfield Drive and removing the sign there.

Motion and Vote

Mr. Fishman moved to approve this Amended Final Development Plan because it meets the applicable review criteria and existing development standards with three conditions:

- 1) That the height of Sign 05 remain at six feet and that the applicant be permitted to relocate the sign to the north side of the entry drive off Hospital Drive;
- 2) That the applicant include information regarding necessary easement encroachments with the sign permit application; and
- 3) That the applicant provides a landscape plan for each ground sign with the sign permit to demonstrate that each sign base is to be landscaped in accordance with the Zoning Code.

Mr. Taylor seconded the motion.

The vote was as follows: Ms. Amorose Groomes, yes; Ms. Kramb, yes; Mr. Budde, yes; Ms. Newell, yes; Mr. Taylor, yes; and Mr. Fishman, yes. (Approved 6 - 0.)

2. Celtic Crossing 12-082CP

Hyland-Croy Road Concept Plan

Chair Chris Amorose Groomes introduced this Concept Plan application for review of a new residential subdivision with 45 single family lots on 28 acres on the west side of Hyland-Croy Road, north of the intersection with Brand Road. She explained that Concept Plan applications offer the Commission the opportunity to provide non-binding feedback to the applicant and staff on proposals for a new Planned Unit Development.

Justin Goodwin presented this Concept Plan for a potential rezoning to a Planned Unit Development located on the western periphery of the City, west of Hyland-Croy Road, north of Mitchell-Dewitt Road, directly to the west of the Dublin Jerome High School practice fields. He said the site is surrounded by Jerome Township, and to the north and west is the Glacier Ridge Metro Park which includes a multi-use pathway system near the site. He said in the 2007 Community Plan, Future Land Use Map the site is cited as Rural Mixed Residential which recommends a maximum density of 1.5 dwelling units per acre, therefore this 28-acre site could yield 42 residential lots. He said the site is located within the Community Plan's Northwest Glacier Ridge Area Plan, updated in 2011 as part of the Hyland-Croy Corridor Character Study. He said the Hyland-Croy/Brand Road roundabout that is scheduled for construction this year will not impact this site.

Mr. Goodwin said this proposal is consistent with the recommendations of the Area Plan. He pointed out on the Area Plan graphic that there were intended Rural Character treatments shown along Hyland-Croy Road and that a portion of this site was visible in the image showing potential realignment of Hyland-Croy Road in the future. He said there were no immediate plans to do that, but the open space setback shown there is a more naturalized low-mow grass type of treatment, consistent with the Glacier Ridge Metro Park and some of the other treatments on open space frontages along Hyland-Croy Road. Mr. Goodwin said this area is also included on the Community Plan Roadway Character Map where Hyland-Croy Road and Mitchell-Dewitt Road are designated as Rural Character Roadways and there are a variety of design recommendations included in the Plan, including generous setbacks ranging from 100 to 200 feet, maintaining open views and vistas within and through development, informal and naturalized landscaping treatments, fencerow preservation, meandering bike paths, and naturalized ponds.

Mr. Goodwin described this site as generally flat, draining from north to south, surrounded on most of its perimeter by existing tree rows, particularly to the north and west along and adjacent to the Metro Park. He said there is also a stream running through the site with a designated Stream Corridor Protection Zone (SCPZ). He said the boundaries of this corridor are determined by Engineering through preliminary analysis. Mr. Goodwin said the applicant is working with Engineering to complete a more refined analysis and the result of it could yield adjustments to the stream corridor boundaries. He said a 150-foot high-tension power line easement runs through the corner of the site.

Mr. Goodwin explained that 7 of the 45 single-family lots will be located in the eastern portion of the site, east of the stream. He presented the concept plan showing the Stream Corridor Protection Zone where portions of some of the rear yards of the lots may encroach into portions of the SCPZ. He said the refined analysis being performed by the applicant will provide more information so that it can be understood how much encroachment will occur and whether or not adjustments will be necessary. Mr. Goodwin said the two access points will be at Hyland-Croy Road and Mitchell-DeWitt Road, connected by a street running through and across the stream. He said a cul-de-sac will provide access to the south in the eastern portion of the site, and a central loop street will be located to the west of the stream.

Mr. Goodwin said the applicant has proposed a minimum 200-foot wide open space setback along Hyland-Croy Road consistent with the Rural Roadway Character Guidelines, the recommendations of the Corridor Character Study, and the Northwest Area Plan. He said within that open space setback, a naturalized low-mow grass treatment is shown on the plan, consistent with recommendations of the Community Plan. He said portions of that area would abut the proposed stormwater retention wet pond in the open space setback. Mr. Goodwin said that the naturalized treatment would transition into more formal mown areas along the entry drive and the front cul-de-sac.

Mr. Goodwin said to the west, the proposed building setback is shown from the future right-of-way of Mitchell-Dewitt Road. He said the applicant has proposed a 35-foot setback that would include entry reserves on both sides of the access point and for a portion of the southwestern-most lot, the setback would be platted onto the rear corner of the lot. He said that Planning recommends the Commission discuss whether this approach is consistent with the recommendations of the Community Plan. He said

Mitchell-Dewitt Road also has a Rural Roadway Character designation. He said the applicant is proposing vegetative buffering in these open space reserves, along Lots 24 and 25, to screen those homes from the right-of-way. Mr. Goodwin said the applicant has noted that there are shorter setbacks from existing rural homes within Jerome Township along Mitchell-Dewitt Road as well. He said the rear corner of Lot 25 is proposed to intersect the future right-of-way of Mitchell-Dewitt Road as well. He demonstrated on the Concept Plan approximately where the 100-foot setback from the Mitchell-Dewitt Road right-of-way would be located and suggested that the Commission discuss this issue.

Mr. Goodwin said to the west of the stream corridor is another open space reserve area between the existing rural lots to the south and the proposed lots along the central loop street. He said this would also include a naturalized no-mow grass treatment, and would include stormwater treatment for the western portion of the site. He said that stormwater treatment would be provided through two wetland basins with a naturalized vegetative treatment connected together by a shallow swale. Mr. Goodwin said that at the narrowest portion of this reserve, it is about 60 feet from the existing site boundary to the nearest proposed lot line. He said that Planning and Engineering both support approaches such as this to implement sustainable stormwater treatment and more naturalized or low-maintenance landscape treatments; however, staff has concerns about the functionality and long-term maintenance issues that could arise with this treatment in this location. He said more information is needed to understand how this area would be accessed and maintained over the long run. He said it was very close to the residential lots, and there are concerns about potential conflicts between the homeowners and the more naturalized treatment in close proximity to their lots.

