

**To:** Members of Dublin City Council  
**From:** Marsha I. Grigsby, City Manager  
**Date:** May 1, 2014  
**Initiated By:** Steve Langworthy, Planning Director  
Claudia D. Husak, AICP, Planner II  
**Re:** Ordinance 21-14 – Rezoning and Preliminary Plat (Bremlee Estates -  
Case 13-115Z/PP)

## Summary

Ordinance 21-14 is a request for review and approval of a rezoning from R, Rural District to R-2, Limited Suburban Residential District for a 4.6-acre site that was recently annexed into the City. The proposal includes a preliminary plat that will create four single family residential lots north of Forest Run Drive, east of Coffman Road at the current terminus of Nature Drive.

## Update

This case was introduced on April 14<sup>th</sup> and Council Members had questions regarding the potential maintenance cost of the proposed bioswale and the cooperation of the proposed subdivision's Homeowners Association with the Woods of Indian Run Homeowners Association.

### *Bioswale*

The applicant has indicated that the bioretention basin will be constructed as a 1.5- to 2-foot depressed area, planted with shrubs and ornamental grasses that are suited to dry conditions while being able to withstand short periods of time in wet soils. The area will be mulched and constructed with 24 inches of engineered soil consisting of sand, compost and top soil. Twelve inches of stone with an under drain will be the bottom of the basin. The maintenance of the bioretention basin consists of general landscape maintenance once it is established. The applicant estimates the annual cost to be no more than \$800 to \$1,000, consisting of weeding, mulching, pruning and sediment removal.

### *Homeowners Association*

The applicant has assured staff that they are working with an attorney to draft deed restrictions that will mirror the deed restrictions of the Woods of Indian Run, which are currently being updated. The future homeowners of Bremlee Estates will not only pay HOA fees toward the maintenance of the bioswale but also pay into the Woods of Indian Run Association. Staff is suggesting Council approve Ordinance 21-14 with an additional condition to ensure the deed restrictions will be in place.

### *Access*

Below is an aerial photograph indicating the main entry for the Woods of Indian Run from Coffman Road which will also be the primary access for Bremlee Estates. The Woods of Indian Run neighborhood has an entry feature in this area.



Shared Entry from Coffman Road

### Recommendation

Planning recommends City Council approval of Ordinance 21-14 at the second reading/public hearing on May 5, 2014 with one condition:

- 1) That the applicant will prepare, prior to final plat approval, deed restrictions that mirror the deed restrictions of the Woods of Indian Run Association and that require maintenance of the bioswale by the Bremlee Estates owners and contribution to the Woods of Indian Run Association, to the satisfaction of staff.

JEFFREY L. BROWN  
GLEN A. DUGGER  
JACKSON B. REYNOLDS, III  
DAVID L. HODGE

**SMITH & HALE LLC**  
ATTORNEYS AND COUNSELORS AT LAW  
37 WEST BROAD STREET  
COLUMBUS, OHIO 43215-4199  
www.smithandhale.com

HARRISON W. SMITH, JR.  
1926-2009  
OF COUNSEL  
BEN W. HALE, JR.

614/221-4255

April 25, 2014

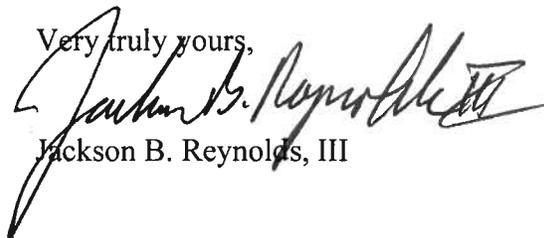
Dublin City Council  
5200 Emerald Parkway  
Dublin, OH 43017

RE: Tabling of case 13-115/PP – ordinance #21-14 – Bremlee Estates

Dear Members of Council:

I am requesting a tabling of the above-referenced case that is scheduled for the Dublin City Council agenda on April 28, 2014 until the Council hearing on May 5, 2014. I am making the request as I am unavailable to make City Council's public hearing the evening of the Monday the 28<sup>th</sup> due to another commitment that takes me out of town. I apologize for the inconvenience but look for to presenting the case to City Council on May 5, 2014. If there are any questions please contact me. I appreciate your patience with this request and apologize for the delay.

Very truly yours,



Jackson B. Reynolds, III

JBR/nct

dublincitycouncil.ltr (nct)  
4/25/14 F:Docs

**To:** Members of Dublin City Council

**From:** Marsha I. Grigsby, City Manager 

**Date:** April 10, 2014

**Initiated By:** Steve Langworthy, Planning Director  
Claudia D. Husak, AICP, Planner II

**Re:** Ord. 21-14 - Rezoning approximately 4.6 acres, on the east side of Coffman Road, north of Forest Run Drive at the current terminus of Nature Drive from R, Rural District to R-2, Limited Suburban Residential District and a preliminary plat to create four residential lots requiring a preliminary plat variance to the required right-of-way and pavement widths. (Bremlee Estates) (Case 13-115Z/PP)

## Summary

Ordinance 21-14 is a request for review and approval of a rezoning from R, Rural District to R-2, Limited Suburban Residential District for a 4.6-acre site that was recently annexed into the City. The proposal includes a preliminary plat that will create four single-family residential lots north of Forest Run Drive, east of Coffman Road at the current terminus of Nature Drive.

## Overview

The proposal is for a standard district rezoning to the R-2, Limited Suburban Residential District. The plat includes an extension of Nature Drive to the north from the current stub street end in the Woods of Indian Run subdivision. The street will curve slightly to the west to move away from the creek to the east and provide potential access to future development to the north.

Two lots are proposed on each side of the road extension. The lots range from 20,000 square feet to 81,000 square feet. The large lot (Lot 3) will accommodate a bio-retention basin to manage the stormwater for the development. The R-2 District requires a minimum lot size of 20,000 square feet.

## Background

City Council approved an annexation of the subject property in January of 2014. Properties annexed into the City automatically are designated as R, Rural District zoning. The applicant's representative has indicated that the potential buyer of the land is interested in building a home in this area of the city and will sell the remaining three lots.

On February 20, 2014, the Planning and Zoning Commission recommended approval to City Council of this rezoning application and the preliminary plat. The Commission also recommended approval to City Council of a preliminary plat variance under the provisions of Section 152.110 to allow a 50 foot of right-of-way and 26 feet of pavement width for the extension of Nature Drive. Subdivision requirements are for a 60 foot of right-of-way and 32 feet of pavement width.

### **Neighborhood/Association Contact**

The applicant has contacted the HOA president of the Woods of Indian Run and is working toward deed restrictions that mirror those of the Woods of Indian Run.

### **Community Plan**

#### *Future Land Use*

The Community Plan classifies this site as Suburban Residential Low Density, described as a modern suburban residential pattern that characterizes most development in Dublin. Residences are primarily composed of single-family dwellings on lot sizes that commonly average 0.25-acre. Public services are necessary, and larger projects may include a mix of densities that together do not exceed the average density.

#### *Density*

The Future Land Use Plan calls for a maximum density of 1 to 2 dwelling units per acre. The four lots on 4.6 acres (1.15 units per acre), is a typical single-family development pattern.

### **Description**

#### *Site*

The site is 4.6 acres, which is the rear portion of a 6.8 acre parcel, recently annexed into the City. The site has been assigned the R, Rural District zoning as required by Code. The front (western) portion of the parcel remains in Washington Township. A stable is located on the northern portion of the site and an equestrian exercise pen is adjacent to the stable. The site slopes to the east approximately 12 feet toward the Indian Run located along the eastern boundary of the site. There is floodplain in the eastern portion of the site. Mature trees are along a fence row in the southern portion of the site and along the stream to the east. Newly planted trees are located throughout the site. The site is adjacent to the current stub of Nature Drive, which has 50 feet of right-of-way.

To the east and north are large lot single-family residences in Washington Township and to the south are single-family homes in the Woods of Indian Run Subdivision, zoned PUD, Planned Unit Development District. To the west are single-family homes in the Earlington/Brandon PUD and in the Hemingway Village neighborhood, zoned R-4, Suburban Residential District.

#### *R-2, Limited Suburban Residential District*

##### 153.021 (A) Uses

Permitted Uses in the district are one-family dwelling structures and two-family dwelling structures (if such two-family dwelling structures existed as of September 5, 2007 – therefore, not applicable.) Other uses include home occupations, accessory buildings, schools, parks, Type B childcare and accessory and adult daycare, if other applicable Code provisions are met.

##### 153.021 (B) Conditional Uses

Conditional uses allow churches on lots of five acres or more, and adult and child daycare centers.

### 153.021 (C) Development Standards

Each lot in the R-2 District is required to be a minimum of 20,000 square feet, with a lot width of 100 feet at the front line of the dwelling and 60 feet at the public right-of-way. Required side yard setbacks are 20 feet total with an 8 foot minimum. Rear yards are required to be 20% of the lot depth with a maximum requirement of 50 feet. Dwellings are a maximum height of 35 feet high. All lots meet these requirements.

The applicant has also proposed a tree preservation zone along the southern property boundary to preserve the natural buffer between the proposed lots and the exiting lots in the Woods of Indian Run subdivision.

### **Preliminary Plat Variance**

#### Process

Section 153.110 of the Subdivision Regulations allow the Planning and Zoning Commission and City Council to vary or modify the terms of the regulations whenever they would entail unusual, real and substantial difficulties or hardships in such a way that the subdivider is allowed to plan and develop the property, record a plat and make necessary improvements. These variances are permitted if the interests of the municipality are fully protected and the general interest and purpose of the Subdivision Regulations are preserved.

#### Request

The applicant is requesting a variance to the 60-foot right-of-way and 32-foot pavement width requirements. The plat provides right-of-way for the extension of an existing 50-foot right-of-way and 26-foot pavement width that was platted and developed as part of a PUD. Engineering and Planning support this variance request for the extension of an existing street at the same right-of-way width and pavement width. This proposal ensures the interests of the municipality are fully protected and the general interest and purpose of the Subdivision Regulations are preserved.

### **Preliminary Plat**

The proposed preliminary plat subdivides 4.663 acres of land into four single-family lots, right-of-way for Nature Drive and no common open space. The preliminary plat correctly shows all setback requirements. All other information required by the Subdivision Regulations is provided in the proposed preliminary plat.

The Subdivision Regulations require the dedication of 0.31 acres of open space. Given the small size of the site and the limited number of lots proposed, the applicant will be required to pay a fee in lieu of dedicating open space.

#### Public Streets

Subdivision Regulations require local streets to provide a minimum of 60 feet of right-of-way and a pavement width of 32 feet. The applicant is connecting a local street (Nature Drive) that was approved as part of a platted PUD, which had a 50-foot right-of-way and 26 feet of pavement width. This proposal continues this street section. The Subdivision Regulations permit the Planning and Zoning Commission and City Council to approve variances to any requirement of a plat, as further described below. Planning and Engineering support this variance. The street will extend the public paths on both sides. The plat shows a temporary turnaround for Fire at

the stub of Nature Drive on Lots 2 and 4. The applicant has provided AUTOturn data demonstrating the size of the turnaround is adequate for fire engines.

#### Utilities

The applicant is proposing a bio-retention basin to manage on-site stormwater. At the final plat stage, the applicant should clarify the maintenance responsibilities of this basin, along with submitting a stormwater report that demonstrate compliance with the Stormwater Code. To provide water service to the proposed lots, an 8-inch public water main is being extended along the eastern edge of Nature Drive along with a public fire hydrant. Sanitary sewer will be provided by the public sanitary sewer that is being extended along the western edge of Nature Drive.

