

RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc., Form No. 30045

Resolution No. **19-16**

Passed _____, 20____

A RESOLUTION APPROVING THE CITY OF DUBLIN'S APPLICATION FOR A COMMUNITY ENTERTAINMENT DISTRICT, THE SCIOTO EAST CED, GENERALLY BOUNDED BY FUTURE BRIDGE PARK AVENUE ON THE NORTH, SHAMROCK BOULEVARD ON THE EAST, STONERIDGE LANE ON THE SOUTH AND RIVERSIDE DRIVE ON THE WEST, AND CREATING SUCH COMMUNITY ENTERTAINMENT DISTRICT.

WHEREAS, a Community Entertainment District ("CED") is defined as "a bounded area that includes or will include a combination of entertainment, retail, educational, sporting, social, cultural, or arts establishments within close proximity to some or all of the following types of establishments within the district, or other types of establishments similar to these: (1) Hotels; (2) Restaurants; (3) Retail sales establishments; (4) Enclosed shopping centers; (5) Museums; (6) Performing arts theaters; (7) Motion picture theaters; (8) Night clubs; (9) Convention facilities; (10) Sports facilities; (11) Entertainment facilities or complexes; (12) Any combination of those establishments described that provide similar services to the community;

WHEREAS, a CED is an economic development tool that is important for revitalizing or activating neighborhoods and development areas, creating jobs, and allowing new businesses to open and operate;

WHEREAS, when a CED is established, it creates a new "pool" of available liquor permits that can only be issued to businesses located within the CED;

WHEREAS, a CED allows for additional liquor permits, above the normal mandated quota, to be issued in the defined CED area – the CED may have one such permit for every five acres of the CED, up to a maximum of 15 permits;

WHEREAS, CED liquor permits are identified as D5-j permits, and can be obtained at a significantly lower price than a traditional liquor permit, which is subject to highly variable market conditions, and may be transferred from location to location and from owner to owner but only within the CED boundaries in which they were issued;

WHEREAS, the holder of a D-5j permit may exercise the same privileges, and must observe the same hours of operation and regulatory oversight, as the holder of a D-5 permit, which allows spirituous liquor for on premises consumption only, and beer, wine, and mixed beverages for on premises consumption, or off premises in original sealed containers, until 2:30am;

WHEREAS, the Ohio Division of Liquor Control (the "Division") still controls the issuance of liquor permits, including the issuance of D-5j permits for CED properties (just as it would for the traditional D-5 permit);

WHEREAS, an application for a CED may be filed with the City by any owner of property (including the City of Dublin) located in the City, and must be addressed and submitted to the mayor;

WHEREAS, in order for the Division to issue a D-5j liquor permit within a CED located in a city with a population of at least 20,000, R.C. 4303.181(J)(2)(b) requires that "...not less than fifty million dollars will be invested in development and construction in the community entertainment district's area located in the municipal corporation;

WHEREAS, the City Manager submitted an application to create a new CED with the City of Dublin on April 4, 2016;

WHEREAS, the application is attached hereto;

WHEREAS, the "Scioto East CED" is comprised of approximately 91 acres and is generally bounded by future Bridge Park Avenue on the north, Shamrock Boulevard on

RECORD OF RESOLUTIONS

Resolution No. 19-16

Passed Page 2 of 2

, 20

the east, Stoneridge Lane on the south and Riverside Drive on the west;

WHEREAS, as required by statute, the Mayor reviewed and recommended approval of the proposed CED on April 5, 2016;

WHEREAS, as required by statute, the Clerk of Council provided notice to the public, by publication in the Dublin Villager, on April 14 and April 21, that the CED application is on file in the Clerk's office and available for inspection by the public during regular business hours (the application was posted on the City's website as well); and

WHEREAS, within 75 days after the CED application is filed with the Mayor, City Council must approve or disapprove the application based on whether the proposed CED will substantially contribute to entertainment, retail, educational, sporting, social, cultural, or arts opportunities for the community.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Dublin, State of Ohio, _____ of the elected members concurring that:

Section 1. Council determines that the proposed CED will substantially contribute to entertainment, retail, educational, sporting, social, cultural, or arts opportunities for the community and the Bridge Street District development and affirms the filing of the application.

Section 2. Council determines that the application is complete and meets all statutory requirements for the creation of a CED.

Section 3. Council hereby approves the creation of the proposed CED submitted by the City Manager, namely the Scioto East CED.

Section 4. This Resolution shall take effect in accordance with 4.04(a) of the Dublin Revised Charter.

Passed this _____ day of _____, 2016.

Mayor – Presiding Officer

ATTEST:

Clerk of Council



City of Dublin COMMUNITY ENTERTAINMENT DISTRICT APPLICATION

PLEASE SUBMIT THIS FORM WITH:

- Application Fee Payment
- Application for Entertainment District Form
- Application Table of Contents, list all submitted materials
- Other Application Materials:
Maps or exhibits, analysis, other supporting documents, etc.