Mr. Goodwin said the applicant has proposed to install a two-rail, split rail fence within the open space reserve along the rear of all adjacent lots, to delineate where the lots end and where the reserve begins. He said that the applicant also proposes to extend the split rail fence treatment through the SCPZ to the rear of the lots that encroach partially within that zone. He said that will require additional analyses by Planning and Engineering.

Mr. Goodwin said existing multi-use paths are located to the east of Hyland-Croy Road along the Dublin Jerome High School practice fields, and to the west of the site within the Glacier Ridge Metro Park. He said is the path within the Glacier Ridge Metro Park crosses Mitchell-Dewitt Road to the west of the site and connects to the southern portion of park. Mr. Goodwin said the applicant proposes a multi-use path connection extending from the Hyland-Croy Road access point along the entry drive and across the stream, then connecting to another multi-use path running through the stream corridor protection zone and into the Glacier Ridge Metro Park. He said that the applicant is working with the Metro Parks to arrive at an agreement to construct a path extension along the north boundary of the site, feeding into the existing path system within the park. He said that the applicant also is proposing a formal pedestrian crossing at Hyland-Croy Road, providing connection to the existing path system to the east. He said they are proposing a pedestrian activated signal similar to the one at Tullymore Drive and Hyland-Croy Road. He said the applicant is working with the Engineering regarding that potential improvement.

Mr. Goodwin said that Planning and Engineering support these efforts to provide this continuous path connection, but there are additional path connections that should also be considered with this development. He pointed out that there was no path connection proposed along Hyland-Croy Road to the south property line. He said if there were a path connection, it would stub at the property line of an existing residential lot in Jerome Township. Mr. Goodwin said as mentioned earlier, the Brand Road roundabout will be constructed this year which will include a path connection around the roundabout itself, but not a path connection along Hyland-Croy Road. He said the expectation is that with future roadway improvements yet to be programmed, that path connection would be provided, so they would like to see a stubbed path that could be connected in the future to provide additional access for residents of this development to the south of Mitchell-Dewitt Road. Mr. Goodwin said this proposal also does not include a path to the west of the Mitchell-Dewitt Road access point. He said this location is very close to the existing Glacier Ridge Metro Park path crossing at Mitchell-Dewitt Road. He said staff recommends

considering another path connection which would provide a continuous loop system for residents of this development and another alternative access point to the Mitchell-Dewitt Crossing.

Mr. Goodwin said as described in the Planning Report, Planning recommends the Commission provide feedback on the following design issues warranting additional consideration:

- 1) Is the proposed number of lots (45) appropriate for this site based on the proposed site design?
- 2) Does the proposed building setback and landscape buffer along Mitchell-Dewitt Road adequately meet the intent of the Rural Roadway character guidelines?
- 3) Is the wetland stormwater system appropriate in the proposed location as it relates to nearby residential lots?
- 4) Should additional multi-use path connections be included in this development?

Ben W. Hale, Jr., Smith and Hale, representing the applicant, Kevin McCauley, Stavroff Interests, Ltd., said that they had worked closely with the Metro Parks and they are very excited about the proposed path because it provides an access to the park across from the school. He said they had further studied the stream, and based on the more defined studies, the width of the area needing to be protected is actually smaller than shown on their map, and the lots will no longer be in the Stream Corridor Protection Zone, subject to Engineering's approval. He said they will be required, as part of this development, to construct a left turn lane at the Hyland-Croy Road intersection, so that there will be improvement to Hyland-Croy Road to help people get in and out. Mr. Hale said all the lots in this proposed subdivision are 90 feet and can take side-loaded garages. He said they have committed that lots that front Hyland-Croy Road will have no stucco and all will have side-loaded garages. He said they had no problem with staff's suggestion that along Mitchell-Dewitt Road, they make another path there so that people can access the Metro Parks path system. He said Lot 25, because the SCPZ is smaller, can be moved back. He said the setbacks are consistent with the setbacks of the residences across the street and to the west.

Greg Chillog, The Edge Group, spoke regarding Lots 24 and 25 and the appropriate setback and/or treatment to maintain a rural character along that section of Mitchell-Dewitt Road. He defended the setback from the road for these lots by citing examples of the setbacks for surrounding rural homes. Mr. Chillog said as drawn on the current plan, the structure on Lot 24 is approximately 95 feet away from the edge of pavement and Lot 25 has a distance of about 70 feet from the edge of pavement. He pointed out that they were not the 35 or 40 feet that exists along portions of Mitchell-Dewitt Road, but were closer to the 75 to 90-foot range that is consistent along the north side of Mitchell-Dewitt Road. He also expected that the further study of the SCPZ would allow them to rework some lots and allow an even greater setback from Mitchell-Dewitt Road for Lots 24 and 25. He said they are planning on a planting buffer so that while driving along Mitchell-Dewitt Road, views will be focused into the wide-open area of the Metro Park. He said they believed the request for an additional stub of the path along that edge would fit into that area. He said within the buffer, they are proposing a strong evergreen screen from the front setback line to the rear of the lots, and in front of that, more deciduous ornamental-type trees to create a more rural and natural approach. He said they would also incorporate the same type of natural treatment that they anticipate on the east side, which is similar to what exists on Mitchell-Dewitt Road, including low-mow grass, wide open areas, and a few trees, but it would be a little more manicured around the areas that people are going to be in contact with such as around the sidewalk edges, lots, ponds, and entry features.

Mr. Chillog said the two ponds referred to in the Planning Report were wetland areas where they thought the best solution, given the proximity of the wetland research area and the other Metro Park wetland features, was to implement those types of stormwater management facilities. He said the stormwater areas would not be any larger or smaller than if they were wet ponds. He said however, changing to a dry facility would drastically increase the size that they would need to be, so they thought this was a good alternative.

Ms. Amorose Groomes asked if their preference was for wet or dry facilities.