#### **Recommendation of the Planning and Zoning Commission**

On February 20, 2014 the Planning and Zoning Commission recommended approval to City Council of the standard district rezoning, the preliminary plat variance for the provision of 50 feet of right-of-way and 26 feet of pavement width for the extension of Nature Drive and the preliminary plat with the conditions listed below. Condition 1 of the preliminary plat has been addressed and all other conditions will be addressed with the final plat.

#### Preliminary Plat Conditions

- 1) That the applicant ensure that any minor technical adjustments to the plat should be made prior to City Council submittal;
- 2) That the applicant clarify the maintenance responsibility of the stormwater basin on the final plat;
- 3) That the drainage easement shown along the northern edge of Lot 3 should be simplified in alignment so that it may be more easily interpreted by any future homeowner;
- 4) That the applicant pays a fee in lieu of dedicating open space; and
- 5) That the applicant includes a note on the final plat stating Nature Drive may extend farther north should adjacent land develop.

#### **Recommendation**

Planning recommends City Council approval of Ordinance 21-14 at the second reading/public hearing on April 28, 2014.

# RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 21-14

Passed \_\_\_\_\_, 20\_\_\_\_

**AN ORDINANCE REZONING APPROXIMATELY 4.6 ACRES ON THE EAST SIDE OF COFFMAN ROAD, NORTH OF FOREST RUN DRIVE, AT THE CURRENT TERMINUS OF NATURE DRIVE, FROM R, RURAL DISTRICT TO R-2, LIMITED SUBURBAN RESIDENTIAL DISTRICT AND A PRELIMINARY PLAT TO CREATE FOUR RESIDENTIAL LOTS REQUIRING A PRELIMINARY PLAT VARIANCE TO THE REQUIRED RIGHT-OF-WAY AND PAVEMENT WIDTHS (CASE 13-115Z/PP).**

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Dublin, \_\_\_\_\_ of its elected members concurring, that:

Section 1. The following described real estate, (see attached legal description), situated in the City of Dublin, State of Ohio, is hereby rezoned R-2, Limited Suburban Residential District, and shall be subject to regulations and procedures contained in Ordinance No. 21-70 (Chapter 153 of the Codified Ordinances), the City of Dublin Zoning Code and amendments thereto.

Section 2. The application, including the list of contiguous and affected property owners, and the recommendations of the Planning and Zoning Commission, are all incorporated into and made an official part of this Ordinance and said real estate shall be developed and used in accordance there within.

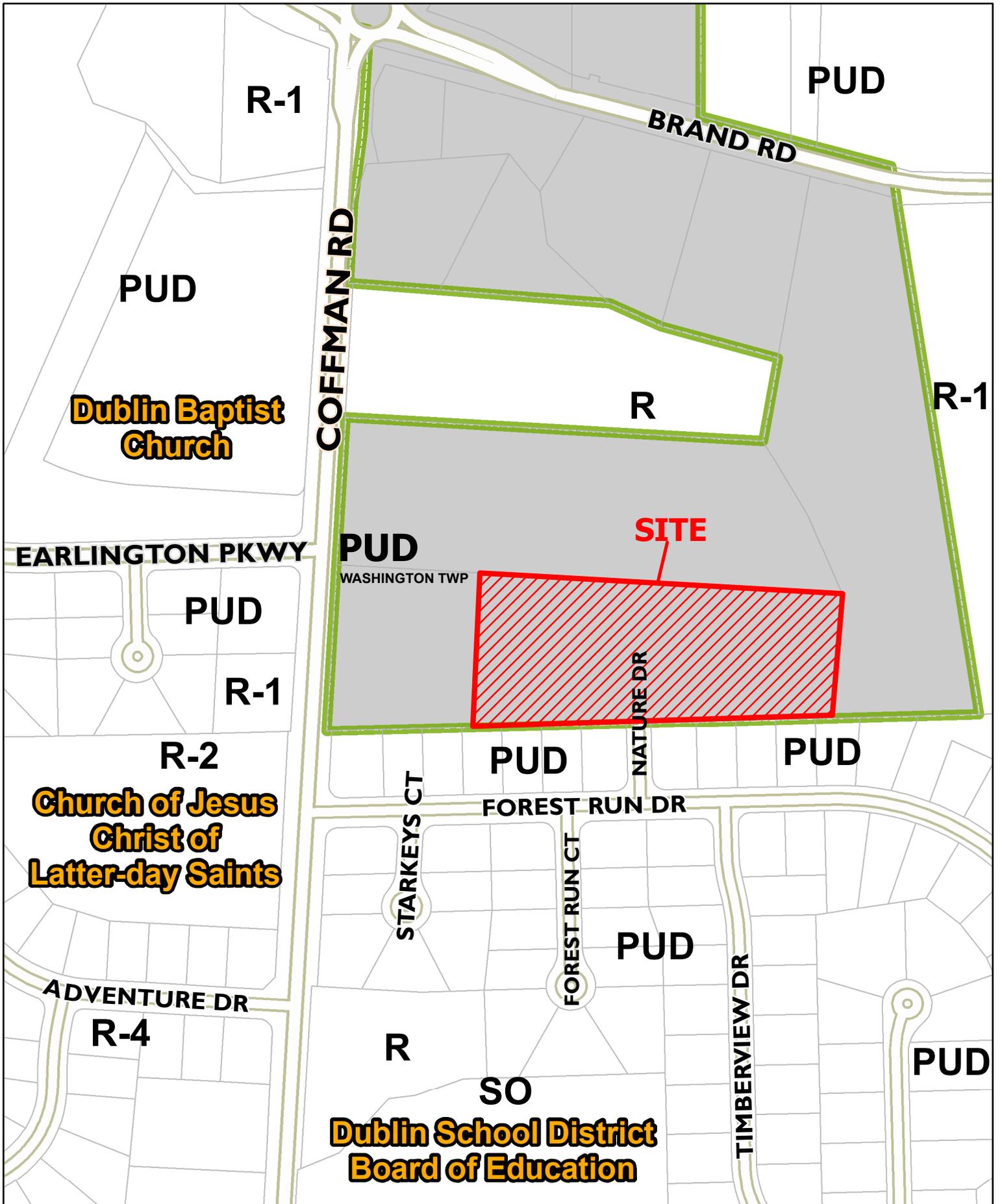
Section 3. This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Mayor - Presiding Officer

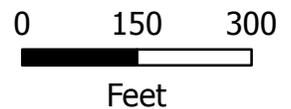
ATTEST:

\_\_\_\_\_  
Clerk of Council



City of Dublin

13-115Z/PP  
 Standard District Rezoning/Preliminary Plat  
 Bremlee Estates  
 7250 Coffman Road





**CITY OF DUBLIN.**

Land Use and  
Long Range Planning  
5800 Sher-Rings Road  
Dublin, Ohio 43016-1236  
Phone/TDD: 614-410-4600  
Fax: 614-410-4747  
Web Site: www.dublin.oh.us

# PLANNING AND ZONING COMMISSION APPLICATION

(Code Section 153.232)

## I. PLEASE CHECK THE TYPE OF APPLICATION:

<input type="checkbox"/> Informal Review	<input type="checkbox"/> Final Plat (Section 152.086)
<input type="checkbox"/> Concept Plan (Section 153.056(A)(1))	<input type="checkbox"/> Conditional Use (Section 153.236)
<input type="checkbox"/> Preliminary Development Plan / Rezoning (Section 153.053)	<input type="checkbox"/> Corridor Development District (CDD) (Section 153.115)
<input type="checkbox"/> Final Development Plan (Section 153.053(E))	<input type="checkbox"/> Corridor Development District (CDD) Sign (Section 153.115)
<input type="checkbox"/> Amended Final Development Plan (Section 153.053(E))	<input type="checkbox"/> Minor Subdivision
<input checked="" type="checkbox"/> Standard District Rezoning (Section 153.018)	<input type="checkbox"/> Right-of-Way Encroachment
<input checked="" type="checkbox"/> Preliminary Plat (Section 152.015)	<input type="checkbox"/> Other (Please Specify): _____

Please utilize the applicable *Supplemental Application Requirements* sheet for additional submittal requirements that will need to accompany this application form.

## II. PROPERTY INFORMATION: This section must be completed.

Property Address(es): Rear of 7250 Coffman Road/Northward extension of Nature Drive	
Tax ID/Parcel Number(s): 270-000762	Parcel Size(s) (Acres): 4.6 acres
Existing Land Use/Development: Vacant pasture/field	

### IF APPLICABLE, PLEASE COMPLETE THE FOLLOWING:

Proposed Land Use/Development: Four lot single family subdivison- requesting R-2 Zoning district
Total acres affected by application: 4.6 acres

## III. CURRENT PROPERTY OWNER(S): Please attach additional sheets if needed.

Name (Individual or Organization): Jay B. Eggsuehler	
Mailing Address: (Street, City, State, Zip Code) 7250 Coffman Road Dublin, OH 43017	
Daytime Telephone: 614-221-5216	Fax: 614-221-5692
Email or Alternate Contact Information: jeggspuehler@wileslaw.com	

RECEIVED  
13-1152/PP  
NOV 19 2013

CITY OF DUBLIN  
PLANNING

**IV. APPLICANT(S):** This is the person(s) who is submitting the application if different than the property owner(s) listed in part III. Please complete if applicable.

Name: Nature Drive, LLC	Applicant is also property owner: yes <input type="checkbox"/> no <input checked="" type="checkbox"/>
Organization (Owner, Developer, Contractor, etc.):	
Mailing Address: 41 S. High Street, Suite 3750 South, Columbus Ohio 43215 (Street, City, State, Zip Code)	
Daytime Telephone: 614-221-0101	Fax: 614-221-4409
Email or Alternate Contact Information: Bob Boich 395-8866	

**V. REPRESENTATIVE(S) OF APPLICANT / PROPERTY OWNER:** This is the person(s) who is submitting the application on behalf of the applicant listed in part IV or property owner listed in part III. Please complete if applicable.

Name: Ben Hale & Jack Reynolds, c/o Smith & Hale, LLC	
Organization (Owner, Developer, Contractor, etc.):	
Mailing Address: 37 W. Broad St., Suite 725, Columbus, OH 43215 (Street, City, State, Zip Code)	
Daytime Telephone: 221-4255	Fax: 221-4409
Email or Alternate Contact Information: jreynolds@smithandhale.com	

**VI. AUTHORIZATION FOR OWNER'S APPLICANT or REPRESENTATIVE(S):** If the applicant is not the property owner, this section must be completed and notarized.

I, <u>Jay B. Eggspuehler</u> , the owner, hereby authorize <u>Smith &amp; Hale LLC.</u> to act as my applicant or representative(s) in all matters pertaining to the processing and approval of this application, including modifying the project. I agree to be bound by all representations and agreements made by the designated representative.	
Signature of Current Property Owner: <u>[Signature]</u>	Date: <u>10-31-13</u>

Check this box if the Authorization for Owner's Applicant or Representative(s) is attached as a separate document

Subscribed and sworn before me this 31st day of October, 2013

State of Ohio

County of Franklin

Notary Public

[Signature]



**STEVEN P. ELLIOTT**  
 Attorney at Law  
 NOTARY PUBLIC, STATE OF OHIO  
 My Commission Has No Expiration  
 Section 147.03 R.C.