This is the general application form for a Community Entertainment District (CED). The City has incorporated the CED as a financial and development tool to assist the community with the growth of mixed-use areas. Applicants may submit an application to the Mayor's attention through the Department of Development to seek approval of a CED in order to assist prospective development through promoting entertainment oriented uses. For more information, please contact the Department of Development at 614.410.4600.

I. APPLICANT INFORMATION: Please provide the name and address of the applicant for the proposed Community Entertainment District.

Dana L. McDaniel
 City Manager
 City of Dublin
 5200 Emerald Parkway
 Dublin, Ohio 43017

Dana L. McDaniel
 Applicant's Signature
 April 4, 2016
 Date

II. PROPOSED BOUNDARY: Please provide a map or survey indicating the proposed Community Entertainment District (CED), and property owned by the applicant within the proposed CED.

Attached to this application as Exhibit A is a map identifying the boundary of the proposed "Scioto East CED", comprising approximately 91 acres and includes privately-owned land, publicly-owned land and public rights-of-way.

The City of Dublin, the Applicant, owns a total of approximately 9.4 acres within the proposed CED, shown as "City of Dublin Owned Land" on Exhibit A.

III. ESTABLISHMENTS: Please provide a general statement of the types of establishments described in R.C. §4301.80(A) that are or will be located within the proposed CED, and any other establishments not listed.

The proposed Scioto East CED encompasses Block B of Dublin's newest mixed-use neighborhood, Bridge Park East. Located on the east side of the Scioto River, Bridge Park East will help reinforce the establishment of an array of entertainment, restaurant, retail, commercial, and residential uses within a walkable, mixed-use environment. Bridge Park will be developed in multiple phases over the next few years originating with Block B, currently under construction.

In addition to the Bridge Park development, the proposed Scioto East CED includes a 324,500 square-foot office headquarters for "Wendy's International", a 17,500 square-foot restaurant "La Scala" as well as a 130,087 sq ft shopping center, "Shoppes at River Ridge" which includes two sit-down and one fast food restaurants. (Exhibit B)



IV. PROPOSED ESTABLISHMENTS: Please describe any proposed establishments within the CED not yet developed, and time frame for completion.

As reflected in Exhibit C, the Bridge Park development envisions an entertainment and retail destination, with new river front parks and an iconic pedestrian bridge over the Scioto River located just west of the proposed Community Entertainment District. Block B, a part of Bridge Park Phase I, includes a mix of office, retail, restaurant and residential uses within four buildings and a public parking garage to serve the neighborhood. Located at one end of the pedestrian bridge crossing the Scioto River, Block B will further establish the character of this emerging neighborhood through carefully planned, urban mixed uses and its high-quality, unique architecture. The Bridge Park development has a projected completion date for Block's A-C of summer 2017.

The Bridge Park development is a key element in advancing the City's planning and economic development goals for its Bridge Street District initiative. The City envisions this development, and the related public projects, will serve as a catalyst to spur additional redevelopment and investment while reinforcing Dublin's long term economic competitiveness.

V. LAND USE: Please provide evidence that uses of land within the proposed CED are in accord with the City's Comprehensive Plan and Zoning.

The uses within the proposed Scioto East CED were established as part of the rezoning applications that have taken place within the past five years. It is because of these rezoning's that the properties located within the CED boundary conform to both the City of Dublin's Future Land Use Map, as noted in the Community Plan, and the Zoning Classification Map. Please refer to Exhibit's D attached to this application for a more detailed description of the conformance with City legislation.

VI. BOUNDARY AREA: Please provide certification by licensed surveyor or engineer that the CED area is not less than twenty contiguous acres.

Certification from Aaron Stanford, P.E., 68747 State of Ohio and Senior Civil Engineer for the City of Dublin, is provided in Exhibit E stating that the area encompassed by the proposed Community Entertainment District consists of more than the minimum required twenty (20) contiguous acres.

VII. APPLICATION FEE: Please provide the required handling and processing fee paid to the City as determined by the City.

This requirement is not applicable since no fee has yet been adopted by the City of Dublin.

VIII. DEVELOPMENT INVESTMENT: Please provide evidence that demonstrates that at least \$50 million will be invested in development and construction in the CED's area.

The Scioto East CED includes several major public infrastructure projects and private redevelopment projects which are currently underway. The table, provided in Exhibit F, lists the summary of these planned financial investments, both from public and private sector. All investment amounts listed are referenced from City of Dublin CIP (Ord. 54-15) and economic development agreement between City of Dublin and project developers (Ord. 44-15).

