



**To:** Members of Dublin City Council

**From:** Dana L. McDaniel, City Manager 

**Date:** May 19, 2016

**Initiated By:** Megan D. O'Callaghan, PE, Director of Public Works  
Vince Papsidero, FAICP, Director of Planning  
Paul A. Hammersmith, PE, Director of Engineering/City Engineer  
Jean-Ellen M. Willis, PE, Engineering Manager – Transportation

**Re: Resolution 26-16 - Supporting the Attributable Funding Commitment for the Tuttle Crossing Boulevard Extension and Avery Road Widening by the Mid-Ohio Regional Planning Commission (MORPC) - Follow-Up Information**

## Background

For the May 9, 2016 Council Meeting, staff prepared and submitted a report recommending City Council adopt the subject resolution (see attached). During the meeting, City Council raised several questions regarding the project and requested additional information. This staff report contains the following information:

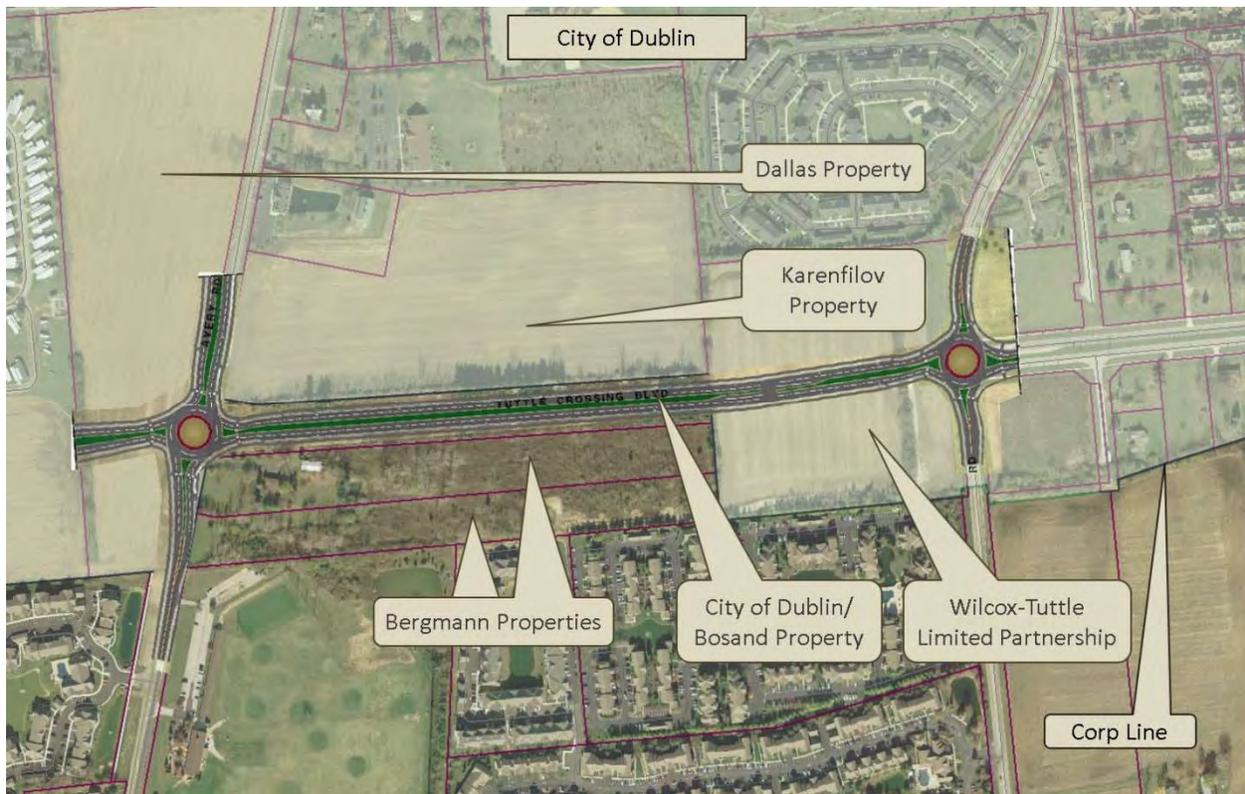
- the alignment of the proposed Tuttle Crossing Boulevard Extension relative to the Dublin Corporation Limit and adjacent property owners,
- buffering opportunities available with the proposed Tuttle Crossing Boulevard Extension alignment,
- an update on recent development activities in the area,
- the status of the Hayden Run Boulevard/Riggins Road Connection project,
- funding and Columbus' Pay as You Grow initiative, and
- excerpts of City Council meeting minutes when the Tuttle Crossing Boulevard Extension was previously discussed.