**VII. AUTHORIZATION TO VISIT THE PROPERTY:** Site visits to the property by City representatives are essential to process this application. The Owner/Applicant, as noted below, hereby authorizes City representatives to visit, photograph and post a notice on the property described in this application.

I, <u>Jackson B. Reynolds III</u> , the owner or authorized representative, hereby authorize City representatives to visit, photograph and post a notice on the property described in this application.	
Signature of applicant or authorized representative: <u>[Signature]</u>	Date: <u>11/1/13</u>

VIII. UTILITY DISCLAIMER: The Owner/Applicant acknowledges the approval of this request for review by the Dublin Planning and Zoning Commission and/or Dublin City Council does not constitute a guarantee or binding commitment that the City of Dublin will be able to provide essential services such as water and sewer facilities when needed by said Owner/Applicant.

Jackson B. Reynolds III _____, the owner or authorized representative, acknowledge that approval of this request does not constitute a guarantee or binding commitment that the City of Dublin will be able to provide essential services such as water and sewer facilities when needed by said Owner/Applicant.	
Signature of applicant or authorized representative: <i>Jackson B. Reynolds III</i>	Date: 11/1/13

IX. APPLICANT'S AFFIDAVIT: This section must be completed and notarized.

Jackson B. Reynolds III _____, the owner or authorized representative, have read and understand the contents of this application. The information contained in this application, attached exhibits and other information submitted is complete and in all respects true and correct, to the best of my knowledge and belief.	
Signature of applicant or authorized representative: <i>Jackson B. Reynolds III</i>	Date: 11/1/13

Subscribed and sworn to before me this 1<sup>st</sup> day of November, 2013  
 State of Ohio  
 County of Franklin Notary Public: *Natalie C. Timmons*



Natalie C. Timmons  
 Notary Public, State of Ohio  
 My Commission Expires 09-04-2015

FOR OFFICE USE ONLY			
Amount Received: <u>2165.00</u>	Application No: <u>13 115 Z/P</u>	P&Z Date(s): <u>2-20-14</u>	P&Z Action: <u>Approved</u>
Receipt No: <u>472269</u>	Map Zone: <u>5</u>	Date Received: <u>11/19/13</u>	Received By: <u>C D H</u>
City Council (First Reading): <u>4-12-14</u>		City Council (Second Reading): <u>4-28-14</u>	
City Council Action:		Ordinance Number:	
Type of Request: <u>Rezoning / Preliminary Plat Variance / Prelim. Plat</u>			
N, S, E, W (Circle) Side of: <u>Coffman Road</u>			
N, S, E, W (Circle) Side of Nearest Intersection: <u>Forest Run Drive</u>			
Distance from Nearest Intersection: <u>100'</u>			
Existing Zoning District: <u>R</u>		Requested Zoning District: <u>R-2</u>	

Rezoning Statement & Plan Approval Criteria  
Bremlee Estates  
Rural to R-2 (Limited Suburban District)

- A. Explain the relationship of the proposed development to existing and future land uses in the surrounding area, the street system, community facilities, open space system, services, and other public improvements.

*The proposed rezoning for the 4.6 acres is to the R-2 District for a single family subdivision consisting of four (4) homes. The request is appropriate for the area as the property to the south is developed with single family homes (The Woods at Indian Run Subdivision) subdivision that provided for a stub street into the area proposed to be rezoned (Nature Drive). The owner of the property's home will remain to the west on a tract of land of approximately 2 acres. The proposed subdivision will extend Nature Drive to the north for future possible extensions farther north to serve land to the north. The proposal will extend water and sewer lines north as well as the sidewalk system and provide for buffering of the creek to the east. The subdivision provides for larger lot development with an average of one acre per lot development which is consistent with the Dublin Community Plan (medium density – 1 to 2 units per acre). The proposed single family subdivision is appropriate for the area given the surrounding developments and the Community Plan.*

- B. State how the proposed rezoning and development relate to the existing land use character of the vicinity.

*The request is to rezone the property to the R-2 District which requires a minimum lot size of 20,000 sq. ft. and the plat submitted for the property which provides for this minimum. The subdivision to the south is zoned in the PUD district with much smaller lots. The proposed development is appropriate in that it transitions from the smaller lots to the south to the larger lots to the north that are still in the Township. The larger lots proposed under the rezoning also preserves larger areas of green space and offers an appropriate buffer to the creek to the east. The proposed housing compliments the housing stock in the area and will provide new housing alternatives in the City.*

- C. State how the proposed rezoning and development relate to the Dublin Community Plan. If the proposal is inconsistent with the Community Plan, then justify the proposed deviation from the Community Plan.

*The proposed rezoning request adheres to the goals of the Community Plan as the future land use plan shows this area as medium density residential development with a density of 1 to 2 units to the acre. The proposed subdivision will have a density of 1.15 units to the area as proposed by the plat. The new subdivision will utilize an existing sub street that provides access to the property. The addition of four (4) single family lots will not over burden the existing street system and all necessary utilities are available to the site. The \_\_\_\_\_ was an acknowledgment that the subject property would ultimately be developed and in this instance the proposal meshes with the ambitions of the Community Plan.*

- D. Explain how the proposed rezoning meets the criteria for Planned Districts (Code Section 153.052(B)). (See page 3 for details).

*See attached sheet.*

- E. If a previous application to rezoning the property has been denied by City Council within the last twelve months, list when and state the basis for reconsideration as noted in Code Section 153.234.

*N/A*

By BB Date 9/30/13

PROPOSED ANNEXATION  
4.6+/- ACRES

AUG 30 2013

Franklin County Engineer  
Dean C. Ringle, P.E., P.S.

FROM: WASHINGTON TOWNSHIP

TO: CITY OF DUBLIN

Situated in the State of Ohio, County of Franklin, Township of Washington, lying in Virginia Military Survey Number 2543 and being all of that 4.663 acre tract conveyed to Jay B. Eggspuehler by deed of record in Instrument Number 201308280146516 (all references refer to the records of the Recorder's Office, Franklin County, Ohio), and being described as follows:

BEGINNING at a common southerly corner to said 4.663 acre tract and that 6.342 acre tract conveyed to Lee A. Jenkins, Trustee and David R. Jenkins Trustee by deed of record in Deed Book 3678, Page 220, being a northerly corner of Lot 12 of that subdivision entitled "The Woods of Indian Run" of record in Plat Book 76, Page 9 and being on an existing northerly City of Dublin Corporation line, as established in Ordinance Number 22-86 and recorded in Official Record 11893C04;

thence westerly, with the southerly line of said 4.663 acre tract, a northerly line of said "The Woods of Indian Run" and said existing Corporation Line (22-86), a distance of approximately 721 feet to a point at the common southerly corner to said 4.663 acre tract and the remainder of that 7.057 acre tract conveyed to Jay B. Eggspuehler by deed of record in Official Record 21629A01;

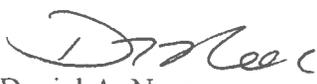
thence northerly, with a common line to said 4.663 acre tract and the remainder of said 7.057 acre tract, a distance of approximately 310 feet to a point at a common northerly corner to said 4.663 acre tract and the remainder of said 7.057 acre tract and being on the southerly line of that 6.679 acre tract conveyed to Albert A. Gabel Trustee and Lucille A. Gabel Trustee by deed of record in Instrument Number 200206070142618;

thence easterly, with a common line to said 4.663 acre and 6.679 acre tracts, a distance of approximately 733 feet to a point at the common easterly corner to said 4.663 acre and 6.679 acre tracts and being at a westerly corner of said 6.342 acre tract;

thence southerly, with the easterly line of said 4.663 acre tract and a westerly line of said 6.342 acre tract, a distance of approximately 250 feet to the POINT OF BEGINNING, and containing 4.6 acres of land, more or less.

This description was prepared for annexation purposes only, and is NOT to be used for deed transfer.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

  
Daniel A. Neer  
Registered Surveyor No. 8533

8/30/13  
Date





# CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

DATE: 9/27/18



Scale = 500



This map is prepared for the  
survey plats, and other public  
information sources should  
county and the mapping company.  
Please notify the Franklin

County Auditor's Office of any  
errors or omissions in the  
property inventory within this county. It is compiled from recorded  
deeds, surveys and data. Users of this map are notified that the public  
auditor's office is not responsible for the information contained on this map. The  
auditor's office assumes no legal responsibility for the information contained on this map.  
Please notify the Franklin County Auditor's Office of any discrepancies.



# CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: jbr

DATE: 9/27/13



Disclaimer

Scale = 200

Grid North

This map is prepared for the real property inventory within this county. It is compiled from recorded deeds, survey plats, and other public records and data. Users of this map are notified that the public primary information sources should be consulted for verification of the information contained on this map. The county and the mapping companies assume no legal responsibilities for the information contained on this map. Please notify the Franklin County GIS Division of any discrepancies.

Real Estate / GIS Department

Bermlee Estates - 7250 Coffman  
Road 43017 – 270-000762  
**Case #13-115Z/PP**

- Jay Eggspuehler  
7250 Coffman Road  
Dublin, OH 43017

- Ben Hale Jr & Jack Reynolds  
Smith and Hale LLC  
37 W Broad St ST460  
Columbus, OH 43215

- Nature Drive LLC  
41 S High ST, STE 3750 So  
Columbus, OH 43215

Matthew & Beth Arnold  
7180 Blessington  
Dublin, OH 43017

Floyd S E Bostic TR  
7143 Coffman Road  
Dublin, OH 43017

Jon & Miriam Clingman  
7116 Starkeys Ct  
Dublin, OH 43017

The Church of Jesus Christ  
Latter-Day Saints  
7135 Coffman Road  
Dublin, OH 43017

Dublin Baptist Church  
7200 Coffman Road  
Dublin, OH 43017

Dublin Baptist Church  
7195 Coffman Road  
Dublin, OH 43017

Andrew Dendinger  
5240 Forest Run Dr  
Dublin, OH 43017

Bridget Dritz  
5174 Forest Run Dr  
Dublin, OH 43017

Donald & Sharon Filibeck  
5282 Forest Run Dr  
Dublin, OH 43017

Albert & Lucille Gabel  
7190 Coffman Road  
Dublin, OH 43017

Mukaddes & Erdem Gun  
5258 Forest Run Dr  
Dublin, OH 43017

Adam Hall & Lindsey Hoskins  
7160 Blessington Ct  
Dublin, OH 43017

Todd & Denise Howe  
5288 Forest Run Dr  
Dublin, OH 43017

Robert & Holly Judson  
5276 Forest Run Dr  
Dublin, OH 43017

Joseph & Kathryn Malagisi  
5264 Forest Run Dr  
Dublin, OH 43017

John & Dawn McAdow  
5301 Earlington Pkwy  
Dublin, OH 43017

Wenjun Peng  
7153 Forest Run Dr  
Dublin, OH 43017

Benjamin & Joanna Ross  
7152 Forest Run DR  
Dublin, OH 43017

Daniel & Amy Skuce  
5270 Forest Run Dr  
Dublin, OH 43017

Kenneth & Deborah Tumblison  
7151 Blessington Ct  
Dublin, OH 43017

Robert Vanvliet & Beihl Demaris  
7124 Starkeys Ct  
Dublin, OH 43017

William & Akiko Wall  
7170 Blessington Ct  
Dublin, OH 43017

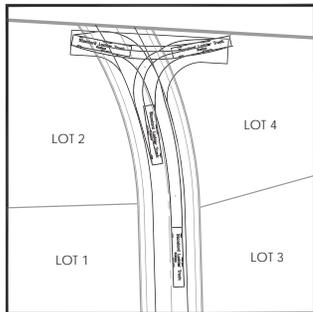
Shannon Wells  
7125 Starkeys Cr  
Dublin, OH 43017