ADDITIONAL BACKGROUND INFORMATION REGARDING THE LIQUOR PERMITS THAT MAY BE CONSIDERED BY THE DIVISION OF LIQUOR CONTROL IF A CED IS APPROVED BY DUBLIN CITY COUNCIL:

Issuance of Permits: A "D-5j" liquor permit may be issued to the owner or operator of a retail food establishment or a food service operation licensed under the Ohio Revised Code to sell beer and intoxicating liquor at retail, only by the individual drink and glass and from the container; for consumption on the premises where sold, and to sell beer and wine in the appropriate container and amounts not for consumption on the premises as set for in the Ohio Revised Code. (O.R.C. §4303.181(J))

Following the designation of CED in the City of Dublin as a Community Entertainment District, each individual application of any owner or operator for a "D-5j" liquor permit within the Community Entertainment District must still be approved pursuant to Ohio Revised Code and the rules and regulations of the Ohio Division of Liquor Control. In addition, any proposed use for any owner or operator for a "D-5j" liquor permit within the Community Entertainment District must comply with the City's current zoning for the applicable property and any restriction of record in Franklin County, Ohio affecting the applicable property.

Ohio Revised Code 4303.181(J): The D-5j permit shall be issued only within a community entertainment district that is designated under section 4301.80 of the Revised Code. The permit shall not be issued to a community entertainment district that is designated under divisions (B) and (C) of section 4301.80 of the Revised Code if the district does not meet one of the following qualifications:

- (1) It is located in a municipal corporation with a population of at least one hundred thousand.
- (2) It is located in a municipal corporation with a population of at least twenty thousand, and either of the following applies:
 - (a) It contains an amusement park the rides of which have been issued a permit by the department of agriculture under Chapter 1711. of the Revised Code.
 - (b) Not less than fifty million dollars will be invested in development and construction in the community entertainment district's area located in the municipal corporation.
- (3) It is located in a township with a population of at least forty thousand.
- (4) It is located in a township with a population of at least twenty thousand, and not less than seventy million dollars will be invested in development and construction in the community entertainment district's area located in the township.
- (5) It is located in a municipal corporation with a population between ten thousand and twenty thousand, and both of the following apply:
 - (a) The municipal corporation was incorporated as a village prior to calendar year 1860 and currently has a historic downtown business district.
 - (b) The municipal corporation is located in the same county as another municipal corporation with at least one community entertainment district.
- (6) It is located in a municipal corporation with a population of at least ten thousand, and not less than seventy million dollars will be invested in development and construction in the community entertainment district's area located in the municipal corporation.
- (7) It is located in a municipal corporation with a population of at least five thousand, and not less than one hundred million dollars will be invested in development and construction in the community entertainment district's area located in the municipal corporation.

The location of a D-5j permit may be transferred only within the geographic boundaries of the community entertainment district in which it was issued and shall not be transferred outside the geographic boundaries of that district.

Not more than one D-5j permit shall be issued within each community entertainment district for each five acres of land located within the district. Not more than fifteen D-5j permits may be issued within a single community entertainment district. Except as otherwise provided in division (J)(4) of this section, no quota restrictions shall be placed upon the number of D-5j permits that may be issued.

The fee for a D-5j permit is two thousand three hundred forty-four dollars.

FOR CITY USE ONLY

In accordance with the provisions contained in the Ohio Revised Code Section 4301.80(C), the Mayor of the City of Dublin recommends that this action be:

Approved

Disapproved

Mayor's Signature

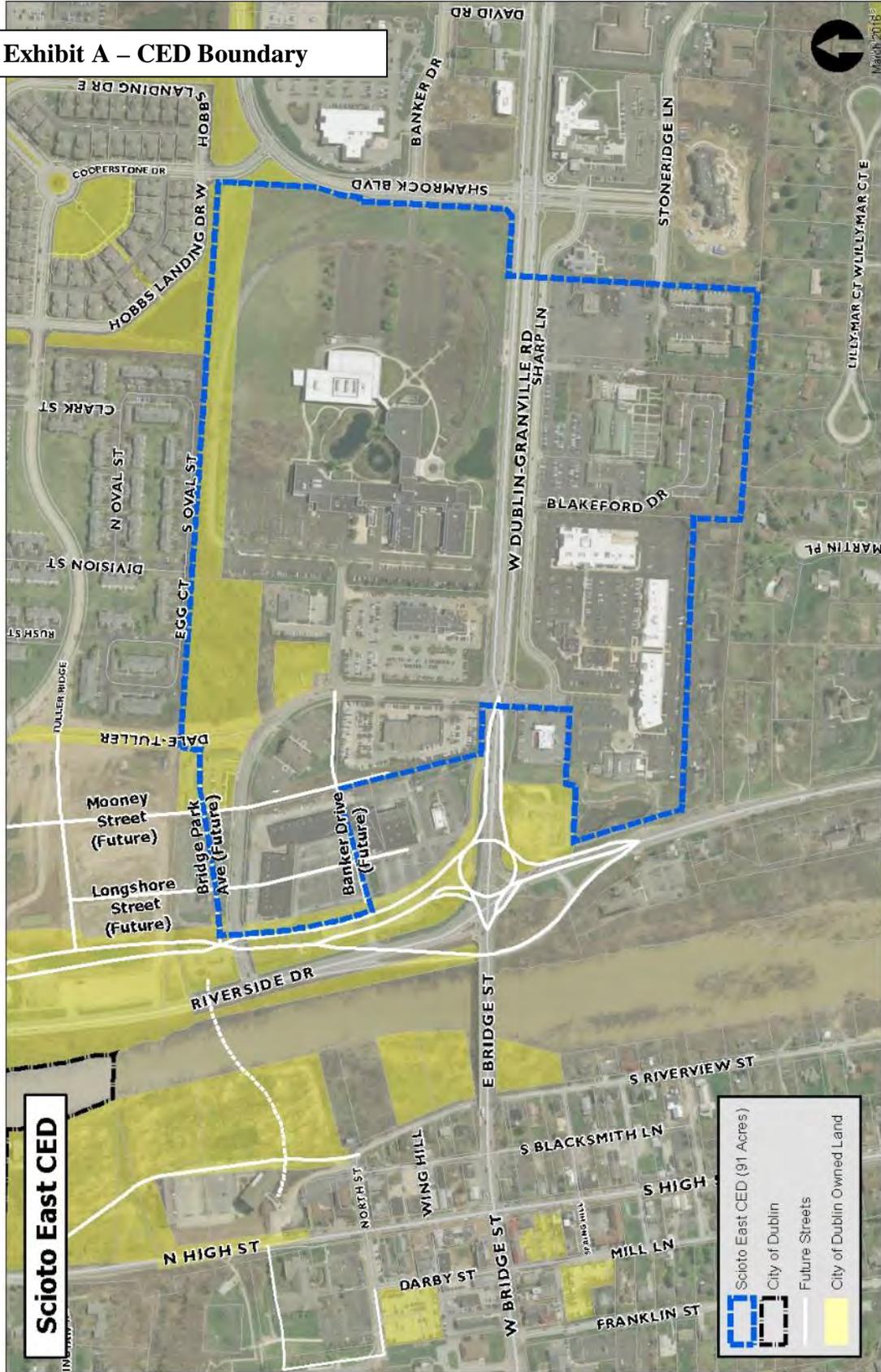
4/5/16

Date

Resolution No.