The proposed Tuttle Crossing Boulevard Extension from Wilcox Road to Avery Road, and the Avery Road widening from Dublin's southern corporation limit to the Rings Road west intersection, is a project important to both Dublin and the region. Included in Dublin's Community Plan, the Tuttle Crossing Boulevard Extension project provides a much needed east-west link in the City's transportation system, as well as dedicated bike and pedestrian ways along both Avery Road and Tuttle Crossing Boulevard. Providing direct access to the interstate system and increasing capacity on Avery Road will improve driving conditions in the southwest portion of the City and neighboring portions of the region. The awarded \$7 million of grant funds will become available to this project in mid-2018. According to the most current project schedule, construction is planned to begin in the spring of 2019.

## Proposed Tuttle Crossing Boulevard Extension Alignment

As Figure 1, on page 2 shows, Tuttle Crossing Boulevard is planned to extend through the property owned by the Wilcox-Tuttle Limited Partnership and on property owned by Dublin, formerly known

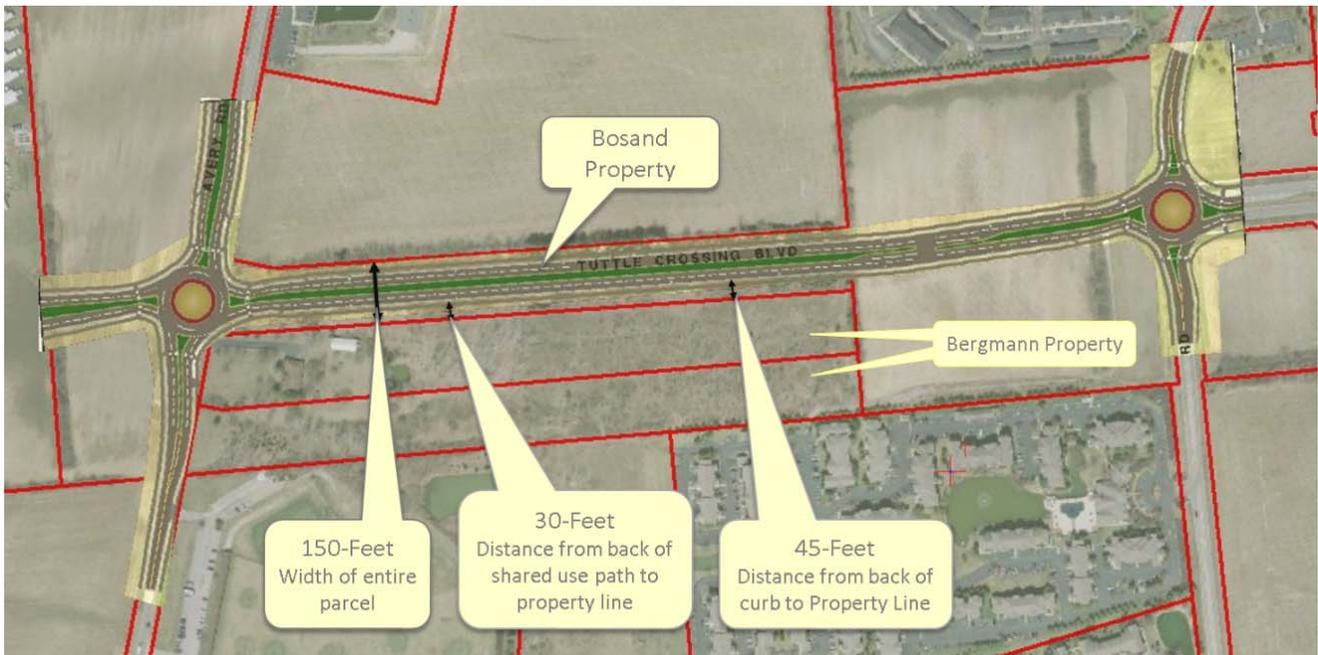
as the Bosand property. This property is flanked by two long and narrow parcels to the south, both owned by the Bergmann family. To the north, the adjacent parcel is owned by the Karenfilov family, while on the west side of Avery Road, the largest of the nearby parcels, is owned by the Dallas family. Figure 1 also illustrates the location of Dublin's corporation limit, which follows the southern and western property lines of the Wilcox-Tuttle Limited Partnership parcel and then extends west along the southern property line of the Karenfilov property. Once at Avery Road, the corporation limit then extends south along the eastern right-of-way of Avery Road to the southern property line of the Bergmann properties, and then crosses Avery Road to the west.