Mr. Chillog said that they were proposing a wetland treatment which would be dry during portions of the year, and wet during the other portions of the year with very specific wetland-type plantings which would be monitored through an establishment period and maintained. He said there will be different areas within the facility. He said some of the areas will be wet most of the time and others will be inundated under a stormwater event. He said it was a solution not seen much in this area. He said they designed wetland shelves at Tartan West, behind the condominiums on the southwest side of the site. He said the wetland facilities will be located within a more naturalized environment that will not require much mowing or vehicular access to maintain them. Mr. Chillog said the short; two-rail split rail fence is proposed to help delineate the public open space area from the rear yards of the residential lots.

Ms. Amorose Groomes invited public comments with respect to this Concept Plan application.

Jeremy Nutting, 7787 Mitchell-Dewitt Road, Plain City, Ohio, who lives across from the proposed entrance, said he had concerns with the Mitchell-Dewitt Road setback. He said that part of Mitchell-Dewitt Road should have as much of the rural character as Hyland-Croy Road with the Metro Park nearby. He said the path crosses Mitchell-Dewitt Road and opens into the field. He said the current layout shows Lots 24 and 25 very near the path in addition to being very near the road. He said it was not in keeping with many of the other great designs of other Dublin subdivisions. He said he also had concerns with the access on Mitchell-Dewitt Road, especially in the summer and spring when there is the most use of the bike path. He asked if a turn lane was proposed.

Mr. Goodwin confirmed that the preliminary analysis conducted by the applicant did not suggest that a turn lane on Mitchell-Dewitt Road was warranted.

Mr. Nutting was concerned it was not a safe area with the bike path, the 45 mph speed limit, the curve in Mitchell-Dewitt Road and traffic coming in and out of this proposed subdivision. He said even as it exists, he has seen some very close calls with bicyclists and pedestrians trying to cross Mitchell-Dewitt Road. He suggested it would be ideal not to have the access there or to have turn lanes with a safe access and sight lines. He said if the only access was at Hyland-Croy Road, that would provide additional setbacks and there could be a bike path access on that end for residents to use. He said preserving the character of the park was important because once it is gone, you cannot get it back.

Ms. Amorose Groomes, after checking for additional public comments, invited the Commissioners to ask questions or comment on issues that needed to be addressed, guided by the discussion points suggested in the Planning Report.

Warren Fishman said he appreciated that this was a difficult site to layout. He noted that the proposed density was under two units per acre which could not be said was too dense. He said the obstacles were the high-tension wires, the stream that has to be preserved, and the Mitchell-Dewitt Road access. He said he felt this had to have a 200-foot setback, not 100-foot. He said to maintain a natural setting, pine trees and a landscape buffer will not prevent the subdivision from being seen. He said although the existing houses, some of which were built 50 years ago, are closer to the road, this is a clean slate to work with now. He said the existing houses are on an acre to five acre or larger lots. Mr. Fishman said regarding Lots 24 and 25, he thought they should be located somewhere else in the subdivision. He said a much better treatment was needed at that corner of the site. He said they needed to make this a grand entrance like on Hyland-Croy Road to keep the natural appearance. Mr. Fishman said he also wanted to keep the houses as far as possible away from the stream.

Mr. Fishman asked if there would be a homeowners association to maintain the proposed split rail fence. He pointed out that throughout Dublin, even in established developments where they have associations; those kinds of fences are always in poor condition. He said he was concerned that there will be a good,

forced and funded association to maintain the fence. He said the wet/dry ponds will need an expert to maintain them rather than a typical lawn service hired by the association to mow the grass. Mr. Fishman reiterated that he thought the Mitchell-Dewitt setback needed to be 200 feet instead, and that it could easily be done by changing the location of Lots 24 and 25.

Joe Budde said he agreed that the number of lots was appropriate, but that the setback needs to be greater. He said he was concerned about Mr. Nutting's comments. He said he wondered if there was a way to eliminate the Mitchell-Dewitt Road access, have a 200-foot setback, and still maintain the proposed number of lots.

Ms. Amorose Groomes asked if two separate accesses would be required by the Fire Department.

Mr. Goodwin said the Fire Department expressed a preference to have two separate access points. He said the Fire Department would have to analyze if an access into a cul-de-sac would be adequate for emergencies from Hyland Croy Road. He said that staff supports having two separate access points.

Mr. Budde said he thought the proposed multi-use path connections made sense.

Victoria Newell said she was not overly concerned with the density in terms of housing, but she was concerned about Lots 24 and 25. She said she thought the setbacks for Lot 25 need to be preserved along the street frontage in particular, taking into account the No-Build Zones, the 35-foot setback, and Reserve 'E.' She explained that it was very common for the Board of Zoning Appeals to review setback variance applications when homeowners are pinned in so many directions and want amenities such as decks, play structures, or swimming pools.

Ms. Newell said she had a minor concern on Lot 7 in terms of the utility easement since it almost paralleled the property line of the site, and was overlapping the lot. She suggested that the property line and easement should line up with each other because they are so close as a courtesy for the homeowner since they really cannot do much in that area.

Ms. Newell said she liked the bikepath connection and extending it into the Metro Park. She said she saw merit in providing the connection along Mitchell-DeWitt Road and she was less concerned about the connection on Hyland-Croy Road because of how far into the future the City is planning. She said it has always bothered her when a path was created when there was a no bike or multi-use path that it would connect to in the near future.

Ms. Newell said she liked the idea of having the wetland area between a wet retention and dry detention area, but she was equally concerned how it was really going to be maintained and how the water is going to be truly filtered. She said EPA regulations had to be complied with, but the issue of how it will be landscaped and maintained in the future is different.

Amy Krumb said she was okay with the density. She agreed that Lots 24 and 25 should be eliminated to provide a larger setback and larger entrance. She said that also would provide room for the bike connection from the development to the Metro Park so that it would not feel squeezed in to give an open feel to the park. She said that the two proposed entrances would provide a better traffic flow than one entrance. Ms. Krumb said giving more room and open space at the Mitchell-Dewitt Road entrance would help visibility.

Ms. Krumb said she assumed that the northern path through the Metro Park, once built, would be owned by the Metro Parks who will maintain it. She said the new path added by the developer would probably be their responsibility coming out of the neighborhood on the south side. She said the paths should be constructed and maintained the same. Ms. Krumb said she was not in favor of locating the suggested

path along Hyland-Croy Road, because it is not known what the City will do with the road in the future and how it would fit.

Ms. Kramb said she liked the idea of the split-rail fence, but there definitely needed to be a buffer between the rear yards and the wetlands. She said that an access for maintenance would need to be considered if there was a split rail fence there.