Date

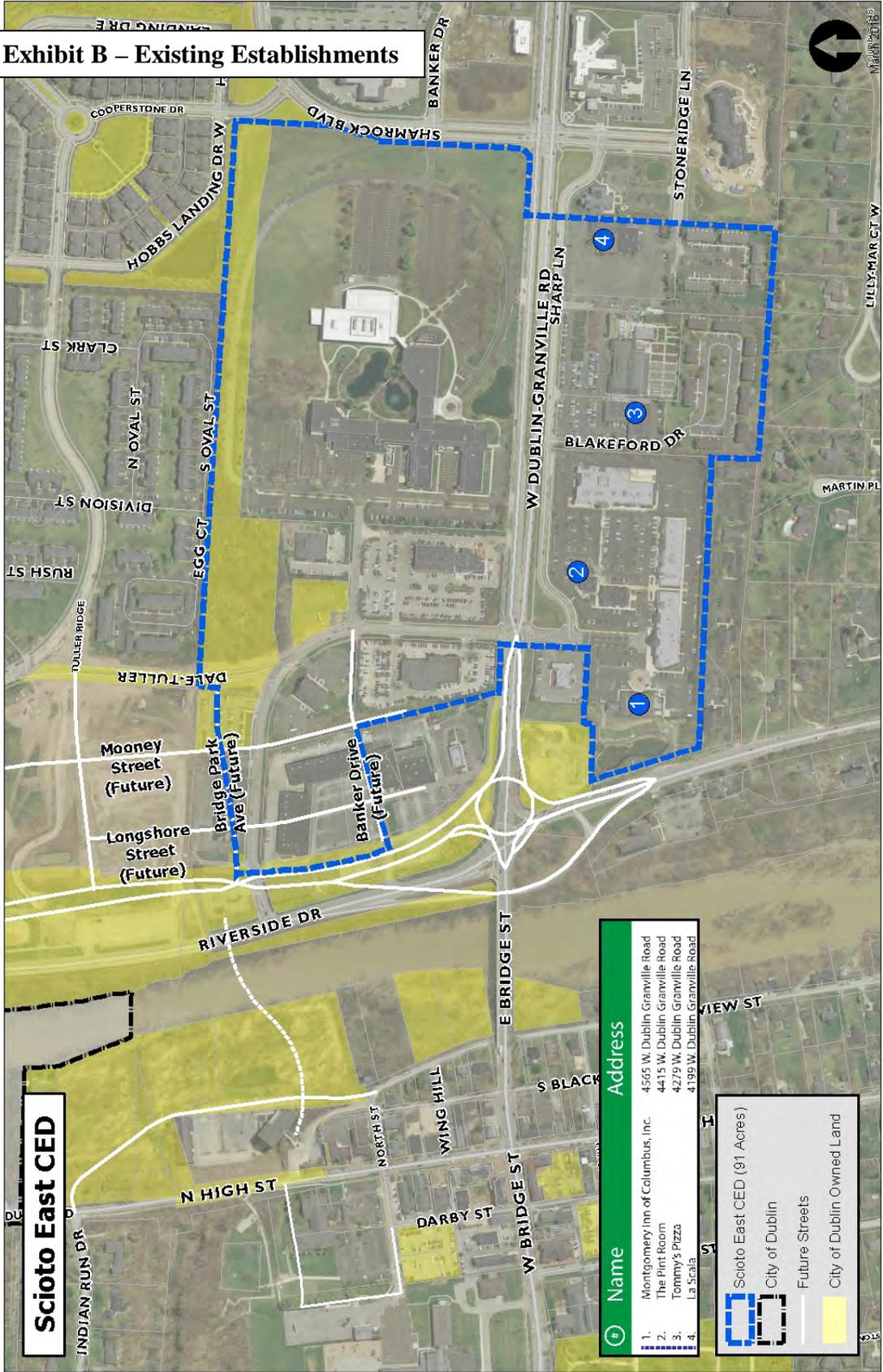
Exhibit A – CED Boundary



Scioto East CED

- Scioto East CED (91 Acres)
- City of Dublin
- Future Streets
- City of Dublin Owned Land

Exhibit B – Existing Establishments

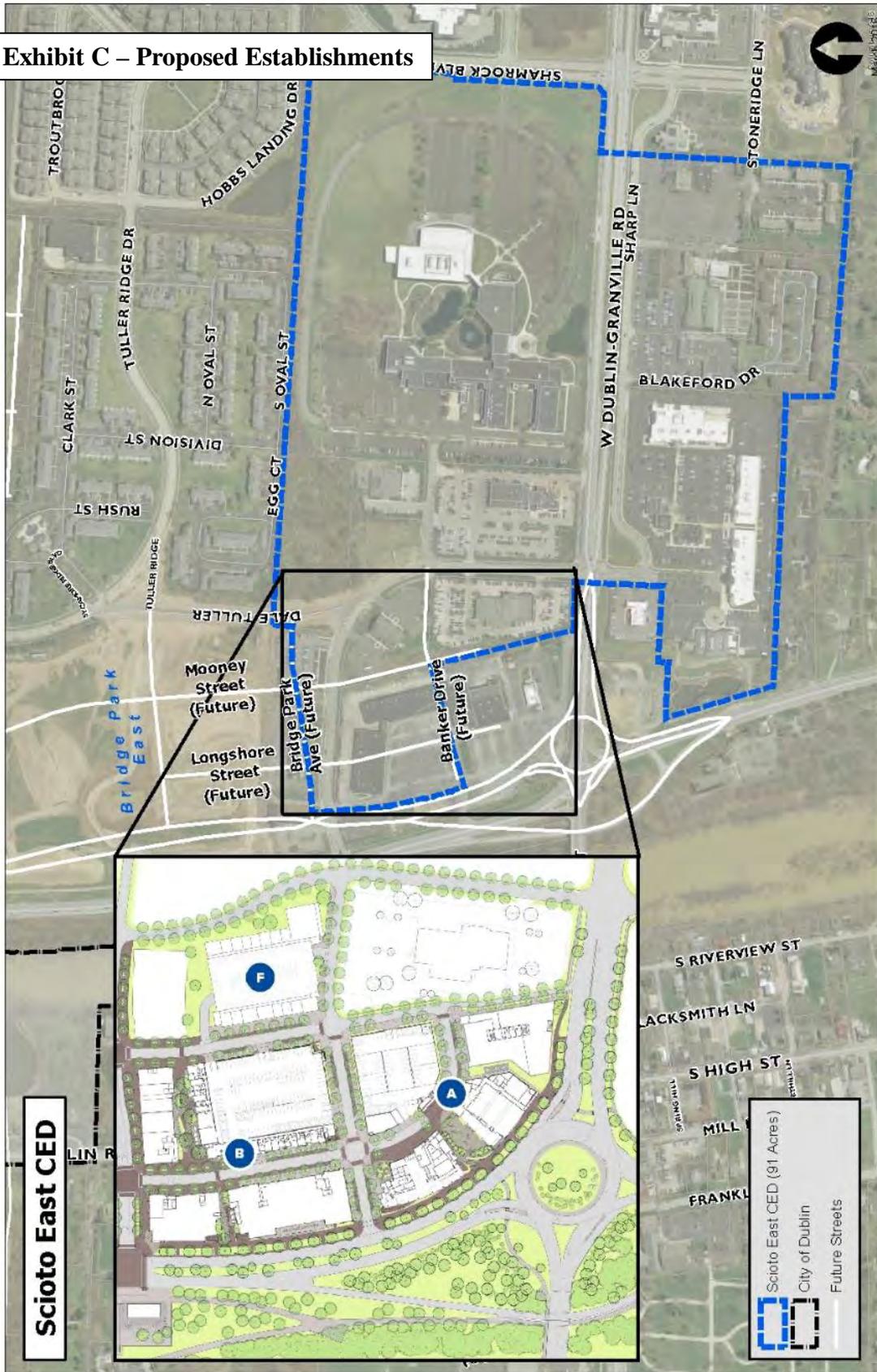


Scioto East CED

Name	Address
1. Montgomery Inn of Columbus, Inc.	4565 W. Dublin Granville Road
2. The Pint Room	4415 W. Dublin Granville Road
3. Tommy's Pizza	4279 W. Dublin Granville Road
4. La Scala	4195 W. Dublin Granville Road