*Figure 1: Tuttle Crossing Boulevard indicating Properties and Corporation Limit*

### **Buffering Opportunities**

Recognizing the importance of providing a buffer between Tuttle Crossing Boulevard and adjacent land uses to the south, while minimizing right-of-way costs and property impacts, the planned roadway is placed on the 150-foot wide "Bosand" piece so that there is forty-five-feet (45) of land between the curb line and the southern property line, as shown on Figure 2. This was done so that Dublin could influence development buffering and access to the roadway. If further influence is desired for access and adjacent land uses, there could be two options. The first option could be to pursue a boundary adjustment so that the "Bosand" property would be entirely located within Dublin. The second option could be to pursue purchasing the Bergmann properties on the south side of the proposed Tuttle Crossing Boulevard extension to ensure the adjacent land uses are compatible with those already in the surrounding area of Dublin. Both of these options could be explored as design of the project progresses and prior to the start of construction.



*Figure 2: Tuttle Crossing Boulevard Alignment on Bosand Property*

### **Development Considerations**

Now that the new administration is in place in Columbus, staff has been reaching out to their Development staff, and in particular Mike Schadek, the new Assistant Director of Development. The new administration has redefined the duties and responsibilities of this position to focus on cooperation and partnering with the surrounding communities and suburbs. As a result, this may present another opportunity to revisit and update the Hayden Run Corridor Plan with Columbus. Appropriate timing of such an update could be in 2018 prior to bidding the Tuttle Crossing Boulevard Extension project which would be consistent with Dublin Planning staff current workloads and other initiatives. Columbus Planning staff has similar workload and resource constraints, so it is important that we negotiate a project schedule suitable to both parties – if Council desires this as a priority for 2018-2019.

Several developments have been proposed and/or approved recently along Avery Road. South of Rings Road there are seven known developments at various stages of review and approval. Five of the seven developments are in the City of Columbus and two are in the City of Dublin. The site locations are shown in Figure 3.