John Hardt pointed out that the Community Plan recommends a density of 1.5 dwelling units per acre. He said if this density was lowered by removing a couple of lots, it would solve many of the problems mentioned. He encouraged the applicant to consider that change. He said the wetlands approach to stormwater management is okay with him. He said this idea of a grassy meadow with a split rail fence exists already in some areas of the Metro Park. He said that east of Hyland-Croy Road on Tullymore Drive there is an orphaned piece of land owned by Metro Parks that has exactly that situation, and he was not aware of any complaints from those neighbors.

Mr. Hardt said he agreed with the Planning recommendations about the connectivity on the paths with a couple of edits. He referred to the discussion about a signalized crosswalk similar to that at Hyland-Croy Road and Tullymore Drive. He said that as Mr. Nutting previously mentioned, there were many people using Mitchell-Dewitt Road as a path to get to the Metro Park. He said he has seen rollerbladers, bicyclists, and dog walkers in the road. He suggested that the path being proposed to the north of the site be brought directly out to Hyland-Croy Road rather than through the development, with a pedestrian crossing to the north to connect to the high school. He said he wondered if that might do a better job of providing a path to the Metro Park other than the roadway, and asked if Engineering thinks that the crossing needs to be at the intersection. He said he thought that option would give people a route to the Metro Park without them feeling like they have to go through the neighborhood. Mr. Hardt said he did not know if that was 'the' answer, but he was interested in having something like that explored. He said he also wondered why, realizing it would not connect very far today, there are not pathways along the steam corridor, as has been done in many other areas of the City. He said ultimately, paths end up being connected and the best bike paths follow the streams throughout the City.

Mr. Hardt said the southwest corner of the development was his biggest concern. He said the applicant did not create this problem, but the Metro Park path crossing is a nightmare. He said he had instances, particularly in the summer, when the trees are leafed out, where he has had to wait there when trying to cross the road and rely on his ears to tell him if a car was coming. He said he was concerned about the houses crowding the intersection, and particularly concerned about heavy landscaping in that location. He said he did not have a strong preference as far as what the setback ought to be dimensionally or precisely what the landscaping ought to be there. He said what he is more concerned about is that when it is done, there is an improved sightline on Mitchell-Dewitt Road either immediately at this development's entrance or at the Metro Park. He said as it exists, it was a disaster waiting to happen.

Richard Taylor said he had a concern about the density, but not because of the numbers. He said because of the way the applicant had to deal with the obstacles that exist on the site, that it is nice, open, and relaxed on the east side and then everything is crammed into the bottom at the west side. He said something needs to be rearranged so that the two lots are not as close to the road as shown, and eliminating the two lots would be the easiest solution. He suggested there might be a way to shuffle the lots around. He said the 200-foot setback on the eastern side of this property is wonderful, but it is across the street from the marshland near the Dublin Jerome High School stadium, and a large part of the high-tension line easement. He said if there were an arrangement of houses that encroached on that a little and eliminated the difficulty of the southwestern corner of the development, he would be willing to give up a little space in the 200-foot setback on Hyland-Croy Road because there will never be any additional development facing it across the road. He suggested rather than having the three north/south roads, there might be a way to have the bottom portion of the loop street extend further to the west, making one big loop, rearranging those lots, and having a stub road coming from that connection down

to Mitchell-Dewitt, without any lots on it. He said it seemed that way they could have almost, if not the same number of lots. Mr. Taylor said there would be a similar circulation on the site and the Mitchell-DeWitt intersection could be moved away from the corner the two lots would no longer be in that location. He said that it was not really the location of the property line that was the issue on these lots, but the location of the house. He said if lots along Mitchell-Dewitt were facing north, rather than east and west, they would be as if they had a large rear yard that would be counted in the setback area, which might solve some of that problem. He suggested that be considered.

Mr. Taylor said because there were so many obstacles on the site, he did not know if there was a way to deal with it, but it always seemed like a lost opportunity to him that these landscaped retention ponds with the fountains and other amenities are in front. He suggested instead locating this somewhere in the middle of the site where it can be an amenity for the residents of this development.

Mr. Taylor asked if the applicant's intention was to sell the lots to builders or was one developer going to build the homes. He also asked if it had been decided if there would be design guidelines for the houses.

Kevin McCauley, Stavroff Interests, 565 Metro Place South, Dublin, Ohio, said design guidelines have not been decided. He said they have been working with Planning to create a text that will have satisfactory standards. He said they are only developing the site and will not be building individual homes.

Ms. Amorose Groomes said she thought all the comments made have been very valuable and she agreed with almost all of them. She said she thought it was important to keep the Mitchell-Dewitt Road intersection clear. She said if they could get to a density of 1.5 dwelling units per acre that would be preferable to her rather than pushing the limit which will become a standard practice. She said the Commission would like to be consistent and try to hold to that.

Ms. Amorose Groomes said she had a great deal of concern about the wet and dry ponds. She said she was involved with the development at Dublin Jerome High School, where two of the worst wet/dry basins in the City are located. She said she thought when the Army Corps of Engineers selects a wetland mitigation site, and it is next door, that should tell a lot about the character of the soils in that area. Ms. Amorose Groomes said that they really need to get it right. She said she was not at all willing to even flex to something that may or may not be a great solution. She said the front area of the high school is a mess because they can never get into it to clean it out. Ms. Amorose Groomes said it was not really wet or dry. She said it had cattails, was unsightly, and probably unsafe, given the mosquito populations because it does not function as a living system. She said it is going to be very important to make whatever is done on this site function as living systems that cleanse and filter themselves rather than just stagnate and become problematic. Ms. Amorose Groomes said she would be interested in seeing what details the applicant brings forward. She said she did not think they could get them dry to make truly dry basins with the water table in the area. She said she doubted, given the site's proximity to the wetland mitigations in the Metro Park, that it would be feasible. Ms. Amorose Groomes said that they will have to figure out good ways to manage the wetland basins, which probably will involve working with someone on the State level to get that kind of information. She reiterated that she did not think they can be dry and they will have to be wet. She said that designing them to be made 'alive' is going to be very important.

Ms. Amorose Groomes said she would not be averse to having a fee-in-lieu paid for some of the path construction that might serve the City's and community's long term needs. She said it would be nice to get some connectivity to the Metro Park from the high school and she would like to take advantage of those ideas, but in terms of north and south along Hyland-Croy Road, she thought a fee-in-lieu would be appropriate and the money can be put in the coffers so when that roadway gets addressed there are funds to put the pathways on this site.