- Scioto East CED (81 Acres)
- City of Dublin
- Future Streets
- City of Dublin Owned Land

Exhibit C – Proposed Establishments



Bridge Park East (Phase I) Development Program – Exhibit C

Bridge Park- A		Bridge Park- B		Bridge Park- C		Bridge Park- D	
Use	Sq-Ft/Amt	Use	Sq-Ft/Amt	Use	Sq-Ft/ Amt	Use	Sq-Ft/ Amt
Hotel	107,043	Office	47,000	Office	91,000	Grocery	NA
Conference Center	19,104	Retail	15,000	Retail	6,000	Retail	NA
Future Building	NA	Restaurant	40,000	Restaurant	41,000	Town houses	NA
Parking	468 spaces	Apartments	228 units	Apartments	154 units	Apartments	NA
		Parking	850 spaces	Parking	879 spaces	Parking	NA
Dec 2015 – June 2017		Oct 2015 – Mar 2017		July 2015 – Oct 2016		NA	

Exhibit D – Land Use Classifications

The proposed Scioto East CED is located at the economic heart of the community, including perhaps the most critical planning district in the city known as the “Bridge Street District”. The city’s Community Plan and “Bridge Street District Special Area Plan” establish the future vision for this area and form the framework within which all City development decisions are made. As part of the implementation, the Bridge Street District form based zoning regulations were adopted to reflect the goals and design principles articulated in the special area plan.

The Bridge Street District Plan’s purpose is to envision a future for this critical part of Dublin that takes full advantage of the area’s assets, puts forth a more sustainable pattern for future development, and capitalizes on emerging market opportunities over the next several decades. Economic conditions have created a unique opportunity to explore new avenues of preservation and growth in this important business neighborhood, which contains assets like Historic Dublin and the Scioto River, as well as some of the City’s most strategic redevelopment opportunities. The Bridge Street District already has a strong foundation, with redevelopment providing vital support to the City’s economy, sustainability, and continued high quality of life over the decades to come.

The Bridge Street District Plan is intended to establish a vision for the transformation of underutilized land in the city’s core into just this sort of environment—creating value for the community while continuing to enhance Dublin’s overall economic strength and quality of life.

The Bridge Street Special Area Plan future land use recommendation for the area within Scioto East CED is “Mixed Use Urban Core”. This classification is intended to accommodate a strong mixture of uses in an active, highly walkable environment. A variety of building types ranging in height from two to seven stories may incorporate commercial, residential and institutional uses in various combinations. Buildings are located close to public sidewalks and parking is accommodated through a mixture of on-street spaces, building-integrated facilities, strategically-located surface lots and stand-alone parking structures. This classification allows for the widest mixture of uses and highest development densities within the City. (Exhibit D – Future Land Use Map)

The Bridge Street District (BSD) form based zoning regulations reflect the Bridge Street District special area plan vision. The Bridge Street District zoning districts are intended to bring to life the five Bridge Street District Vision Principles by enhancing economic vitality; integrating the new center into community life; embracing Dublin’s natural setting and celebrating a commitment to environmental sustainability; expanding the range of choices available to Dublin and the region; and creating places that embody Dublin’s commitment to community.

More specifically, the purpose of the Bridge Street District zoning districts is to promote development that creates an emerging center for urban lifestyles within a walkable, mixed-

use urban environment that will enhance central Dublin's image as an exceptional location for high quality business investment. These districts are further intended to create places that embody Dublin's commitment to community through the preservation of those areas having architectural landmarks and traditional design, creating complete neighborhoods, and providing designs that honor human scale in their details.