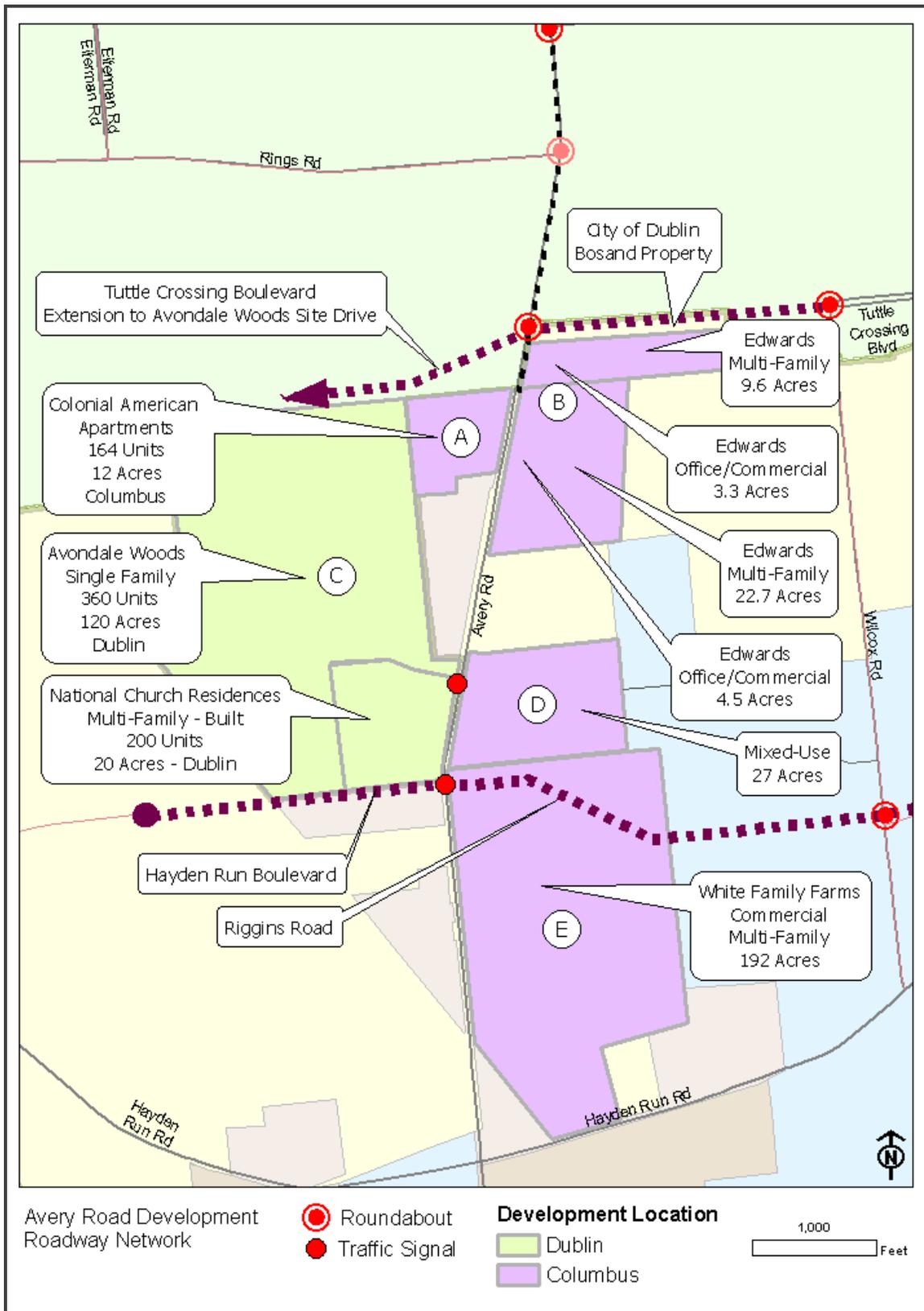


Figure 3: Development Summary Map

All seven of the proposed sites are at various stages of review and approval. The zoning status, as presently known, is summarized for each project and corresponds to Figure 3.

**A. Avery Brooke Apartments - Columbus:** The apartment site has finished construction. Right and left turn lanes have been constructed on Avery Road for this project as well. This land use is less intense from a traffic standpoint than the office use presented in the Hayden Run Corridor Plan. At the time of rezoning, Columbus staff supported the multi-family proposal given the weakness of the suburban office market and the lack of connectivity to I-270.

**B. Edwards Office/Commercial and Edwards Multi-Family - Columbus:** This most recent development proposal for the Bergmann properties and the Ar Associates property, which is where the Ables Golf driving range is located, was submitted to Columbus for their consideration in March 2016. The proposal for the Bergmann properties includes 3.3 acres dedicated for office/commercial uses, which would be located at the western portion of the site, and the remaining 9.6 acres dedicated for 200 multi-family units. Figure 4 below shows how the site is proposed to be used.