Mr. Fishman asked if Ms. Amorose Groomes felt a homeowners association would be capable of maintaining the area if it was not a straight wet pond. He said he preferred a wet pond because they seemed to be easier to maintain.

Ms. Amorose Groomes said it was hard to say without seeing the design details.

Mr. Fishman said he would be opposed if the density was not below 1.5 dwelling units per acre. He said that the Commission did not want to set a dangerous precedent for future developments. He said he thought the entrance problem could be easily resolved if the proposed density was reduced.

Ms. Amorose Groomes said it was a nice development. She said she really appreciated the design and the difficulties that the site gives and the 90-foot lots. She said there are a few hurdles left to make it right, but she was supportive of a project like this on this piece of property.

Ms. Amorose Groomes invited additional questions or comments.

Mr. McCauley asked if Ms. Amorose Groomes preferred a wet pond rather than wetlands. He said that there is room and engineering said it will work just as every other wet pond in Dublin works. He said that their engineers said that this is a better environmental solution, but he wanted to do whatever is easiest and what the Commission wants.

Ms. Amorose Groomes noted that the wetland mitigation and the habitat were adjacent. She asked why a micro-habitat would develop there when there is a macro-habitat nearby. She said they are hard to design and manage. She said that the smaller they get, the harder they are, and these were really small. She said that is why when the Army Corps of Engineers picked out the Metro Park for wetland mitigation, it was designed to be large. She said she would not hesitate to see them just be a wet basin because there is a lot of habitat already in the vicinity, but that was just her thought.

Ms. Amorose Groomes thanked everyone and said after they worked with staff she looked forward to their return. She explained to the residents attending the meeting briefly about the next processes. She said if the applicant decides to pursue this development, they will continue to work with staff on many of the details they discussed tonight and will submit a formal application. She said those who received a notification of this hearing will be notified when the application is placed on the Commission Agenda. She said that the application will be reviewed by the Commission possibly two times, and then it would likely go to City Council another two times for a final action. She summarized that there would likely be four more public meetings held with regards to this proposed development before it would come to fruition.

Claudia Husak explained that notifications of this informal review were sent to property owners within a 300-foot radius of the site. She invited those who did not receive a notification to provide addresses to ensure that they will receive notice regarding any future hearings. Ms. Husak said case information is posted on the City's website.

Ms. Amorose Groomes said the Commission looked forward to seeing something soon from the applicant.

Commission Roundtable

Steve Langworthy announced that the State of the City will be held on March 14th, the same date as a scheduled Commission meeting. He said that alternate meeting dates will be sent to the Commission to consider and vote on a new date at the February meeting.

Ms. Amorose Groomes asked if there were any other comments. [There were none.] She adjourned the meeting at 8:01 p.m.

As approved by the Planning and Zoning Commission on February 7, 2013.

RECORD OF PROCEEDINGS

Minutes of

Dublin City Council

Meeting

DAYTON LEGAL BLANK INC. FORM NO. 10148

September 8, 2009

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Held

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~~Wallace Maurer, 7451 Dublin Road asked for clarification in the memo, page one, under "Adjustments" – line one - which indicates "from 2012 to 2010." On page two, under "Parks – Major" – it indicates "from 2012 to 2010."
Mayor Chinnici-Zuercher responded that this reflects Council's direction to accelerate the projects from 2012 to the 2010 CIP.~~

~~Vice Mayor Boring emphasized that there was lengthy discussion about the philosophy that parkland acquisition would remain an important priority for the City in the budget going forward. No one has lost sight of that.
Ms. Grigsby added that Council requested a review of the parkland acquisition priorities no later than the first quarter of 2010.~~

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

Ordinance 46-09

Petitioning the Board of County Commissioners of Union County, Ohio to Adjust the Boundary Lines of Jerome Township so as to Exclude That Territory Which, as a Result of Annexation, Now Lies within the Corporate Boundaries of the City of Dublin, and Declaring an Emergency. (Celtic Capital LLC Annexation of 39.8+/- Acres – Ordinance 08-09)

~~Mr. Smith stated that this relates to the Stavroff annexation, and the ordinance allows the City to file a petition for the boundary adjustment from Jerome to Washington Township. Staff is requesting emergency action so that the reparations schedule for Jerome Township will be effective as soon as possible.~~

~~Mr. Reiner moved for emergency passage.~~

~~Mr. Gerber seconded the motion.~~

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

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

Ordinance 47-09

Rezoning Approximately 4.18 Acres, Located on the Northeast Corner of the Intersection of Shier Rings Road and Eiterman Road, from R, Rural District to HDP, High Density POD District within the future Central Ohio Innovation Center. (Case 08-107Z)

~~Mayor Chinnici-Zuercher stated that the applicant's representative, Mr. Underhill has requested that Council postpone the ordinance for 30 days.~~

~~Mr. Gerber moved to postpone the ordinance to the October 19 Council meeting.~~

~~Mr. Reiner seconded the motion.~~

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

Ordinance 48-09

Authorizing the Provision of Certain Incentives for Purposes of Attracting an Office of the Ohio Fuel Cell Coalition (OFCC) Within the City of Dublin's Entrepreneurial Center, and Authorizing the Execution of an Economic Development Agreement.

~~Mr. McDaniel noted that the Executive Director of the Ohio Fuel Cell Coalition could not be present tonight, due to travel. He expressed his appreciation of Council's consideration of this legislation.~~

~~Wallace Maurer, 7451 Dublin Road asked where the headquarters of this company are located and their center of production.~~

~~Mr. McDaniel responded that they are headquartered in Cleveland. This will serve as a Central Ohio office for the company. This is a trade organization representing a number of fuel cell companies, and there is no production involved.~~

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accordance with the Community Plan and try to maximize compatibility with the surrounding areas.

There was no further discussion.

Mr. Reiner moved to treat the ordinance as emergency legislation.

Ms. Salay seconded the motion.

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

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

Ordinance 44-09

Authorizing the City Manager to Enter into a Modification of Water and Sewer Contracts with the City of Columbus, Ohio in Order to Include Approximately 277 Acres Located North of State Route 161/Post Road and West of Hyland-Croy Road in the Exclusive Dublin Expansion Area, and Declaring an Emergency.

Mr. Foegler noted this is the companion piece of legislation to Ordinance 43-09.

