



CITY OF DUBLIN.

Land Use and
Long Range Planning
5800 Shier-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 152.085)
<input type="checkbox"/> Concept Plan (Section 153.056(A)(1))	<input type="checkbox"/> Conditional Use (Section 153.236)
<input checked="" type="checkbox"/> Preliminary Development Plan / Rezoning (Section 153.053)	<input type="checkbox"/> Corridor Development District (CDD) (Section 153.115)
<input checked="" 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 type="checkbox"/> Standard District Rezoning (Section 153.018)	<input type="checkbox"/> Right-of-Way Encroachment
<input 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): 7148 Muirfield Drive	
Tax ID/Parcel Number(s): 273-003599-00	Parcel Size(s) (Acres): 4.91 acres
Existing Land Use/Development: neighborhood retail center	

IF APPLICABLE, PLEASE COMPLETE THE FOLLOWING:

Proposed Land Use/Development: Applicant is requesting to allow existing patio to be utilized by new restaurant owner.
Total acres affected by application: Less than one acre

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

Name (Individual or Organization): Athenry Shoppes Limited	
Mailing Address: 250 E. Broad Street, Columbus, OH 43215 (Street, City, State, Zip Code)	
Daytime Telephone: 614-228-5775	Fax:
Email or Alternate Contact Information:	

RECEIVED
14-077 PDP/FDP
JUL 25 2014

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: Athenry Shoppes Limited		Applicant is also property owner: yes <input checked="" type="checkbox"/> no <input type="checkbox"/>
Organization (Owner, Developer, Contractor, etc.): Pat Kelley		
Mailing Address: 250 East Broad Street, Columbus, OH 43215 (Street, City, State, Zip Code)		
Daytime Telephone: 614-228-5775	Fax:	
Email or Alternate Contact Information:		

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: J. Theodore Smith, Esq. / Jill S. Tangeman, Esq.	
Organization (Owner, Developer, Contractor, etc.): Vorys, Sater, Seymour and Pease LLP	
Mailing Address: 52 East Gay Street, Columbus, OH 43215 (Street, City, State, Zip Code)	
Daytime Telephone: 614-464-6232 / 614-464-5608	Fax: 614-719-5024 / 614-719-
Email or Alternate Contact Information: jtsmith@vorys.com / jstangeman@vorys.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>Athenry Shoppes Limited c/o Patrick Kelley</u> , the owner, hereby authorize <u>J. Theodore Smith and Jill S. Tangeman</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:	Date:

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 _____ day of _____, 20 _____

State of _____

County of _____ Notary Public _____

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>Athenry Shoppes Limited c/o Patrick Kelley</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:	Date:

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 Athenry Shoppes Limited	Applicant is also property owner: yes <input checked="" type="checkbox"/> no <input type="checkbox"/>
Organization (Owner Developer Contractor, etc.): Pat Kelley	
Mailing Address: 250 East Broad Street, Columbus, OH 43215 (Street, City, State, Zip Code)	
Daytime Telephone: 614-228-5775	Fax:
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I, Athenry Shoppes Limited c/o Patrick Kelley, the owner, hereby authorize	
J. Theodore Smith and Jill S. Tangeman 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: <i>Patrick Kelley Manager</i>	Date: 5/5/14

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 5th day of May, 2014

State of Ohio

County of Franklin

Notary Public *Alan G. Parrott*



Alan G. Parrott
Notary Public, State of Ohio
My Commission Expires 11-16-2014

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, Athenry Shoppes Limited c/o Patrick Kelley, 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: <i>Patrick Kelley Manager</i>	Date: 5/5/14

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.