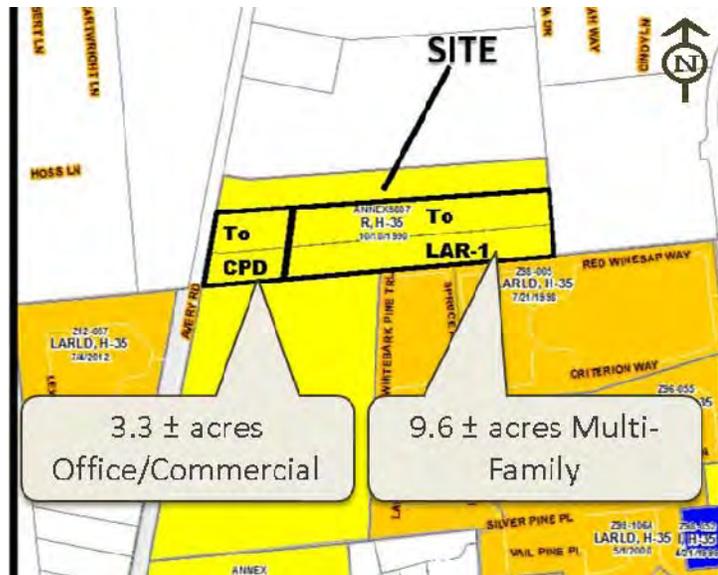


Figure 4: Bergmann Properties with Proposed Uses

The proposal for the Ar Associates property includes 4.5 acres centered along the Avery Road frontage dedicated for office/commercial uses and the remaining 22.7 acres dedicated for 824 multi-family units. Figure 5 on the next page shows how the site is proposed to be used.

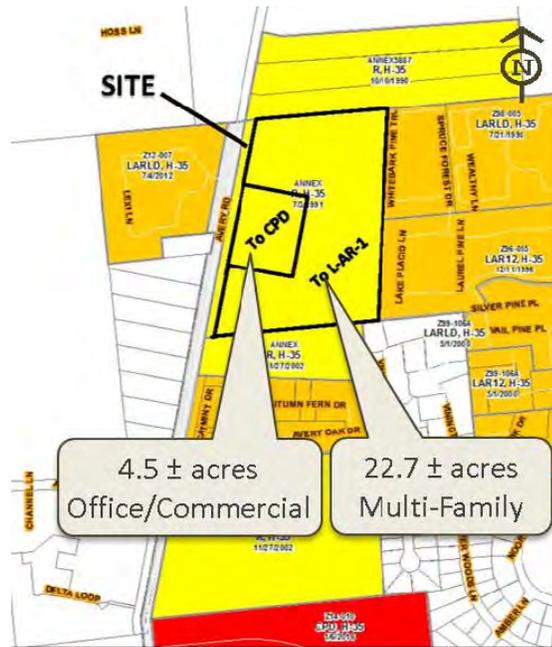


Figure 5: Ar Associates Property with Proposed Uses

Columbus has already coordinated with Dublin regarding access to Tuttle Crossing Boulevard for the northern proposal. During the meeting with Columbus and the developer, it was explained that one full access point would be permitted on Tuttle Crossing Boulevard at the common property line at the eastern end of the Bergmann property, while the potential for a right-in/right-out between Avery Road and the full access point could be explored. This location is consistent with the Southwest Area Special Area Plan and the Community Plan.

Traffic studies and access issues are currently being analyzed by the developer and will be submitted to Columbus for their review, but has not been submitted to date. At that time, staff expects that Columbus will share the information with Dublin and request comments. Staff will continue to coordinate with Columbus as these projects progress.