Hugh Westwater  
7117 Starkeys Ct  
Dublin, OH 43017

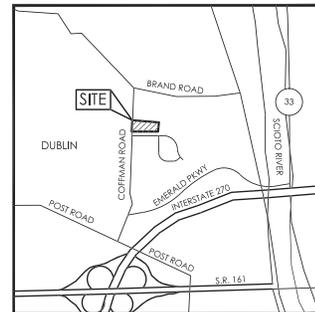
Thomas & Theresa Woodward  
7145 Forest Run Dr  
Dublin, OH 43017

Joan Wintermantel  
5252 Forest Run Dr  
Dublin, OH 43017

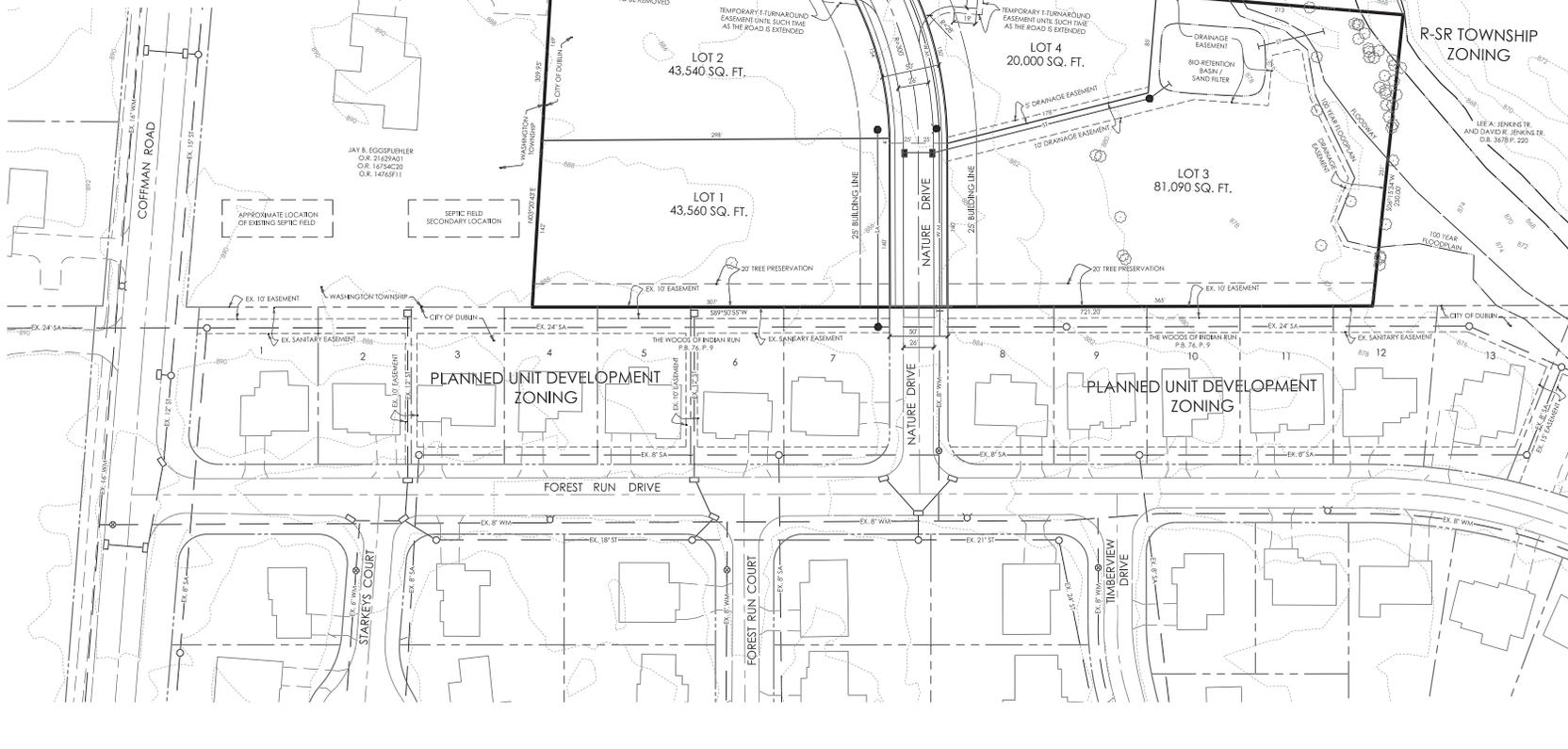
Munjal & Rupa Sandhavi  
5246 Forest Run Dr  
Dublin, OH 43017



FIRE TRUCK TURNING DETAIL  
SCALE: 1"=50'



LOCATION MAP  
NO SCALE



**SITE STATISTICS:**

Total Acreage:	+4.663 Acres
Number of Lots:	4 Lots
Gross Density:	+0.85 Lots / Acre
Open Space:	+0.32 Acres
Required:	+0.00 Acres
Provided:	+0.00 Acres
Zoning:	Rural
Current:	Limited Suburban
Proposed:	Residential District

**NOTES:**

- NOTE "A": All of Bremlee Estates is in the Flood Hazard Zone A, AE and X as shown on the Federal Emergency Management Agency Flood Insurance Rate Map, Map Number 39049C0132 K, effective date June 17, 2008.
- NOTE "B": No Vehicular Access to be in effect until such time as the public right-of-way is extended by plat or deed.
- NOTE "C": All contours shown hereon are set at two foot intervals.
- NOTE "D": SETBACKS:  
Front yard: 25' min.  
Side yard: 8' min. (total of 20')  
Rear yard: 20% lot depth maximum 50 feet
- NOTE "E": Bremlee Estates will be serviced by Central sewer and water by the City of Dublin.
- NOTE "F": The developer, Nature Drive LLC, is requesting to pay a fee in lieu of the required open space. The fee in lieu of will be determined by the required 0.32 Acres of open space.
- NOTE "G": **Tree Preservation Zone:**  
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. Disturbance of any part of the zone by maintenance shall be restored as nearly as practicable to the original condition. No tree or vegetation may be removed from the zone except for the removal of dead, diseased, decayed, or noxious trees and other vegetation or as may be required for conservation or aesthetic purposes (removal of understory is acceptable) or in keeping with good forest management practices.



REVISIONS	
DATE	DESCRIPTION
2/11/2014	REVISED PER STAFF COMMENTS



**NATURE DRIVE LLC.**  
41 SOUTH HIGH STREET  
SUITE 3750 SOUTH  
COLUMBUS, OHIO 43215

CITY OF DUBLIN, FRANKLIN COUNTY, OHIO  
PRELIMINARY PLAT  
FOR  
**BREMLEE ESTATES**

LOCATED IN:  
VIRGINIA MILITARY SURVEY NO. 2543  
CITY OF DUBLIN, COUNTY OF FRANKLIN, STATE OF OHIO

Date	Job No.
OCTOBER 22, 2013	2013-0856
Scale	Sheet
1"=50'	1/1



City of Dublin

Land Use and Long Range Planning

5800 Shier Rings Road  
Dublin, Ohio 43016-1236

phone 614.410.4600

fax 614.410.4747

www.dublinohiousa.gov

## PLANNING AND ZONING COMMISSION

### RECORD OF ACTION

**FEBRUARY 20, 2014**

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

**1. Bremlee Estates 13-115Z/PP 7250 Coffman Road Standard District Rezoning/Preliminary Plat**

**Proposal:** A rezoning from R, Rural District to R-2, Limited Suburban Residential District for a 4.6-acre site that was recently annexed to the City of Dublin. This is also a proposal for a preliminary plat for four single-family lots for land located north of Forest Run Drive and east of Coffman Road to be accessed by the extension of Nature Drive.

**Request:** Review and approval of Standard District Rezoning under the provisions of Zoning Code Section 153.232 and 153.234 and a Preliminary Plat under the provisions of the Subdivision Regulations.

**Applicant:** Jay B. Eggspuehler; represented by Jackson Reynolds, Smith and Hale LLC.

**Planning Contact:** Claudia D. Husak, AICP, Planner II

**Contact Information:** (614) 410-4675, chusak@dublin.oh.us

**MOTION #1:** Mr. Fishman moved, Mr. Hardt seconded, to recommend approval to City Council of the Standard District Rezoning request.

**VOTE:** 5 – 0 – 1.

**RESULT:** To forward the Standard District Rezoning application was approved.

**RECORDED VOTES:**

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

**MOTION #2:** Mr. Fishman moved, Mr. Hardt seconded, to recommend approval to City Council of the Preliminary Plat Variance for the provision of 50 feet of right-of-way and 26 feet of pavement for the extension of Nature Drive.

**VOTE:** 5 – 0 – 1.

**RESULT:** To forward the Preliminary Plat Variance was approved.



City of Dublin

Land Use and Long  
Range Planning  
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**PLANNING AND ZONING COMMISSION**

**RECORD OF ACTION**

**FEBRUARY 20, 2014**

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

- 1. Bremlee Estates** **7250 Coffman Road**  
**13-115Z/PP** **Standard District Rezoning/Preliminary Plat**

**RECORDED VOTES:**

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

**MOTION #3:** Ms. Kramb moved, Mr. Hardt seconded, to approve the Preliminary Plat application and recommendation to City Council with four conditions:

- 1) That the applicant ensure that any minor technical adjustments to the plat should be made prior to City Council submittal;
- 2) That the applicant clarify the maintenance responsibility of the stormwater basin on the final plat;
- 3) That the drainage easement shown along the northern edge of Lot 3 should be simplified in alignment so that it may be more easily interpreted by any future homeowner;
- 4) That the applicant pays a fee in lieu of dedicating open space; and
- 5) That the applicant include a note on the final plat stating Nature Drive may extend farther north should adjacent land develop.

\*Jack Reynolds agreed to the above five conditions.

**VOTE:** 5 – 0 – 1.

**RESULT:** The Preliminary Plat application was approved and forwarded to City Council.

**RECORDED VOTES:**

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

**STAFF CERTIFICATION**

  
\_\_\_\_\_  
Claudia D. Husak, AICP  
Planner II

**Motion and Vote**

Mr. Hardt moved, Mr. Taylor seconded, to accept the January 9, 2014, meeting minutes as amended. The vote was as follows: Ms. Amorose Groomes, yes; Mr. Taylor, yes; Mr. Fishman, yes; Ms. Kramb, yes; Mr. Hardt, yes; and Mr. Budde, yes. (Approved 6 - 0)

**Motion and Vote**

Mr. Hardt moved, Mr. Budde seconded, to accept the January 23, 2014, meeting minutes as presented. The vote was as follows: Mr. Taylor, yes; Mr. Fishman, abstain; Ms. Kramb, yes; Ms. Amorose Groomes, yes; Mr. Budde, yes; and Mr. Hardt. (Approved 5 – 0 - 1)

Ms. Amorose Groomes noted there were no cases eligible for consent agenda and already announced the Tuller Flats case was postponed. [The minutes reflect the order of the published agenda.] She briefly explained the rules and procedures of the Planning and Zoning Commission.