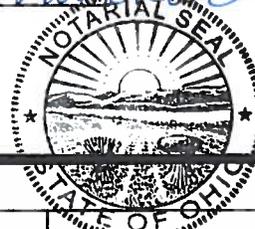
I, <u>Athenry Shoppes Limited c/o Patrick Kelley</u> , the owner or authorized representative, acknowledge that approval of this request does not constitute a guarantee or binding commitment that the City of Dublin will be able to provide essential services such as water and sewer facilities when needed by said Owner/Applicant.	
Signature of applicant or authorized representative: <u>Patrick Kelley Manager</u>	Date: <u>5/5/14</u>

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

I, <u>Jill S. Tangeman, Esq.</u> , 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: <u>Jill Tangeman</u>	Date: <u>7/25/2014</u>

Subscribed and sworn to before me this 25th day of July, 20 14
 State of Ohio
 County of Franklin

Notary Public Michelle L. Parmenter



MICHELLE L. PARMENTER
 Notary Public, State of Ohio
 My Commission Expires 6-2017

FOR OFFICE USE ONLY			
Amount Received: <u>2940</u>	Application No: <u>14-077</u>	P&Z Date(s):	P&Z Action:
Receipt No: <u>14628</u>	Map Zone: <u>5</u>	Date Received: <u>7-25-14</u>	Received By: <u>CDH</u>
City Council (First Reading):		City Council (Second Reading):	
City Council Action:		Ordinance Number:	
Type of Request: <u>Preliminary Development Plan / Final Development Plan</u>			
N, S, E, W (Circle) Side of: <u>Muirfield Drive</u>			
N, S, E, W (Circle) Side of Nearest Intersection: <u>Tara Hill Drive</u>			
Distance from Nearest Intersection: <u>at intersection</u>			
Existing Zoning District: <u>PUD</u>		Requested Zoning District: <u>PUD</u>	

LEGAL DESCRIPTION

Athenry Shoppes Ltd.

Situated in the State of Ohio, County of Franklin, City of Dublin and being a part of Reserve "C" as shown and delineated upon the record plat of Indian Run Meadows Section 5, of record in Plat Book 65, Pages 64 and 67 records of the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Beginning, for reference, at point of centerline intersection of Muirfield Drive (100 feet in width) and Tara Hill Drive (60 feet in width);

Thence North $47^{\circ}18'26''$ East, a distance of 225.00 feet with the centerline of Muirfield Drive to a point;

Thence South $42^{\circ}41'34''$ East crossing said Muirfield Drive, a distance of 50.00 feet to a point at the northwesterly corner of a 0.758 acre tract as conveyed to Lindvest, an Ohio Partnership of record in ORV 15457 B05 and the true point of beginning;

Thence with the easterly right-of-way of said Muirfield the following two courses:

1) North $47^{\circ}18'26''$ East, a distance of 143.56 feet to a point of curvature;

2) A curve to the left having a radius 2050.00 feet, a central angle of $09^{\circ}06'26''$ and a chord bearing of North $42^{\circ}45'13''$ East and a chord distance of 325.51 feet to a point at the northwesterly corner of Reserve "C" and also the southwesterly corner of Reserve "D" of said plat;

Thence South $51^{\circ}47'59''$ East with said northerly line, a distance of 450.00 feet to a point on the northeasterly corner of said Reserve "C" and the southeasterly corner of Reserve "D";

Thence South $34^{\circ}37'51''$ West with the easterly line of said Reserve "C", a distance of 506.27 feet to a point on the northeasterly corner of a 0.958 acre tract as conveyed to Kinder-Care Properties, Inc., of record in ORVI 1690111;

Thence North $40^{\circ}28'40''$ West with the northerly line of said 0.958 acre tract, a distance of 172.00 feet to a point on the northwesterly corner of said 0.958 acre tract and on the easterly line of a 1.370 acre tract as conveyed to Roby Company Limited Partnership of record in ORV 26284 H01;

Thence North $49^{\circ}26'52''$ East with said easterly line, a distance of 74.50 feet to the northeasterly corner of said 1.370 acre tract;

Thence North $40^{\circ}33'05''$ West with said northerly line, a distance of 190.62 feet to the northwesterly corner of said 1.370 acre tract;

Thence South $47^{\circ}18'26''$ West with the westerly line of said 1.370 acre tract, a distance of 133.50 feet to a point at the northeasterly corner of said 0.758 acre tract;

Thence North $42^{\circ}41'34''$ West with the northerly line of said 0.758 acre tract, a distance of 170.00 feet to the true point of beginning and containing 4.914 acres of land more or less.