Ordinance 43-09 provides for revenue sharing arrangements; this piece authorizes an amendment to the current water and sewer agreements so that the 277 acres becomes part of the exclusive Dublin service area. The land is identified in the current agreement as negotiated area and not exclusive Dublin expansion area. Staff recommends approval of this legislation.

Ms. Salay moved for emergency passage.

Vice Mayor Boring seconded the motion.

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

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

Ordinance 45-09

Amending the City of Dublin Residential Building Code to Comply with State Law.

Mr. Tyler reported that there are no updates regarding this ordinance.

There were no further questions or comments.

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

INTRODUCTION/FIRST READING – ORDINANCES

Ordinance 46-09

Petitioning the Board of County Commissioners of Union County, Ohio to Adjust the Boundary Lines of Jerome Township so as to Exclude That Territory Which, as a Result of Annexation, Now Lies within the Corporate Boundaries of the City of Dublin, and Declaring an Emergency. (Celtic Capital LLC Annexation of 39.8+/- Acres – Ordinance 08-09)

Ms. Salay introduced the ordinance.

Mr. Smith stated that this legislation relates to the boundary adjustment for the Stavroff piece, and was part of the pre-annexation agreement approved by Council. The applicant will pay all of the reparations due the township. He recommended that Council approve this on September 8th. There is no necessity for emergency passage tonight.

There will be a second reading/public hearing at the Tuesday, September 8 Council meeting.

Ordinance 47-09

Rezoning Approximately 4.15 Acres, Located on the Northeast Corner of the Intersection of Shier Rings Road and Eiterman Road, from R, Rural District to HDP, High Density POD District within the future Central Ohio Innovation Center. (Case 08-1077)

Mr. Lecklider introduced the ordinance.

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Mayor Chinnici-Zuercher called the Monday, June 15, 2009 Regular Meeting of Dublin City Council to order at 7:00 p.m. at the Dublin Municipal Building. Present were Mayor Chinnici-Zuercher, Vice Mayor Boring, Ms. Salay, Mr. Reiner and Mr. Lecklider. Mr. Keenan and Mr. Gerber were absent (excused). Staff members present were: Mr. Foegler, Mr. Smith, Ms. Grigsby, Mr. McDaniel, Chief Epperson, Ms. Crandal, Mr. Hahn, Mr. Hammersmith, Mr. Harding, Ms. Puskarcik, Ms. Hoyle, Mr. Thurman, Mr. Gunderman, Ms. Adkins, Ms. Ott, Ms. Worstall, and Ms. Vroom.

PLEDGE OF ALLEGIANCE

Mr. Reiner led the Pledge of Allegiance.

APPROVAL OF MINUTES

• Regular Meeting of June 1, 2009

Mr. Lecklider moved approval of the minutes of the June 1, 2009 Regular Council meeting.

Ms. Salay seconded the motion.

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

CITIZEN COMMENTS

Wallace Maurer, 7457 Dublin Road stated that he was recently made aware of something, which has caused him to think that the Kindra firing was a case of massive misunderstanding. He learned from Mr. Kindra that in the Council meeting of May 20, 2002, in regard to the Bishop's Crossing final plat scheduled on that agenda, Mr. Kindra was not aware this item had been scheduled. Mr. Kindra asked Mr. Ciarochi if the item could be removed from the agenda, because there were some remaining issues not resolved related to maintenance and vehicle speeds. Mr. Kindra indicated to Mr. Ciarochi that he could not in good conscience sign off on the plat for these reasons. Mr. Ciarochi refused to request that Council reschedule the item. During the discussion with Council about this item, Mr. Kindra unfortunately appeared insubordinate. He was actually very concerned that the issues were not fully addressed. Mr. Maurer noted that these facts were not known. Mr. Kindra's motivations for his statements in 2002 were profound. He suggested that Council consider Mr. Kindra's position in this and offer some gesture of magnanimity to Mr. Kindra.

AGENDA MODIFICATION

Mayor Chinnici-Zuercher requested a motion to modify the agenda to consider Ordinance 27-09 prior to Ordinance 08-09.

Vice Mayor Boring moved to modify the agenda accordingly.

Ms. Salay seconded the motion.

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

LEGISLATION

SECOND READING/PUBLIC HEARING – ORDINANCES

Ordinance 27-09

Authorizing the City Manager to Enter into a Pre-Annexation Agreement Describing the Intentions of the Parties to Annex Certain Real Property Owned by Celtic Capital LLC, Located in Jerome Township, Union County.

Mr. Foegler stated that a report was provided at the previous Council meeting. Staff is available to answer Council's questions.

Vice Mayor Boring inquired if this area is developed as residential, is the ultimate goal to have these residents enjoy the same level of services as other City residents?

Mr. Foegler stated that is correct.

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

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POSTPONED ITEM

Ordinance 08-09

Accepting an Annexation of 39.8 Acres, More or Less, in Jerome Township, Union County, to the City of Dublin. (Petitioner: Celtic Capital LLC)

Mr. Foegler stated that the proposed annexation has been reviewed at a previous meeting. The item was postponed pending resolution of the pre-annexation agreement, which Council has now approved. Staff recommends acceptance of the annexation.

Mayor Chinnici-Zuercher asked who has been handling the negotiations with Jerome Township.

Mr. Foegler responded that previous discussions have occurred with Jerome Township, but the township has not been party to the most recent discussions.

Mayor Chinnici-Zuercher noted that the staff report states that, "The negotiations between the Township and the petitioner on the reparations issue were ultimately unsuccessful."

Mr. Foegler responded that is correct. The initial approach was to attempt to have the petitioner provide a cash payment upfront to prepay the reparations. That effort was not successful. What was successful were the terms of the pre-annexation agreement Council has now approved, which passes those reparations costs on to the developer. Those costs will be reimbursed as lots are recorded and will be based upon the City's assessment of what the tax obligations would be at that time.

Vice Mayor Boring stated that she is confused. Jerome Township has stated that they do not have the ability to service people in the incorporated area, so if the developer proceeds, what happens to those residential units?

Mr. Foegler responded that the agreement will provide for Washington Township to provide the fire and life safety services. In regard to what reparations will be due to Jerome Township, the reimbursement agreement has been set up to cover the worst case scenario, should full-level reimbursement be required for not only the Township's base tax obligation, but also for the fire and life that is built into it. The City should be covered under both scenarios. The developer will bear the cost of reparations, whatever they are ultimately determined to be.