**1. Bremlee Estates 7250 Coffman Road  
13-115Z/PP Standard District Rezoning/Preliminary Plat**

Chair Chris Amorose Groomes introduced this application for a request for rezoning from R, Rural District to R-2, Limited Suburban Residential District for a 4.6-acre site that was recently annexed to the City of Dublin. She said this is also a proposal for a preliminary plat for four single-family lots for land located north of Forest Run Drive and east of Coffman Road to be accessed by the extension of Nature Drive. She said the Commission will need to forward this case to City Council and will need to make three motions.

Richard Taylor stated he had an interest in the case and asked to recuse himself.

Ms. Husak described the parcel that contains a single family home. She said the rear portion was annexed into the City recently, and with all annexations within the City of Dublin they are automatically designated as R, Rural District zoning. She said the south side is adjacent to the Woods of Indian Run subdivision, which will be the main access point into this small subdivision via the current stub of Nature Drive. She said there are religious institutions in the vicinity as well as the Earlington/Brandon subdivision across Coffman Road and Hemingway Village, a little bit to the south. She stated the surrounding zoning is varied, there are parcels that have also been annexed into the City more recently, which are zoned R and the Woods of Indian Run were zoned a Planned Unit Development (PUD). She said the residential portions of the Hemingway Village are R-4 and R-2, Earlington/Brandon PUD, and the City of Dublin school district has a suburban office district zoning there. She said the applicant is proposing to rezone this site to R-2 and all of the development requirements of that district are met with the proposal.

Ms. Husak said the applicant has proposed to subdivide the parcel into four lots; each lot meets the size requirement for the R-2 District, which is 20,000 square feet minimum. She said the lots range from 20,000 square feet to the largest lot at 81,000 square feet and the right-of-way for the plat is Nature Drive. She noted a 20-foot tree preservation zone along the southern boundary of Lots 1 and 3 to serve as a natural buffer adjacent to the residential homes within the Woods of Indian Run. She said the applicant proposed a temporary hammerhead turnaround in the northern portion to provide fire trucks the ability to turn around as there is no other way out of this little subdivision. She said the expectation is that if land to the north were to annex into the City and develop, Nature Drive could extend farther and provide access to those lots.

Ms. Husak explained the plat has several requirements that if you are proposing a PUD, you can waive those requirements. She said in this instance, the subdivision regulations require 60-feet of right-of-way and 32-feet of pavement for the road. She said the applicant is extending a public road that already exists that has the typical 50-feet of right-of-way and 26-feet of pavement, proposing to do the same. She said Staff recommends approval to City Council of the rezoning from the Rural District to the Limited

Suburban Residential District (R-2); recommends approval of variance to the plat for the right-of-way; and recommends approval of the preliminary plat that include conditions for the Commission to carry forward to City Council as follows:

- 1) That the applicant ensure that any minor technical adjustments to the plat should be made prior to City Council submittal;
- 2) That the applicant clarify the maintenance responsibility of the stormwater basin on the final plat;
- 3) That the drainage easement shown along the northern edge of Lot 3 should be simplified in alignment so that it may be more easily interpreted by any future homeowner; and
- 4) That the applicant pays a fee in lieu of dedicating open space.

Ms. Husak said there have been some questions raised by the adjacent homeowners association regarding the maintenance of that basin. She said the applicant is here to address those but essentially, it will be the responsibility of those lot owners.

Ms. Husak said when land is subdivided, park land is dedicated or a fee is paid in lieu of as in this instance where the lot is so small, it is insignificant. She said the applicant has agreed to pay the fee in lieu of dedicating open space and is here to address any questions.

Ms. Amorose Groomes invited the applicant to step forward and state his name and address for the record.

Jack Reynolds, attorney with Smith and Hale, LLC, representing Jay Eggspuehler, the property owner, said the applicant wanted to build a new house in Dublin after residing for 10 years on Bellaire Avenue. He said he located the vacant lot that was owned by Mr. Eggspuehler, which then had to be split and annexed on January 27, 2014. He said they met with staff to discuss rezoning and confirm they met requirements. He said they talked to the Woods of Indian Run Homeowners Association who asked if they would be willing to participate in the fee structure to maintain the stormwater basin. Mr. Reynolds explained they plan to form a Homeowners Association comprised of the four owners, will have deed restrictions that will mimic the Woods deed restrictions, form alliance with their subdivision to accumulate dues, and give to HOA of the Woods of Indian Run to maintain our detention facility as well as ingress and egress features of the Woods of Indian Run. Mr. Reynolds said the applicant agrees with staff's recommendations and conditions.

Ms. Amorose Groomes invited public comment.

Albert Gabel, 7190 Coffman Road, north of Mr. Eggspuehler's property, said they moved there in 1965, was a college professor and raised seven kids. He stated they were much in favor of this development as it will produce a large amount of tax because of the value of the property, now zoned with low density. He said the proposal is for large expensive homes to be built on these four lots, will generate very little traffic and will not burden the Dublin schools. Mr. Gabel urged the Commission to recommend to City Council to approve with lots of green space included since several of the residents have had horses there.

Bridget Dritz, 5174 Forest Run Drive, President of the Homeowner's Association, reported concern about Forest Run Drive being the only entrance/exit to the neighborhood. She said they have a lot of children in the neighborhood and those with special needs residing in the front part, which causes concern about construction, traffic, and the blasting out for basements for homes that back up to the river bed. She wants it on the record that the developers would pay any damages as a result of blasting.

Andrew Dendinger, 5240 Forest Run Drive, that borders the proposed property. He said they moved there about 9 - 10 months ago and hate to see the horse farm go but does not have a problem with this proposal. He expressed desire to obtain more information on the houses and the orientations on the green space along with tree preservation for trees that border his property.

Ms. Amorose Groomes stated she would need to refer him to someone on staff as this is not information the Commission has. She assured him there is a buildable zone of which Ms. Husak could contact him about later to provide the footprint. Ms. Husak confirmed they would have to be a minimum of 20-feet away from the lot line plus the 20-foot tree preservation.

Mr. Dendinger asked for clarification on the trees. Ms. Husak confirmed trees could not be removed and building could not be permitted in the tree preservation area.

Ms. Amorose Groomes thought that Ms. Husak could keep in touch with Mr. Dendinger as the property is developed.

Munjal Sanghavi, 5246 Forest Run Drive has resided there for 20 years. He said he would hate to see the horse farm go away. He stated he had all the same comments as Mr. Dendinger except he would like to see orientation of the proposed houses.

Ms. Husak said they do not have a requirement that the houses are fronted a certain way but maybe the applicant has more information on the progress of the home plans. Mr. Sanghavi asked if they could see the plans before they begin construction. Ms. Husak said she could email him a copy of the building permit when it comes in. Ms. Amorose Groomes said it would not be a public meeting such as this but when they go in for permits, Ms. Husak can assemble a list and as permits come in, can further supply information.

Ms. Amorose Groomes asked if anyone else would like to make public comment with respect to this application. [Hearing none.]

Ms. Amorose Groomes asked if there were any discussion points from Ms. Husak to which she responded there were not.

Amy Krumb said she was glad to see only four houses being fit on this parcel. She said she envisions great homes on very nice lots and agreed with the suggestions and conditions.

John Hardt said he was pleasantly relieved by the proposal. He inquired about the stormwater plans; the western half of the site for lots 1 & 2, appear to tie into the existing stormwater system and the right half relies on a bio-retention basin. He asked why the differing approaches.

Aaron Stanford explained it was being broken drainage-wise by the roadway and utilizing the infrastructure already in place. He said from a stormwater management perspective, this is a pretty minor site, considering how much will be undeveloped land.

Mr. Hardt asked if it was possible for the whole site to be tied into the existing stormwater system. Mr. Stanford responded affirmatively that it would be possible. Mr. Stanford said there was a larger area to the right of the roadway, so they want to treat as much of that as they can on that side and said he was in favor of this setup. He said there will be some EPA requirements to meet with their disturbance.

Mr. Hardt explained the reason for his question was that he was concerned with the current set up, expecting a public street, and the rain water will go in the catch basins and ultimately end up in the yard of a single family home. Mr. Stanford said there is storm pipe that would route the water to that catch basin. Mr. Hardt said the catch basin itself is on a private lot, to which Mr. Stanford agreed. Mr. Hardt asked if this situation was elsewhere in the City. Mr. Stanford responded affirmatively. He said the option of putting this on City-owned land was discussed but opted not to do so, given the small size of land. Mr. Stanford explained that once this is accepted and constructed it would be inspected annually to see if it was still operational and that is why the easement is placed over that facility and storm sewer system to it.

Mr. Hardt asked if it was ultimately the responsibility of all four landowners or just the two. Mr. Stanford assumed it would be all four. Mr. Hardt said he would sleep better if he knew they were all tied into the existing sewer system and not have to rely on maintenance. Mr. Stanford thought the issue might be if tied directly to the system, there would be no treatment per se before it would enter the system, which they are trying to address. Mr. Hardt said he understood it was an issue of water quality.

Warren Fishman asked if the water is not clean before it goes into the stormwater system for the whole street existing now. Mr. Stanford said it depends on the installment age; may not have that stormwater system and he was not familiar with the area. Mr. Stanford explained that older subdivisions did not have a requirement when they were constructed.

Ms. Amorose Groomes noted they ran into the same thing across the street.

Mr. Hardt inquired about Indian Run, itself. He said over a period of time, the City has taken advantage of woods along our streams by adding multi-use paths parallel to the waterways. He asked if there were any plans in long-range forecasting to do anything like that along Indian Run. Ms. Husak recalled part of our greenway in the Community Plan but does not believe a path was identified.

Mr. Hardt said if an easement was needed now was the time to identify it. Ms. Husak offered to double check with our park staff but thought this could be done as part of the final plat. Mr. Hardt admitted there may not be immediate plans but asked that it be considered in this case since a very small corner of the property touches the creek. Ms. Husak confirmed she would check with Mr. Hahn and see if it could be incorporated in the final plat.

Joseph Budde agreed with what had been said so far. He said two of the lots are twice the size of the minimum lot requirement, and one of the lots is four times the minimum lot size. He inquired that after this plat is completed if any of those three lots could be split into smaller lots some day in the future or would this preclude that. Ms. Husak responded that the zoning district has requirements for lot size, the width, and frontage at the street, so they would not be able to split the lot and still meet all the requirements. Mr. Budde was satisfied with her response.

Mr. Fishman said he was confused about the association and asked for clarification. Ms. Husak suggested letting the applicant answer.

Jack Reynolds said they would have their own homeowners association with an agreement with the Woods of Indian Run to share association dues they collect to maintain the entry way features and go towards any special activities that are taking place in the Woods.

Ms. Amorose Groomes asked if it would be a forced association. Mr. Fishman suggested a sub association, which is a common way to handle this.

Mr. Reynolds said he would work with the folks to come up with an answer. Mr. Fishman asked if this would be established on the final.

Jennifer Readler said this is a rezoning to a straight district so the Commission will not see it again. Mr. Fishman asked that they make sure that happens. Ms. Husak said they will see a final plat.

Mr. Fishman said sometimes these agreements become problematic in the future. He said he was a little confused by the street. He asked if their extension was going to be the same as Nature Drive is now – width, easement, and so on. Ms. Husak confirmed.

Mr. Fishman said within the City of Dublin there is a history of misunderstandings with dead end streets. He said when the next subdivision comes in, and do not want it open, as it had been a stub for 10 years.

He said to make sure that it is recorded on the plat for the street to go through. He asked if this could be done and Ms. Husak answered yes. Mr. Fishman clarified that each person's lot reflects the street going thru if the site to the north is developed. Ms. Husak confirmed it would be reflected in the plat.