The Zoning Classifications within the Scioto East CED include-

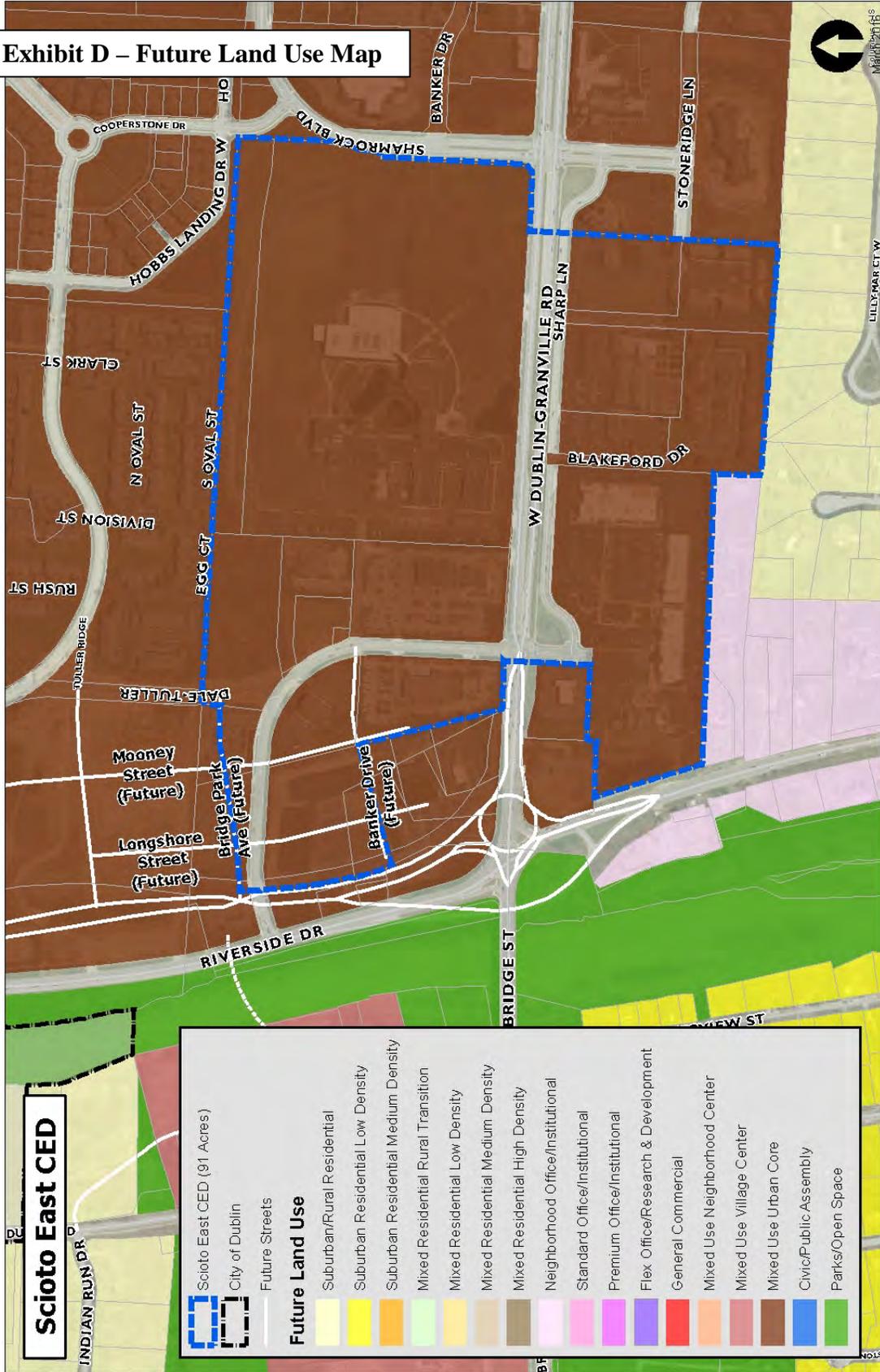
BSD - Office: The intent of this district is to accommodate a mix of offices and retail support uses. This district provides significant additional development capacity and redevelopment opportunities that foster office uses with a walkable design along signature streets, and provides increased accessibility and improved roadway network to ease traffic pressure along major roadways.

BSD - Residential: The intent of this district is to accommodate single-family, two-family, townhouse, live-work, and multiple-family uses in a mid-rise development. This district integrates existing and new residential developments to create true neighborhoods and add to the population base needed to help support nearby retail and office development.

BSD - Scioto River Neighborhood: The standards of the BSD Scioto River Neighborhood are intended to create an active, walkable destination through integration of a vibrant mix of uses. Development in this district is oriented toward the Scioto River and the public spaces along the riverfront, and includes important vehicular and bicycle links to adjacent neighborhoods and open spaces. This district accommodates a wide variety of building types and permitted uses. Development of the BSD Scioto River Neighborhood area establishes a walkable, mixed-use core as the center of the Bridge Street District.

BSD - Commercial: This district applies generally to existing retail centers and other low-rise commercial uses, including single use freestanding retail buildings. Properties initially zoned into this district may be eligible for rezoning to the BSD Vertical Mixed Use District or to other surrounding BSD zoning districts when future redevelopment to higher densities is desired. (Exhibit D – Zoning Map)

Exhibit D – Future Land Use Map



Scioto East CED

Scioto East CED (91 Acres)

City of Dublin

Future Streets

Future Land Use

- Suburban/Rural Residential
- Suburban Residential Low Density
- Suburban Residential Medium Density
- Mixed Residential Rural Transition
- Mixed Residential Low Density
- Mixed Residential Medium Density
- Mixed Residential High Density
- Neighborhood Office/Institutional
- Standard Office/Institutional
- Premium Office/Institutional
- Flex Office/Research & Development
- General Commercial
- Mixed Use Neighborhood Center
- Mixed Use Village Center
- Mixed Use Urban Core
- Civic/Public Assembly
- Parks/Open Space