Wallace Maurer, 7451 Dublin Road noted that on page 2 of the memo, paragraph 2, sentence 1, it indicates that the obligation of Dublin to pay reparations to the Township is incurred if Dublin changes the Township boundary after the annexation is complete. How would that occur? Does the boundary change in some way? Is it the right-of-way that is causing the inability to measure the impact on the boundaries?

Ms. Grigsby responded that in the past, when the City annexed property into the City that was not in Washington Township, the City petitioned to extend the Washington Township boundaries to be coterminous with the new land that is annexed. That process is what is referred to in the memo.

Mr. Smith stated that to change the township boundaries, the City would file a petition with the Union County Commissioners, which they would have to approve under the Supreme Court ruling on this topic.

Mr. Maurer stated that the implication is that if the boundaries do not change, then no reparations are paid. Is that correct?

Mr. Smith confirmed that is correct.

Mr. Maurer noted that on page 2, paragraph 3, sentence 1 of the staff memo, it states that "the goal in negotiating a pre-annexation agreement is to ensure that the petitioner is responsible for any reparations that are due to the Township over a 12-year reparations period." Is the 12-year reparations period defined by State Code?

Mr. Smith confirmed that is correct.

Mr. Maurer inquired if there are reparations to be paid, would they be paid over a 12-year period?

Mr. Smith responded affirmatively.

Vote on the Ordinance. Ms. Salay, yes; Mr. Reiner, yes; Mayor Chinnici-Zuercher, yes; Vice Mayor Boring; Mr. Lecklider, yes.

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Mr. Foegler noted that staff concurs on those issues, but it is not possible to address the issues by imposing conditions on this rezoning. It would be possible, however, to state that the issues need to be studied as part of the conditional use process moving forward.

Mr. Lecklider noted that it is possible that language may need to be added to the conditional use portion of the straight zoning districts that addresses the desire to have high quality architecture coordinated with existing buildings and compatible with the area. He would support proceeding with staff's recommendation, keeping that particular statement in mind. He, too, would prefer to have this amendment drafted and considered by P&Z as quickly as possible.

Mr. Reiner referred to the two parking spaces the applicant is willing to relocate. Is it staff's belief that approximately 400 square feet of parking could be moved elsewhere on the site, in view of the floodplain issues involved?

Ms. Adkins responded that it is possible. It would be necessary to consider creative solutions to shift those parking spaces.

Vice Mayor Boring moved approval of Ordinance 24-09.

Mr. Gerber seconded the motion.

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

Mr. Gerber moved to direct staff to draft a Code amendment establishing a conditional use review process for institutional uses.

Mr. Lecklider seconded the motion.

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

INTRODUCTION/FIRST READING – ORDINANCES

Ordinance 27-09

Authorizing the City Manager to Enter into a Pre-Annexation Agreement Describing the Intentions of the Parties to Annex Certain Real Property Owned by Celtic Capital LLC, Located in Jerome Township, Union County.

Mr. Keenan introduced the ordinance.

Mr. Foegler stated that the annexation petition has been before Council for some period of time. There is a four-year history associated with the petition. It has been subject to many special circumstances and issues throughout the process, including some concerns related to uniform coverage on the right-of-way associated with Hyland-Croy Road. A second issue is a recent interpretation in regard to fire and life safety levies in Jerome Township for the property, which significantly complicate the reparations discussion. Staff has considered a variety of mechanisms to ensure that reparations are provided and collected in a reasonably straightforward manner, and to minimize the risk for double taxation on future residents of this area. At the same time, there is a need to maintain some level of flexibility, given the uncertainty of some of the pending interpretations by Union County related to the recently discovered levy language issues. Based on staff's review, the Administration and the applicant believe the ordinance provides mechanisms for either of the scenarios which could result.

Jack Reynolds, Smith & Hale, representative for the applicant stated that what is before Council tonight is the result of a long process of working with the landowners. The applicant has been working with Jerome Township as well as with the City. A reasonable compromise has been reached that will provide flexibility as the process moves forward. This was, unfortunately, uncharted area in terms of the new annexation law, how regular versus expedited annexations are handled, and how the reparations are handled.

There were no questions.

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There will be a second reading/public hearing of Ordinance 27-09 at the June 15 Council meeting.

Ordinance 28-09

Amending Section 153.078 -153.083 of the Dublin Codified Ordinances (Zoning Code) regarding Nonconforming Fences (Case No. 09-031ADM).

Mr. Gerber introduced the ordinance.

Mr. Gunderman stated that this Code amendment is presented in response to direction given by Council at their May 18th meeting. This legislation will amend Sections 153.078 – 083. The proposed text changes are noted in the redlined version of the ordinance provided in Council packets. The basic intent of the amendment is defined on page 6, item C, which is to permit fences that were erected prior to the effective date of Ordinance 75-98 (4/19/00) to be replaced in the same location and at the same or lesser height as existed on the effective date of Ordinance 75-98. In addition, the replacement fence shall be of the same materials as the existing fence or other materials permitted in §153.079, except as provided in §153.080(C). A Certificate of Zoning Plan Approval shall be required. This is a first reading of the legislation, and the Code requires referral of the proposed amendment to the Planning and Zoning Commission for consideration and recommendation to Council.

Mr. Gerber requested that the proposed Code amendment be scheduled for a Commission hearing as soon as possible and that a recommendation be forwarded for Council's June 15th Council meeting.

Mr. Foegler stated that Mr. Langworthy has indicated that, based on Council's discussion regarding the urgency of this matter, this item could be scheduled for the June 11 Planning Commission agenda.

In regard to the last paragraph's reference to fence materials, Vice Boring indicated that she believes Council had specified that the revised language should not permit all previous materials, but should read, "as specified by Code." This would avoid the possibility of permitting the continued use of chain link fencing material.

Mr. Gunderman stated that maintenance of an existing chain link fence has always been permitted, and maintenance of an existing fence would continue to be permitted with this Code amendment. However, if a property owner changes out the fencing material for an existing fence, it must be comply with current Code requirements. The City's Code does not permit chain link fencing in a residential area.

Mr. Keenan asked if wrought iron is a permitted fence material.

Mr. Gunderman responded that the permitted materials are listed in Section 153.079, which begins on page one. Section 153.080 covers the use regulations, which provide additional restrictions to Section 153.079.