This description was prepared by Civil Engineering Associates, Inc., Columbus, Ohio from existing record deeds. The basis of bearing is North $47^{\circ}18'26''$ East for the centerline of Muirfield Drive and all other bearings are calculated from this reference.

ATHENRY SHOPPES

List of Surrounding Owners

273-003562

ARDEN SHAWN W ARDEN STEPHANIE B
7125 SCHOOLCRAFT DR , DUBLIN, OH 43017

273-003537

ASSAF ALAN L & JENNIFER F
5964 TARA HILL DR, DUBLIN, OH 43017

273-003599

ATHENRY SHOPPES LIMITED
7142 -196 MUIRFIELD DR, DUBLIN, OH 43017

273-003528

ATKIN MATTHEW A ATKIN LAURA P
6053 TARA HILL DR , DUBLIN, OH 43017

273-003530

BARROW MARY K CORSON JANE W
6075 TARA HILL DR, DUBLIN, OH 43017

273-003600

BLC EMERALD CROSSINGS LLC
7220 MUIRFIELD DR, DUBLIN, OH 43017

273-003556

BOWDY DENNIS J & KIMBERLY A
7081 WICHITA CT, DUBLIN, OH 43017

273-003534

BRIGGS SUSANNA K SKORNICKA EDWARD M
6000 TARA HILL DR, DUBLIN, OH 43017

273-004144

CANNIZZARO JOHN F & BARBARA E
7219 SUNDOWN CT, DUBLIN, OH 43017

273-003538

CHEN XIAOPING & PING PEI
7025 CAVALRY CT, DUBLIN, OH 43017

273-003594

CIANCA STEPHEN P & KATHLEEN K
5925 MUNCIE CT, DUBLIN, OH 43017

273-003557

CORSON GENNIFER A
7091 WICHITA CT, DUBLIN, OH 43017

273-003545

BALASUBRAMANIAN BALAKUMAN
7046 CAVALRY CT, DUBLIN, OH 43017

273-003542

CUSUMANO BENEDETTO J & ANITA M
7082 CAVALRY CT, DUBLIN, OH 43017

273-003535

DAEHLER JOHN E DAEHLER SHARON M
5988 TARA HILL DR, DUBLIN, OH 43017

273-003539

DIAMOND GREGORY M DIAMOND LISA C
7043 CAVALRY CT, DUBLIN, OH 43017

273-003217

DUBLIN VILLAGE COMMUNITY OWNERS ASS
DUBLIN VILLAGE DR, DUBLIN, OH 43017

273-003559

FITCH DEBORA L FITCH RICHARD G
7096 WICHITA CT, DUBLIN, OH 43017

273-003525

GOUNDER GOVINDASAMY S & UKTHAMBAL G
6019 TARA HILL DR, DUBLIN, OH 43017

273-003532

GREEN OASIS LLC
6024 TARA HILL DR, DUBLIN, OH 43017

273-003555

HASAN MD FARUQ KARIM JAMILATUL
7071 WICHITA CT, DUBLIN, OH 43017

273-003593

HUNTON GEORGE W & RUTHANN
5915 MUNCIE CT, DUBLIN, OH 43017

273-004437

KC PROPCO LLC
6036 TARA HILL DR, DUBLIN, OH 43017

273-004138

KIELIAN MICHAEL A & SHERI L S
7183 MOJAVE ST, DUBLIN, OH 43017

273-003544

LAWSON KEVIN E & SANDRA E
7058 CAVALRY CT, DUBLIN, OH 43017

273-003524

LI HONGBO DU JUAN
6009 TARA HILL DR, DUBLIN, OH 43017

273-005139

LINDVEST LP
7076 MUIRFIELD DR, DUBLIN, OH 43017

273-003540
ORDERS JACK & MARIE
7061 CAVALRY CT, DUBLIN, OH 43017

273-003527
MATTINGLY JAMEE B MATTINGLY SHAWN P
6041 TARA HILL DR, DUBLIN, OH 43017

273-003561
MILES BECKY
7076 WICHITA CT, DUBLIN, OH 43017

273-003543
MUNGER KATHLEEN A TOD
7070 CAVALRY CT, DUBLIN, OH 43017