C. **Avondale Woods - Dublin:** The Avondale Woods/Homewood site includes a mix of multi-family and single family homes, for a total of 360 units. Dublin staff coordinated the Traffic Impact Study review with Columbus, Hilliard, and Franklin County. Dublin staff has worked to develop a list of conditions to mitigate traffic impacts for this development, which follow:

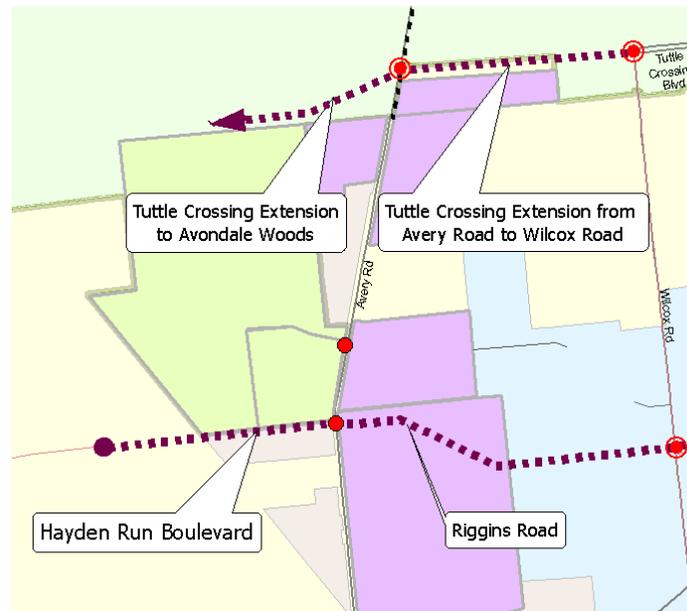
- Restrict development to 126 units until the second access point from the north end of the site to Avery Road is complete.
- Restrict development to 185 units until at least one regional connection is in place between Avery Road and Emerald Parkway/Britton Parkway. Once either Tuttle Crossing Boulevard or Hayden Run Boulevard makes this connection, the cap is lifted.

- The developer is responsible for the connection extending south between the north end of the site and the new alignment of Tuttle Crossing Boulevard.
- Developer responsible to contribute \$55,000 to the Tuttle Crossing Extension project, based on the long-term traffic projections for Tuttle Crossing Boulevard west of Avery Road.
- Developer responsible to install traffic signal at Avery Road and Avondale Woods Boulevard as soon as Columbus allows.
- Developer responsible to contribute \$492,800 to the Avery Road widening in Dublin including the Avery Road roundabouts at Rings Road /Cara Road and Tuttle Crossing Boulevard, and the extension of Tuttle Crossing Boulevard between Wilcox Road and Avery Road.

*D. Columbus Mixed Use - Columbus:* The Columbus mixed use proposal includes about eight (8) acres (about 80,000 SF) of non-regional retail on the west edge of the site along Avery Road, and apartment units on the remaining 20 acres in the eastern portion of the site. It appears that this land use is consistent with the adopted Hayden Run Corridor Plan. Again, Columbus coordinated the Traffic Impact Study review with Dublin, Hilliard, and Franklin County. Staff has confirmed with Columbus that this developer is no longer pursuing this project.

*E. White Family Farms - Columbus:* The White Family Farms development was rezoned in December 2015. It includes about forty-four (44) acres of commercial in the northern portion of the site and about fifty-seven (57) acres allowing 915 multi-family units to the south. Approximately eight (8) acres of park land dedication is included to the north of the Hayden Run, and another six (6) acres of rural zoning is included to the south of the Hayden Run. The original zoning proposal submitted to Columbus called for several thousand multi-family units and more extensive retail development. Again, Columbus engaged Dublin, Hilliard and Franklin County to coordinate the Traffic Impact Study scope and review.

## Hayden Run Boulevard/Riggins Road Connection Project Status



*Figure 6: Hayden Run Boulevard/Riggins Road Alignment*

In addition to Tuttle Crossing Boulevard, another critical east-west link through this area is the Hayden Run Boulevard/Riggins Road extension. Figure 6 above shows the location of the roadway from its existing terminus to the west of the CSX railroad tracks, across Avery Road, through the White Family Farms development, and terminating at Wilcox Road. Riggins Road then exists east from Wilcox Road and connects with Britton Parkway in Hilliard.

Columbus has nearly completed construction drawings for the section of Hayden Run Boulevard that will span the CSX Rail Road and connect to Avery Road. Construction of this final western link is expected in 2016. Major right-of-way acquisition has been completed, with possibly only small takes needed on Avery Road.