Mayor Chinnici-Zuercher requested clarification of the word "or" used in the proposed amendments, which state: "In addition, the replacement fence shall be of the same materials as the existing fence or other materials permitted in §153.079." This indicates that there is an option of replacing a chain link fence with a chain link fence. However, the intent is that if the entire fence is being replaced, it cannot be replaced with the previous material if it is no longer permitted by current Code. Only for a repair can the same materials be used.

Ms. Reader agreed that the language does indicate that an existing chain link fence could be replaced with another fence of the same material or with different materials. To ensure that a full replacement fence is constructed only of materials permitted by current Code, the language will need to be revised.

Ms. Salay stated that, typically, when a certain percentage of a structure is being remodeled, compliance with current Code is required. Shouldn't this language contain a percentage requirement? Otherwise, it would be possible to replace an entire fence in a piecemeal fashion and continue to use the existing materials.

Mr. Foegler responded that is the method that has typically been used to replace non-conforming fences with the same non-conforming materials – by replacing a section at

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"The Sky's the Limit." Those words above the shamrock in the cloud have now been used to create the economic development brand.

There were no further questions.

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

Mayor Chinnici-Zuercher wished Mr. Slape the best of luck with the project. City Council looks forward to working with him.

Mr. Slape stated that he appreciates the confidence that City Council has placed in him. In 30 years of developing real estate, he has never worked with a finer group of people, particularly Mr. McDaniell, Ms. Grigsby and Mr. Smith. He expressed his thanks to all.

INTRODUCTION/FIRST READING - ORDINANCES

Ordinance 08-09

Accepting the Annexation of 39.8 Acres, More or Less, in the Township of Jerome, Union County to the City of Dublin. (Petitioner: Celtic Capital, LLC)

Mr. Lecklider introduced the ordinance.

Mr. Smith stated the applicant requests the second reading/public hearing of this legislation be postponed to the April 20 Council meeting. The property owner requires additional time to resolve an issue regarding reparations to Jerome Township.

Mr. Gunderman stated that a substantial portion of this land consists of the right-of-way along Hyland-Croy Road. This characteristic makes it different than previous annexations. The vacant land of 30 acres is on the west side of the road. The remainder is the full right-of-way of Hyland-Croy Road from just north of the Glacier Ridge roundabout to an area just south of Brand Road. This Regular annexation has required a substantial number of signatures to be obtained on the petition. Upon acceptance, the City will request an adjustment of the township boundaries to place this land in Washington Township. The annexation petition has been approved by Union County Commissioners and by the City of Columbus, pursuant to Dublin's utility agreements with Columbus. The area west of Hyland-Croy Road lies within the negotiated expansion area in the water and sewer agreements with Columbus.

Mr. Keenan inquired if the pre-annexation agreement contemplates that this area will receive fire and emergency services from Washington Township.

Mr. Smith confirmed that it does. At the Union County annexation hearing, Jerome Township testified that they would not object to Washington Township serving this property.

Mr. Keenan inquired how the reparations would impact the single-family homeowners along this roadway.

Mr. Gunderman stated that the single-family homeowners signed the petition, but they will not be impacted by the reparations. The reparations will involve only the 30-acre undeveloped site.

Mr. Keenan inquired if the standard reparation payment would be based on the use of the land.

Mr. Gunderman responded that it would be determined by the valuation of the property at that time.

Mr. Keenan inquired what the benefits are to Dublin of annexing the right-of-way along Hyland-Croy.

Mr. Hammersmith responded that the discussions were initiated with the previous Union County engineer, Steve Stolte. The City of Dublin has been responsible for all the improvements along the roadway, such as the construction of the Hyland-Croy roundabout at Glacier Ridge Metro Park and Glacier Ridge Boulevard. Dublin is best suited to maintain that piece of roadway, which predominantly serves Dublin residents over and above residents of Union County. The City will also then have jurisdiction over access to the roadway and will be better able to regulate it through future development.

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Mr. Reiner inquired if Dublin has been maintaining it.

Mr. Hammersmith responded that the City has been maintaining the roundabout under a verbal agreement with Union County. Dublin does the mowing and snow plowing. It is an overlap area between Union County and the City of Dublin.

Mr. Reiner summarized that the Dublin residents will then have a better quality of service with Dublin's maintenance of this area.

Mr. Gerber moved to postpone the second reading/public hearing until the April 20th Council meeting.

Mr. Keenan seconded the motion.

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

Ordinance 09-09

Authorizing the City Manager to Enter into a Pre-Annexation Agreement Describing the Intentions of the Parties to Annex Certain Real Property Located in Jerome Township, Owned by Kevin and Jocelyn Mullins.

Mr. Smith stated that, pursuant to City Council policy to annex remaining islands of township, this is the last of three such islands within Jerome Township to be annexed. The land is owned by a single-family homeowner. Consistent with the previous two township island areas annexed to the City, an annexation fee waiver is requested. There were no questions.

There will be a second reading/public hearing of the ordinance at the March 16 Council meeting.

Ordinance 10-09

Adopting and Enacting a Supplement (S-25) to the Code of Ordinances for the City of Dublin.

Ms. Salay introduced the ordinance.

Mr. Smith stated that is housekeeping legislation, which occurs twice a year, to incorporate recently approved legislation into the City's codified ordinances.

Mr. Gerber moved to dispense with the second reading/public hearing.

Mr. Keenan seconded the motion.

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

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

INTRODUCTION/PUBLIC HEARING - RESOLUTIONS

Resolution 04-09

Authorizing the City Manager to Enter into Memorandums of Understanding with the Franklin County Board of Elections for Use of Municipal Property in the Administration of Public Elections.

Ms. Salay introduced the legislation.

Ms. Ott stated that this legislation will formalize an ongoing arrangement with the Franklin County Board of Elections to provide space in City facilities to serve as polling locations.

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

Resolution 06-09

Appointing a City Representative to the Board of Trustees of the Central Ohio Transit Authority.

Mr. Keenan introduced the resolution.

Mr. McDaniel stated that beginning in April, the City of Dublin will have a seat on the COTA Board of Trustees. At Council's February 2nd meeting, Council requested that staff work with the Dublin Chamber to seek someone in the community to represent the City in this capacity. The Dublin Chamber and staff recommend that City Council appoint Scott White, President and CEO of Interstate Gas Supply (IGS). Founded in 1989, IGS has now grown to a company with sales of over \$1 billion, serving over