Mr. Fishman said it makes sense for lot owners to tie into storm sewer, whether it is filtered or not filtered. Ms. Amorose Groomes said the EPA requirements have changed and cannot do that anymore. Mr. Hardt said the water has to be filtered before it goes in.

Mr. Fishman said he did not want to put an extra burden on the lot owners if they did not have to. Ms. Amorose Groomes said it was the EPA's burden.

Ms. Amorose Groomes said she was pleased to see this come in with four lots. She said it is a beautiful piece of property with lovely lots. She said traffic could be the best anyone could hope for in terms of development. She explained that when Nature Drive was stubbed, the intention was that it would extend, ultimately. She wanted the residents to know that typically, when a development comes adjacent to property, the Commission asks for the adjacent lots to be a little bit bigger, building materials a little bit nicer, and increment it up so that at a minimum, you have better than what you are in, behind you. She said this was the best we could hope as a Commission. She said as we continue to develop to the north, Commission will hold them to the standard that has been set. She said this will go a long way to keeping the density very low. She believes this will be a lovely small development that will have a minimum impact on its neighbors.

Ms. Amorose Groomes asked if there were further comments or questions to be addressed. [Hearing none.]

### **Motion and Vote – Standard District Rezoning**

Mr. Fishman wanted to make sure all the notes are on the plat.

**MOTION #1:** Mr. Fishman moved, Mr. Hardt seconded, to recommend approval to City Council of the Standard District Rezoning request.

The vote was as follows: Ms. Kramb, yes; Mr. Budde, yes; Ms. Amorose Groomes, yes; Mr. Hardt, yes; and Mr. Fishman, yes. (Approved 5 – 0 - 1)

### **Motion and Vote – Preliminary Plat Variance**

**MOTION #2:** Mr. Fishman moved, Mr. Hardt seconded, to recommend approval to City Council of the Preliminary Plat Variance for the provision of 50 feet of right-of-way and 26 feet of pavement for the extension of Nature Drive.

The vote was as follows: Ms. Amorose Groomes, yes; Ms. Kramb, yes; Mr. Budde, yes; Mr. Hardt, yes; and Mr. Fishman, yes. (Approved 5 – 0 - 1)

### **Motion and Vote – Preliminary Plat**

Ms. Amorose Groomes asked the applicant to step forward. She stated there were originally four conditions and a fifth has been added. She asked him if he agreed to the five conditions as written. Jack Reynolds agreed to the five conditions.

**MOTION #3:** Ms. Kramb moved, Mr. Hardt seconded, to approve the Preliminary Plat application and recommendation to City Council with five conditions:

- 1) That the applicant ensure that any minor technical adjustments to the plat should be made prior to City Council submittal;
- 2) That the applicant clarify the maintenance responsibility of the stormwater basin on the final plat;
- 3) That the drainage easement shown along the northern edge of Lot 3 should be simplified in alignment so that it may be more easily interpreted by any future homeowner;
- 4) That the applicant pays a fee in lieu of dedicating open space; and
- 5) That the applicant include a note on the final plat stating Nature Drive may extend farther north should adjacent land develop.

The vote was as follows: Mr. Fishman, yes; Mr. Budde, yes; Ms. Amorose Grooms, yes; Mr. Hardt, yes; and Ms. Kramb, yes. (Approved 5 – 0 - 1)

Ms. Amorose Grooms said they would take a moment and would resume once Mr. Taylor was back in place.

## **2. Engineering Presentation: Bridge Street District – Transportation Network Overview**

Chris Amorose Grooms introduced the presentation by Engineering Staff providing an overview and addressing some of the questions raised by the Commission regarding the Bridge Street District Transportation network. She stated it is being heard before the next case as it is located within the Bridge Street District.

Steve Langworthy explained this will be in three parts and tonight's presentation by Jeannie Willis is an introduction and network overview. He stated that City Council's annual retreat is next week and a main focus is the Bridge Street District. He said they will discuss the transportation network and elements of the residential development, as well as timing of public improvements that will be needed. Mr. Langworthy said Jeannie and staff are working on a response to Amy Kramb's letter to him. He said they hope to have some comments and conclusions from the discussions held at the retreat for the Commission.

Jeannie Willis thanked the Commission for allowing her the opportunity to speak and to share the history of transportation planning in the Bridge Street District (BSD). She provided the key transportation features as pertained to BSD:

1. Grid - creates multiple redundant connections, many travel paths, which is why turn lanes are not required at individual intersections. The grid will be more accommodating to pedestrians, cyclists, and transit. She said the grid will take time to be completed and early on there will be less than ideal connections as it develops.
2. Developers will not be required to submit individual Traffic Impact Studies.
3. The information is based upon multiple studies starting with the Vision for BSD in 2010, with the Goody Clancy Corridor Study. From that, the grid was developed. We as a City, were not comfortable with Goody Clancy's word for it. They decided to review the grid and determine if the number of lanes would be sufficient as written in that study and handle the density of development. They analyzed the Nelson/Nygaard Study from 2011-2012, the BSD rezoning in 2012, Community Plan update that included the Thoroughfare Plan update, and the BSD Area Plan in 2013, that lead to the LJB Transportation Plan.



City of Dublin

**Planning**

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Planning and Zoning Commission

# Planning Report

Thursday, February 20, 2014

## Bremlee Estates

### Case Summary

Agenda Item	1
Case Number	13-115Z/PP
Proposal	A rezoning from R, Rural District to R-2, Limited Suburban Residential District for a 4.6-acre site that was recently annexed into the City, and a preliminary plat to create four residential lots.
Location	7250 Coffman Road North of Forest Run Drive, east of Coffman Road at the current stub of Nature Drive.
Request	Review and recommendation of approval to City Council of a Standard District Rezoning under the provisions of Zoning Code Sections 153.232 and 153.234 and review and recommendation of approval to City Council of a preliminary plat under the provisions of the Subdivision Regulations.
Applicant	Jay B. Eggspuehler, property owner, represented by Jackson Reynolds, Smith and Hale, LLC.
Planning Contact	Claudia D. Husak, AICP, Planner II
Contact Information Planning	(614) 410-4675, <a href="mailto:chusak@dublin.oh.us">chusak@dublin.oh.us</a>
Recommendation	<p><b><i>Recommendation of approval to City Council of the Rezoning from R to R-2.</i></b> Planning recommends that the Planning and Zoning Commission recommend approval of this rezoning to City Council.</p> <p><b><i>Recommendation of approval to City Council of the Preliminary Plat Variance.</i></b> Planning recommends that the Planning and Zoning Commission recommend approval to City Council of this preliminary plat variance to provide 50 feet of right-of-way and 26 feet of pavement for the extension of nature Drive.</p> <p><b><i>Recommendation of approval to City Council of the Preliminary Plat.</i></b> Planning recommends that the Planning and Zoning Commission recommend approval of this preliminary plat to City Council with the following 4 conditions:</p> <ol style="list-style-type: none"><li>1) That the applicant ensure that any minor technical adjustments to the plat should be made prior to City Council submittal;</li><li>2) That the applicant clarify the maintenance responsibility of the stormwater basin on the final plat;</li></ol>

- 3) That the drainage easement shown along the northern edge of Lot 3 should be simplified in alignment so that it may be more easily interpreted by any future homeowner, and;
- 4) That the applicant pays a fee in lieu of dedicating open space.



Facts		Standard District Rezoning
Case Summary	This is a request by the applicants for review and recommendation of approval to City Council to rezone a 4.6-acre site from R, Rural District to R-2, Limited Suburban Residential District, and approval of a plat for four single-family lots.	
Site Area	4.6 acres, rear portion of a 6.8 acre parcel.	
Zoning	The rear portion of the site was recently annexed into the City and has been assigned the R, Rural District as required by Code. The front portion of the parcel remains in Washington Township.	
Surrounding Zoning and Uses	<p>East &amp; North: Large lot single-family in Washington Township</p> <p>South: Single-family homes in the Woods of Indian Run Subdivision (zoned PUD)</p> <p>West: Single-family homes in the Earlington/Brandon PUD and in the Hemingway Village neighborhood (zoned R-4)</p>	
Site Features	<p>General: Rear portion of a 6.8-acre residential parcel, a stable is located on the northeast portion of the site and an equestrian exercise pen is adjacent to the stable.</p> <p>Frontage: The site is adjacent to the current stub of Nature Drive, which has 50 feet of right-of-way.</p> <p>Features: The site slopes to the east approximately 12 feet toward the Indian Run located on the eastern portion of the site. This portion of the site is within the floodplain.</p> <p>Vegetation: Mature trees are along a fence row in the southern portion of the site and along the stream to the east. Newly planted trees are located throughout the site.</p>	
Case Background	City Council approved an annexation of the subject property in January of 2014. Properties annexed into the City automatically are designated as R, Rural District zoning. The applicant's representative has indicated that the potential buyer of the land is interested in building a home in this area of the City and will sell the remaining three lots.	
Neighborhood Contact	The applicant has contacted the HOA president of Woods of Indian Run and is working toward answering residents questions regarding the proposal.	
Community Plan	<p>Future Land Use: The Community Plan classifies this site as Suburban Residential Low Density, described as a modern suburban residential pattern that characterizes most development in Dublin. Residences are primarily composed of single-family dwellings on lot sizes that commonly average 0.25-acre. Public services are necessary, and larger projects may include a mix of densities that together do not exceed the average density.</p> <p>Density: The Future Land Use Plan calls for a maximum density of 1 to 2 dwelling units per acre. The 4 lots on 4.6 acres (1.15 units per acre), in a typical single family development pattern.</p>	

<b>Details</b>		<b>Standard District Rezoning</b>
Process	Code Section 153.232(B)(9) provides the Planning and Zoning Commission with "other powers and duties" which includes making recommendations to City Council for amendments to the Zoning Map, which is the case in any rezoning. The Commission should review the proposal, provide input, and vote on the zoning change. The proposed amendment will be forwarded to City Council for its consideration. The following sections summarize the major components of the proposed Zoning District.	
Plan Overview	The proposal is for a rezoning to the R-2, Limited Suburban Residential District. The development standards of the district are outlined below. The plat shows an extension of Nature Drive to the north from the current stub in the Woods of Indian subdivision. The street will curve slightly to the west to move away from the creek to the east and provide potential access to future development to the north. Two lots are proposed on each side of the road extension. The lots range from 20,000 square feet to 81,000 square feet. The large lot (Lot 3) will accommodate a bio-retention basin to manage the stormwater for the development.	
153.021 (A) Uses	Permitted Uses in the district are one-family dwelling structures and two-family dwelling structures if they existed as of September 5, 2007 (not applicable). Other uses include home occupations, accessory buildings, schools parks, Type B childcare and accessory and adult daycare, if other applicable Code provisions are met.	
153.021 (B) Conditional Uses	Conditional Uses are churches if lots are 5 acres or more, and adult and child daycare centers.	
153.021 (C) Development Standards	<p>Each lot in the R-2 District is required to be a minimum of 20,000 square feet, with a lot width of 100 feet at the front line of the dwelling and 60 feet at the public right-of-way. Required side yard setbacks are 20 feet total with an 8 foot minimum. Rear yards have to be 20% of the lot depth with a maximum requirement of 50 feet. Dwellings are a maximum height of 35 feet high. All lots meet these requirements.</p> <p>The applicant has also proposed a tree preservation zone along the southern property boundary to preserve the natural buffer between the proposed lots and the exiting lots in the Woods of Indian Run subdivision.</p>	

<b>Analysis</b>		<b>Standard District Rezoning</b>
Review Considerations	The Zoning Code does not provide for specific review standards for Zoning Map Amendments (Standard District Rezoning). However, there are certain considerations that are appropriate when considering an application for these amendments. These are provided below, along with relevant analysis. The Commission is not limited to these considerations, and may choose to give each its own weight as part of the deliberations for a recommendation to City Council.	