Franklin County, Hilliard, and Columbus have worked together to complete the detailed design for the eastern segment of Hayden Run Boulevard connecting Avery Road eastward to Wilcox Road. This portion of the roadway is ready for construction and bids were publicly opened on May 5, 2016. The apparent low bidder at \$7,657,104.31, is George J. Igel, & Co., Inc., which is 13.3 percent lower than the engineer's estimate of \$8,831,807.70, and is expected to be awarded on May 31, 2016. Construction includes building Riggins Road from Wilcox Road west approximately 0.65 miles to Avery Road, including a roundabout at Wilcox Road and Riggins Road, asphalt pavement, curb and gutter, shared-use path, water line extension, sanitary sewers, street lighting, traffic control, storm sewers and offsite storm sewers and BMP's.

### Funding

The current construction cost estimate for the Tuttle Crossing Boulevard extension project is \$12,054,000. Total project costs, including design, landscaping, utility relocation and acquisition are estimated to be \$15,815,000. Several sources of funding for this project have been identified. The table below outlines known contributions to date.

<b>Funding Source</b>	<b>Amount</b>
MORPC Attributable Funds	\$7,000,000
Columbus Pay as You Grow	\$2,800,000
Avondale Infrastructure Agreement	\$492,800
Total	\$10,292,800

Given the funding identified from outside sources in the table above, the amount of needed funding from Dublin to construct this project is estimated to be \$1,761,200. It is expected that Dublin's total financial contribution to the project will be \$5,522,200. To date, Dublin has invested \$534,944.19 in project development costs, including design, environmental work, noise analysis, and project coordination. The project is funded through service payments from the Rings/Frantz TIF, and an advance of income tax from the General Fund.

Because this project serves not only Dublin residents, but also the larger region, the project was awarded \$7 million for construction through the MORPC Attributable Funding program. This recognizes that Dublin should not be solely responsible for the construction cost, but it should be shared across the region, for this important roadway link.

In addition, the Northwest Memorandum of Understanding (MOU), signed by the City of Columbus, Franklin County Engineer's Office, and several developers was entered into in 2004. A copy of the signed MOU is attached for your reference. As part of that agreement, the Tuttle Crossing Boulevard Extension project was included and partially funded for construction via the TIF created for this area. The dollar value identified for construction is \$2,800,000. Conversations with Columbus staff confirm that this amount of funding will be available to Dublin when the TIF balance is sufficient to support the expenditure.

### **Meeting Minutes**

City Council requested copies of the meeting minutes from previous Council Meetings when the Tuttle Crossing Boulevard extension has been discussed. Minutes from previous meetings dated from 1999 to 2014 are attached for your reference.

### **Recommendation**

Staff continues to recommend adoption of Resolution 26-16 supporting the Mid-Ohio Regional Planning Commission Attributable Funding commitment recognizing the importance of this transportation improvement to Dublin and the surrounding region. It is important that Dublin retain this significant funding award so long as the Tuttle Crossing Boulevard continues to be a planned improvement as it may not be possible to re-secure the funds once relinquished. Staff will continue to collaborate with Columbus to influence access and adjacent land uses along the proposed Tuttle Crossing Boulevard Extension. As design continues to advance, there will be future opportunities for City Council to cancel the project should they desire to do so. It is anticipated staff will bring forward legislation authorizing the acquisition of additional right of way in 2017 as well as legislation authorizing the bid acceptance in the spring of 2019.

# RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc., Form No. 30045

Resolution No. 26-16 Passed \_\_\_\_\_, 20\_\_\_\_

**A RESOLUTION SUPPORTING THE ATTRIBUTABLE FUNDING COMMITMENT FOR THE TUTTLE CROSSING BOULEVARD EXTENSION AND AVERY ROAD WIDENING BY THE MID-OHIO REGIONAL PLANNING COMMISSION (MORPC)**

**WHEREAS**, the extension of Tuttle Crossing Boulevard between Wilcox Road and Avery Road, and the widening of Avery Road between Dublin's southern corporation limit and Rings Road West is included in the Community Plan; and

**WHEREAS**, this project provides a much needed east-west link in the City's transportation system; and

**WHEREAS**, the project provides dedicated bike and pedestrian ways along both Avery Road and Tuttle Crossing Boulevard; and

**WHEREAS**, providing direct access to the interstate system and increasing capacity on Avery Road will improve driving conditions in the southwest portion of the City and neighboring portions of the region.