Exhibit D – Zoning Map

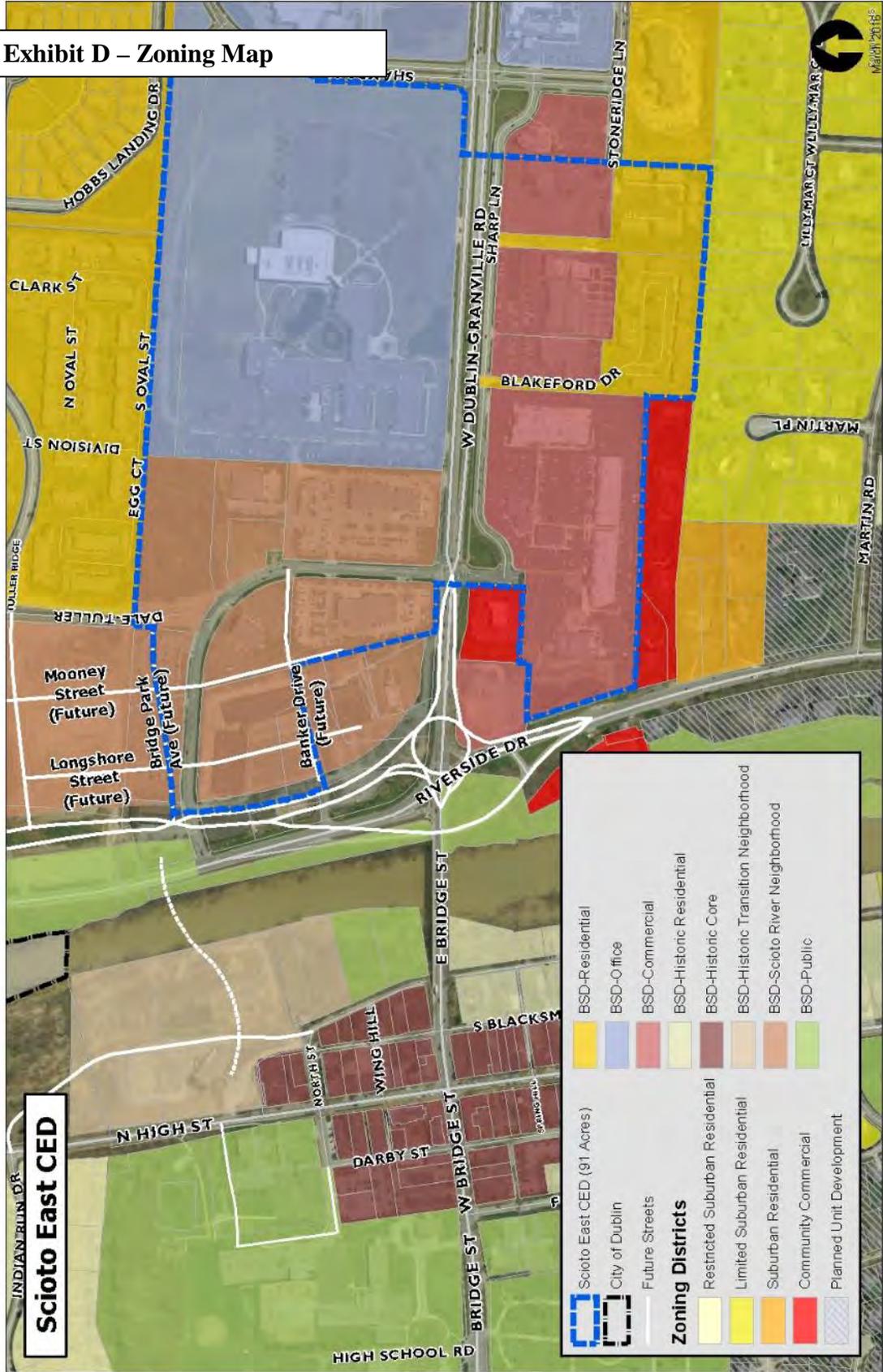


Exhibit E – Boundary Area

Engineering

5800 Shier Rings Road
Dublin, Ohio 43016

phone 614.410.4600

www.dublinohiousa.gov

To Whom It May Concern:

The undersigned C. Aaron Stanford, a professional engineer registered and practicing in the State of Ohio has reviewed the current zoning map associated with the Scioto East CED located in Dublin, Ohio.

The area of the proposed Scioto East CED is to include the area as illustrated on the attached Exhibit A. Based upon review and calculations from available GIS shapefiles and parcel boundaries I have determined the area of the community entertainment district to be greater than 20 acres. The community entertainment district is approximately 91.0 acres.

Sincerely,



C. Aaron Stanford, P.E. 68747 State of Ohio
Senior Civil Engineer

Cc:Paul A. Hammersmith, P.E., Director of Engineering/City Engineer
Project File

0127206.0607929 4834-3645-0602v1

Exhibit F – Development Investment

Planned Investments 2016-2026			
	Type	Project	Scioto East CED (Millions)
1	Public	Bridge Park Phase I Internal Roadways	\$3.40
2	Public	Bridge Park Phase I Parking Structures	\$16.00
3	Private	Bridge Park East Block B	\$58.00
		TOTAL	\$77.40