Analysis		Standard District Rezoning
Intent and Purpose	<p><i>Whether the amendment is consistent with the intent and purpose of this Chapter and the Community Plan.</i></p> <p><b>Guideline Met</b>                      The Community Plan shows residential at a density of 1 to 2 units per acre for this site and the surrounding development pattern is similar in terms of density of the homes surrounding the site.</p>	
Area Effects	<p><i>The potential effects on areas that are most likely to be directly affected by the change.</i></p> <p><b>Guideline Met.</b>                      The proposed rezoning establishes an appropriate zoning district for a small parcel of land which will be in line with the surrounding densities in the area and allow for a development pattern that complements the adjacent neighborhood to the south.</p>	
Creation of Nonconformities	<p><i>Whether the change might result in the creation of significant nonconformities on properties in the city.</i></p> <p><b>Guideline Met.</b>                      The proposed lots will be developed with single-family homes and any existing structures that may be nonconforming will be removed as part of this proposal.</p>	

Recommendation		Approval
Approval	<p>The proposed modification to the Zoning Map to rezone 4.6 acres from R, Rural District to R-2, Limited Suburban Residential District meets the Community Plan and is establishes appropriate development standards. Planning recommends that the Planning and Zoning Commission recommend approval of this rezoning to City Council.</p>	

Details		Preliminary Plat
Plat Overview	<p>The proposed preliminary plat subdivides 4.663 acres of land into 4 single-family lots, right-of-way for Nature Drive and no open space. The preliminary plat correctly shows all setback requirements. All other information required by the Subdivision Regulations is provided in the proposed preliminary plat.</p>	
Open Space	<p>The Subdivision Regulations requires the dedication of 0.31 acres of open space and the proposal no open space provision given the small size of the site and the limited number of lots proposed. The applicant will be required to pay a fee in lieu of dedicating open space.</p>	
Public Streets	<p>Subdivision Regulations require local streets to provide a minimum of 60 feet of right-of-way and a pavement width of 32 feet. The applicant is connecting a local street (Nature Drive) that was approved as part of a PUD and the plat shows the width of the right-of-way as well as the width of the pavement to match at 50 feet for the right-of-way and 26 feet for the pavement. Planning and Engineering support this variance to the Subdivision Regulations. The street will extend the public paths on both sides.</p>	

<b>Details</b>		<b>Preliminary Plat</b>
	The plat shows a temporary turnaround for Fire at the stub of Nature Drive on Lots 2 and 4. The applicant has provided AUTOfurn data demonstrating the size of the turnaround is adequate for fire engines.	
Utilities	<p>The applicant is proposing a bio-retention basin to manage on-site stormwater. At the final plat stage, the applicant should clarify the maintenance responsibilities of this basin, along with submitting a stormwater report that demonstrate compliance with the Stormwater Code. To provide water service to the proposed lots an 8-inch public watermain is being extended along the eastern edge of Nature Drive along with a public fire hydrant. Sanitary sewer will be provided by the public sanitary sewer that is being extended along the western edge of Nature Drive.</p> <p>Engineer would also recommend that the drainage easement shown along the northern edge of Lot 3 be simplified in alignment so that it may be more easily interpreted by any future homeowner.</p>	

<b>Analysis</b>		<b>Preliminary Plat</b>
Process	The Subdivision Regulations identify criteria for the review and approval for a plat. Following is an analysis by Planning based on those criteria.	
1) <i>Plat Information and Construction Requirements</i> Condition 1	<b>Criterion met with Condition:</b> This proposal is consistent with the requirements of the Zoning Code and all required information is included on the plat. The applicant should ensure that any minor technical adjustments, if necessary, to the plat are made prior to City Council submittal.	
2) <i>Street, Sidewalk, and Bike path Standards</i>	<b>Criterion met:</b> Street widths, grades, curvatures, and intersection signs comply with the appropriate Code sections and engineering requirements. Sidewalks or bikepaths are provided on both sides of all public streets in compliance with City construction standards.	
3) <i>Utilities</i> Conditions 2 and 3	<b>Criterion met with Conditions:</b> Utility lines are adequately sized and located to serve the development and provided within appropriately sized and accessible easements. The applicant will be required to clarify the maintenance responsibilities for the stormwater basin on the final plat. The drainage easement shown along the northern edge of Lot 3 should be simplified in alignment so that it may be more easily interpreted by any future homeowner.	
4) <i>Open Space Requirements</i> Condition 4	<b>Criterion met with Condition:</b> The applicant will be required to pay a fee in lieu of dedicating open space.	

<b>Recommendation</b>	<b>Preliminary Plat Variance</b>
Process	Section 153.110 of the Subdivision Regulations allow the Planning and Zoning Commission and City Council to vary or modify the terms of the regulations whenever they would entail unusual, real and substantial difficulties or hardships in such a way that the subdivider is allowed to plan and develop the property, record a plat and make necessary improvements. These variances are permitted if the interests of the municipality are fully protected and the general interest and purpose of the Subdivision Regulations are preserved.
Request	The applicant is requesting a variance to the right-of-way and pavement width requirements. The required right-of-way width is 60 feet and the required pavement width is 32 feet. The plat provides right-of-way for the extension of an existing streets that was platted and developed as part of a PUD. The existing right-of-way is 50 feet and the pavement is 26 feet.
Approval	Engineering and Planning support this variance request for the extension of an existing street at the same right-of-way width and pavement width. This proposal ensures the interests of the municipality are fully protected and the general interest and purpose of the Subdivision Regulations are preserved.

<b>Recommendation</b>	<b>Preliminary Plat</b>
Approval	This proposal complies with the preliminary plat criteria and a recommendation to City Council for approval of this request is recommended with one condition.
Condition	<ol style="list-style-type: none"> <li>1) That the applicant ensure that any minor technical adjustments to the plat should be made prior to City Council submittal;</li> <li>2) That the applicant clarify the maintenance responsibilities for the stormwater basin on the final plat,</li> <li>3) That the drainage easement shown along the northern edge of Lot 3 should be simplified in alignment so that it may be more easily interpreted by any future homeowner, and;</li> <li>4) That the applicant pays a fee in lieu of dedicating open space.</li> </ol>

## PRELIMINARY PLAT

If approved, the preliminary plat will be reviewed at a later date by City Council. If the Commission disapproves the preliminary plat, it must state its reasons for doing so. Approval of the preliminary plat is effective for 24 months and authorizes the developer to proceed with construction after meeting all Engineering requirements. The Commission and City Council will later review the final plat for each phase, generally after infrastructure is complete, to ensure that it conforms to the preliminary plat.

### **Review Criteria**

In accordance with Chapter 152, the Code sets out the following requirements as part of the platting requirements for the subdivision of land:

- 1) The proposed plat provides the minimum plat contents required by Sections 152.018(B) and 152.018(C);
- 2) The proposed plat will comply with all applicable subdivision improvement procedures as defined by Sections 152.035 through 152.053;and
- 3) The proposed plat will provide required improvements as specified by Sections 152.065 through 152.072.

dwellings, and accessory structures thereto, there shall be a side yard on each side of a building of 25 feet or more.

(4) *Rear yard.* For main buildings, there shall be a rear yard of 20% or more of the lot depth, except that a rear yard of more than 50 feet shall not be required.

(5) *Maximum height.* No dwelling structure shall exceed 35 feet in height. Maximum height for other structures shall not exceed a safe height as determined by the Fire Chief and as reviewed and accepted by the Planning and Zoning Commission.

('80 Code, §§ 1147.01, 1147.02) (Ord. 21-70, passed 7-13-70; Am. Ord. 41-09, passed 9-8-09; Am. Ord. 13-11, passed 4-11-11) Penalty, see § 153.999

### § 153.021 LIMITED SUBURBAN RESIDENTIAL DISTRICT.

(A) *Permitted use.* Land and buildings in the Limited Suburban Residential Districts shall be used only for the following purposes:

(1) *Dwelling structures.*

(a) One-family dwelling structures.

(b) Two-family dwelling structures existing as of September 5, 2007.

(2) *Home occupation.* Home occupation in association with a permitted dwelling, and in accordance with the provisions of § 153.073.

(3) *Accessory use.* Accessory buildings and uses in association with permitted dwellings as specified in § 153.074.

(4) *Public school and parks.* Public school offering general educational courses and having no rooms regularly used for housing or sleeping of students. Parks, playgrounds and playfields.

(5) *Private school.* Private school offering general educational courses similar to those ordinarily given in public schools and having no rooms regularly used for housing or sleeping of students, providing it occupies a lot of not less than five acres.

(6) *Type B child care,* as defined by R.C. Chapter 5104, as an accessory use of a dwelling provided it occupies a lot of not less than one acre and there shall be an outdoor play area of 200 square feet or more per child. Such play area shall be arranged in accordance with the provisions of this district for accessory uses and shall be enclosed a fence permitted by Code.

(7) *Accessory child and adult daycare.* Accessory in association with a permitted school or religious use when the following standards are met:

(a) Outdoor recreation areas shall be arranged in accordance with the provisions of this district for accessory structures and shall be enclosed with a fence permitted by Code.

(b) A landscape plan shall be submitted with an application for certificate of zoning plan approval indicating compliance with the following requirements.

1. Evergreen, deciduous, or a mix of the two types of shrubs shall be installed along the outside of the outdoor recreation area fence.

2. Shrubs shall be planted to provide a minimum 50% opaque screen achieved within four years of installation. The minimum height requirement at planting shall be 24 inches.

3. A deciduous tree from Group B or C of Appendix E of the Dublin Zoning Code shall be planted every 30 feet along the outside of the play area fence. A minimum two-inch caliper size is required at planting.

(c) Outdoor play. All outdoor play equipment and shade structures visible from the right-of-way or adjacent properties shall utilize subdued colors. Height of outdoor play equipment shall not exceed the height permitted for accessory structures in accordance with the provisions of this district.

(B) *Conditional use.* The following uses shall be allowed in the Limited Suburban Residential District subject to approval in accordance with § 153.236. The design, materials, bulk and height of buildings shall be compatible with and sufficiently buffered from surrounding development to mitigate any potential adverse impact(s).

(1) *Religious.* Church or other place of worship provided it occupies a lot of not less than five acres.

(2) *Child and adult daycare center.* For the purposes of this section, **DAYCARE CENTERS** shall mean any place in which child or adult care is provided for seven or more children or adults at one time that is not the permanent residence of the licensee or administrator.

(a) The daycare center shall be located on a lot that is two acres or larger and has frontage on a collector or arterial roadway as determined by the City Engineer at the time of application for certificate of zoning plan approval.

(b) Outdoor recreation areas shall be arranged in accordance with the provisions of this district for accessory structures and shall be enclosed with a fence permitted by Code.

(c) A landscape plan shall be submitted with an application for certificate of zoning plan approval indicating compliance with the following requirements.

1. Evergreen, deciduous, or a mix of the two types of shrubs shall be installed along the outside of the outdoor recreation area fence.

2. Shrubs shall be planted to provide a minimum 50% opaque screen achieved within four years of installation. The minimum height requirement at planting shall be 24 inches.