273-003529
MURRAY PETER E FEATHER KAREN C
6063 TARA HILL DR, DUBLIN, OH 43017

273-003526
NYE JOSHUA NYE ELIZABETH
6031 TARA HILL DR, DUBLIN, OH 43017

273-003029
CAMPANA JOSEPH & MEGHAN
6097 TARA HILL DR, DUBLIN, OH 43017

273-003558
REDMAN JANIS F TR REDMAN TIMOTHY D
7101 WICHITA CT, DUBLIN, OH 43017

273-003541
REYNOLDS MICHAEL R & GAYLE E MOWERY
7079 CAVALRY CT, DUBLIN, OH 43017

273-005563
ROBY CO L P 7
100 MUIRFIELD DR, DUBLIN, OH 43017

273-010161
ROBY JEFFREY A ROBY BONNIE J
6046 TARA HILL DR, DUBLIN, OH 43017

273-004141
ROSTON CAROL E TR
7234 SUNDOWN CT, DUBLIN, OH 43017

273-004142
SALLUSTRO ANTHONY L
7228 SUNDOWN CT, DUBLIN, OH 43017

273-003554
SHIRLEY BRENT N KERRICK ERIN E
7061 WICHITA DR, DUBLIN, OH 43017

273-002889
ST PATRICKS EPISCOPAL FELLOWSHIP OF
7121 MUIRFIELD DR, DUBLIN, OH 43017

273-003560
TERLESKY DAVID M
7086 WICHITA CT, DUBLIN, OH 43017

273-004143
GASPER KEITH & CATHERINE
7222 SUNDOWN CT, DUBLIN, OH 43017

273-003533
KANITZ JESSE & KELLY
6012 TARA HILL DR, DUBLIN, OH 43017

273-003028
WEBER JACK G III WEBER NICHOLE L
7005 FALLEN TIMBERS DR, DUBLIN, OH 43017

273-003523
WILLIAMS GARY J WILLIAMS JULIE M
5997 TARA HILL DR, DUBLIN, OH 43017

273-003536
WILSON ANNA K
5976 TARA HILL DR, DUBLIN, OH 43017

273-003531
WOLPERT ANDREW D WOLPERT SHERI M
6085 TARA HILL DR, DUBLIN, OH 43017

Athenry Shoppes

Narrative Statement

The subject site is an existing neighborhood commercial center that was zoned as part of the Indian Run Meadows development. In 2012, Dublin City Council approved a rezoning of the subject site in order to allow a patio at the front of the shopping center adjacent to an existing restaurant known as Mary Kelley's.

The development text approved by Dublin City Council in 2012 limited the use of the patio to the existing Mary Kelley's restaurant. Mary Kelley's has recently terminated its operations and the space has been leased to a new restaurant known as Shade on Muirfield.

The applicant is seeking to amend the development text for the sole purpose of authorizing the Shade on Muirfield restaurant to use the existing front patio space. All standards approved in 2014 regarding the patio, including fencing, lighting, and landscaping, will remain unchanged.

Shade on Muirfield is a family-style sit-down restaurant similar to Mary Kelley's and will serve as an asset to both the existing retail center and the surrounding neighborhood. Other than the requested authorization to allow Shade on Muirfield to use the existing front patio, there is no change to the development plan, building, lighting or signage requested as part of this application.