3. A deciduous tree from Group B or C of Appendix E of the Dublin Zoning Code shall be planted every 30 feet along the outside of the play area fence. A minimum two-inch caliper size is required at planting.

(d) Outdoor play. All outdoor play equipment and shade structures visible from the right-of-way or adjacent properties shall utilize subdued colors. Height of outdoor play equipment shall not exceed the height permitted for accessory structures in accordance with the provisions of this district.

(e) Design. Where daycare facilities are developed as a principal use, the facility shall be designed in accordance with the residential design standards of § 153.190.

(C) *Development standards.* In addition to the provisions of §§ 153.070 through 153.076, the following standards for arrangement and development of land and buildings are required in the Limited Suburban Residential District.

(1) *Lot area and coverage.* For each dwelling unit there shall be a lot area not less than 20,000 square feet per dwelling unit.

(a) For all other permitted uses and conditional uses, the lot area shall be adequate to meet the sanitation requirements of the County Board of Health, but shall not be less than that prescribed for such use.

(b) Only one principal use shall be permitted on a lot, and such lot shall not be covered more than 20% by structure.

(2) *Lot width.* For a one-family dwelling there shall be a lot width of 100 feet or more at the front line of the dwelling, and such lot shall have access to and abut on a public right-of-way for a distance of 60 feet or more. For a conditional use, the lot width shall be adequate to meet the development standards of the Limited Suburban Residential District.

(3) *Side yard.* For dwellings or associated accessory buildings there shall be a total of side yards of 20 feet or more with a minimum of eight feet on one side. For a conditional use, except dwellings, and accessory structures thereto, there shall be a side yard on each side of a building of 25 feet or more.

(4) *Rear yard.* For main buildings there shall be a rear yard of 20% or more of the lot depth, except that a rear yard of more than 50 feet shall not be required.

(5) *Maximum height.* No dwelling structure shall exceed 35 feet in height. Maximum height for other structures shall not exceed a safe height as determined by the Fire Chief and as reviewed and accepted by the Planning and Zoning Commission.

('80 Code, §§ 1149.01 - 1149.03) (Ord. 21-70, passed 7-13-70; Am. Ord. 147-97, passed 12-15-97; Am. Ord. 50-07, passed 8-6-07; Am. Ord. 57-07, passed 9-4-07; Am. Ord. 41-09, passed 9-8-09; Am. Ord. 13-11, passed 4-11-11) Penalty, see § 153.999

**§ 153.022 R-3 SUBURBAN RESIDENTIAL DISTRICT.**

(A) *Permitted use.* Land and buildings in the R-3 Suburban Residential District shall be used only for the following purposes:

(1) *Dwelling structures.* One-family dwelling structures.

(2) *Home occupation.* Home occupation in association with a permitted dwelling, and in accordance with the provisions of § 153.073.

(3) *Accessory uses.* Accessory buildings and uses in association with permitted dwellings as specified in § 153.074.

(4) *Public school and parks.* Public school offering general educational courses and having no rooms regularly used for housing or sleeping of students.

**Accepting the Amounts and Rates and Authorizing Tax Levies.**

Mr. Gerber introduced the resolution.

Ms. Mumma stated that this is routine legislation brought forward each year. It is based on the Franklin County Budget Commission's determination of what property taxes will be received in the upcoming year based on the inside millage as well as the City's voted millage. It is consistent with the 2014-2018 CIP, which was passed last month, allocating .35 mills to the Parkland Acquisition Fund and the remaining 1.4 of the inside millage to the Capital Improvements Tax Fund for a total of 1.75 mills. The voted millage of 1.2 mills currently in place is for the Police Operating Levy. The effective rate for those residents is .204752. For commercial properties within Dublin, the effective rate of the 1.2 mills Police levy is .314205 mills. Council had no questions.

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

**Resolution 55-13**

**Adopting a Statement of Services for a Proposed Annexation of 4.6 Acres, More or Less, from Washington Township, Franklin County to the City of Dublin.** (Applicant: Jay Eggspuehler; agent for applicant, Jackson Reynolds)

Mr. Gerber introduced the resolution.

Mr. Gunderman stated that the applicant has filed a petition for annexation, and it is necessary for the City to approve these two resolutions within 20 days of the filing date so that they will be available for the hearing on October 15. This acreage is east of Coffman Road, north of Forest Run, but accessed from Nature Drive, which may mean a future extension of that road. If this annexation is approved by the Franklin County Commissioners, the transcript will be sent to the City of Dublin and, per the statute, no action will be taken for 60 days after receipt of the transcript. At the next Council meeting after expiration of the 60 days, Council will consider first reading of an ordinance to accept the annexation.

Vice Mayor Salay stated that the Community Plan designation for this land indicates medium density. What will the actual dwelling units per acre be for this level of density?

Mr. Gunderman responded that he does not recall the actual density cited in the Community Plan for this area, but it will be a single-family density.

Mr. Reiner stated that Washington Township's zoning provided for four single-family homes on this property, but he assumes the City's zoning would allow more density.

Mr. Gunderman responded that the Rural zoning category that will automatically apply to this property once it is annexed would allow four units. The owner may desire to rezone the property at a later date, but it likely would not allow for more than four units.

Mr. Reiner stated that he was primarily interested in the income tax implications.

Ms. Chinnici-Zuercher inquired about the density in the Woods at Indian Run, which is immediately adjacent to this property.

Mr. Gunderman responded that, including the green space, it is approximately 2.0 – 2.5 units per acre.

Ms. Chinnici-Zuercher asked if the expectation would then be that a developer would request the same density level for the annexed area.

Mr. Gunderman responded that it is likely the most density the City would permit.

Ms. Chinnici-Zuercher stated that this property is adjacent to the Gabel property. Have there been any discussions with the Gabels about annexation?

Mr. Gunderman responded that the City has not had any discussions with the adjacent properties, but the applicant may have had such discussion.

RECORD OF PROCEEDINGS  
Dublin City Council

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

September 23, 2013

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Held \_\_\_\_\_

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Ms. Chinnici-Zuercher inquired if the church property next to the Gabel property was annexed into Dublin.

Mr. Gunderman responded that the church property did annex into the City.

Mr. Reiner stated that the access to the property is in Washington Township. Will the City have to purchase right-of-way from the property owner?

Mr. Gunderman responded that if the density were low on this property, as expected, the extension of Nature Drive would be adequate to serve the property. In the future, should the other property owner seek annexation, it may be necessary to extend a street from Coffman – a more difficult process.

Ms. Chinnici-Zuercher stated that the applicant is requesting a waiver of the annexation fee, and staff recommends approval as that has occurred in the past. What are the statistics regarding the number of times the City has approved or disapproved these waiver requests?

Mr. Gunderman responded that he does not have statistics. Since the time of a large number of annexations on the west side of the City occurred approximately six years ago, many of the small annexations have been in islands of township, such as this. He believes all of those requested and received waivers.

Ms. Chinnici-Zuercher stated that she does not view this as an island, as it is a fairly large piece of property. However, her understanding was that this property was split and sold off. It was a vacant lot.

Mr. Gerber stated that he does not believe it has yet been split off.

Mrs. Boring inquired if the owner does request a rezoning, how would they obtain access to Coffman Road?

Mr. Gunderman responded that, initially, such access would be from Nature Drive.

Mrs. Boring noted that the City does not waive annexation fees for larger properties, only for the smaller pockets, which are encouraged to annex to the City for efficiency of service delivery.

Mr. Keenan stated that the City established a policy to that effect several years ago. Ms. Grigsby added that the policy has actually been in place for 10-15 years. For all of the island areas of township within the City, the fee waivers have been approved by Council.

Ms. Chinnici-Zuercher asked if the front property is within Dublin.

Mr. Gunderman responded that it is not.

Ms. Chinnici-Zuercher asked for clarification of whether this front portion is included in the annexation petition.

Mr. Gunderman responded that it is not included in the request.

Mrs. Boring noted that during a future rezoning process, all of the residents of Forest Run Drive would likely voice their objections to the traffic generated by this development. This does not seem very practical from the aspect of safety concerns. All of those people will have only one way in and out.

Mr. Keenan stated that ingress/egress off Coffman Road will be difficult, due to the curb cuts in that area.

Ms. Chinnici-Zuercher stated that it might not be problematic if there are only four homes, but there may be three times that number.

Mayor Lecklider requested the applicant's representative to comment.

Jack Reynolds, Smith & Hale, 37 W. Broad Street, Columbus Ohio stated that the portion of the property to the rear is being split from the front property. The intention is to extend Nature Drive and develop a small subdivision with four lots. That should alleviate concerns regarding density. They have shared with Planning staff their

concepts regarding the lot layout. The purchaser of the property is a resident of Dublin, has children in Dublin Coffman High School, and would like to maintain his residency within this school area. The access to the four units on the 4.6-acre tract will be from Nature Drive. They have heard Council's concerns, had anticipated them, and have taken them under advisement.

Mr. Gunderman asked if they will request a rezoning for the four lots.  
Mr. Reynolds responded affirmatively.

Vote on Resolution 55-13: Vice Mayor Salay, yes; Mrs. Boring, yes; Mayor Lecklider, yes; Mr. Keenan, yes; Ms. Chinnici-Zuercher, yes; Mr. Reiner, yes; Mr. Gerber, yes.

**Resolution 56-13**

**Adopting a Statement Regarding Possible Incompatible Land Uses and Zoning Buffer for a Proposed Annexation of 4.6 Acres, More or Less, from Washington Township, Franklin County to the City of Dublin, Ohio as Required by Section 709.023(C) of the Ohio Revised Code.** (Applicant: Jay Eggspuehler; agent for applicant, Jackson Reynolds)

Mr. Gerber introduced the resolution.  
Council had no additional questions.

Vote on Resolution 56-13: Mayor Lecklider, yes; Mr. Keenan, yes; Ms. Chinnici-Zuercher, yes; Mr. Reiner, yes; Mr. Gerber, yes; Vice Mayor Salay, yes; Mrs. Boring, yes.

Mayor Lecklider noted that action on the fee waiver request is scheduled for later on the agenda.

**Resolution 57-13**

**Authorizing the City Manager to Execute a Cooperative Agreement with the Village of Shawnee Hills for the Construction of Intersection Improvements at Dublin Road and Glick Road.**

Mr. Gerber introduced the resolution.

Ms. Grigsby stated that this resolution provides for the execution of a cooperative agreement between the City of Dublin and Shawnee Hills for the intersection improvements at Dublin and Glick Roads. The memo outlines the terms of the agreement, including the contributions from the entities. Engineering staff has been working with representatives from ODOT, Delaware County and the Village of Shawnee Hills in determining a solution for this intersection. Shawnee Hills will also be filing an OPWC grant application and loan application. They have received positive feedback from their discussions with Delaware County. The City contribution is estimated at approximately \$550,000, and the City currently has \$500,000 programmed in the five-year CIP. The additional \$250,000 loan that Shawnee Hills is requesting is a no-interest loan. The City is committed to retire that debt at \$25,000/year over the next 10 years through the State Highway Fund. They are hopeful of a speedy acquisition of the necessary right-of-way, so they can move forward with the intersection improvements. She is uncertain when the OPWC will make their decision on the grant.

Mr. Hammersmith responded that, typically, an initial indication is received in December or January.

Mayor Lecklider asked when construction could begin.

Mr. Hammersmith responded the earliest would be after July 1, 2014.

Mrs. Boring asked where in the language it indicates that Delaware County would sign on to this agreement.