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

**Section 1.** Dublin City Council supports the existing Attributable Funds commitment from the Mid-Ohio Regional Planning Commission (MORPC) to assist in the construction of the extension of Tuttle Crossing Boulevard and the widening of Avery Road project.

**Section 2.** Dublin City Council is committed to securing the additional local funding needed to complete the project.

**Section 3.** This Resolution shall be effective upon passage in accordance with Section 4.04(a) of the Revised Charter.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

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

ATTEST:

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

# MEMORANDUM OF UNDERSTANDING

This Agreement entered into as of the 22<sup>nd</sup> day of November, 2004 is by and among the City of Columbus, Ohio, a body corporate and politic, ("Columbus"), the Franklin County Engineer, M/I Homes of Central Ohio, LLC, an Ohio limited liability company ("M/I"), Dominion Homes, Inc., an Ohio corporation ("Dominion"), Huntington Tower Associates, LLC, an Ohio limited liability company ("Huntington") and Lifestyle Communities Ltd., an Ohio limited liability company ("Lifestyle") (M/I, Dominion, Huntington and Lifestyle are sometimes hereinafter individually referred to as a "Developer" and collectively as the "Developers").

## BACKGROUND INFORMATION

Huntington is the owner or has the right to purchase the property depicted and described in Exhibit "A" as the "Huntington Property". An affiliate of Lifestyle is the owner or has the right to acquire the property depicted and described in Exhibit "A" as the "Lifestyle Property". Dominion is the owner or has the right to purchase the property depicted and described in Exhibit "A" as the "Dominion Property". M/I is the owner of the property depicted and described in Exhibit "A" as the "M/I Property".

The Huntington Property, the Lifestyle Property, the Dominion Property and the M/I Property are all located within the Central Sub - Area of the Hayden Run Corridor Plan and these properties shall constitute the Hayden Run Community Development District (the "HRCDD") of the Hayden Run Community Development Authority (the "HRCDA") to be established pursuant to Section 3 herein.

Columbus has approved the rezoning of the Dominion Property, the M/I Property, the Lifestyle Property, and the Huntington Property (collectively referred to herein as the "Developers' Property"). The parties to this Agreement acknowledge and agree that the existing infrastructure conditions in the geographic area covered by the Hayden Run Corridor Plan require remediation through the completion of certain capital improvements that will benefit the entire northwest quadrant of Franklin County. The parties to this Agreement recognize that the size, mixed uses and density of the developments contemplated by the aforesaid rezonings present a unique opportunity for public and private participation in the funding and completion of infrastructure improvements that will benefit the geographic area covered by the Hayden Run Corridor Plan and the entire northwest quadrant of Franklin County. Accordingly, in the spirit of the developing "Pay as We Grow and Grow with a Plan" policy of Columbus, the parties have entered into this Agreement.

## STATEMENT OF AGREEMENT

In consideration of their mutual obligations set forth in this Agreement, the parties hereto, intending to be legally bound, covenant and agree as follows:  
Section 1. Payments by Developers.

Section 1.1. Dominion. If and only if Columbus fulfills its obligations under Section 8 of the Agreement: (i) on or before December 1, 2004, Dominion shall pay to Franklin County the sum of \$1,104,648; (ii) on or before March 1, 2005, Dominion shall pay to Columbus the sum of \$494,319, and to Franklin County the sum of \$750,000 (iii) on or before June 1, 2005, Dominion shall pay to Columbus the sum of \$329,239; (iv) on or before September 1, 2005, Dominion shall pay to Franklin County the sum of \$493,857; and (v) on or before December 1, 2007, Dominion shall pay to Columbus the sum of \$173,000. If Dominion fails to submit plans for review, Dominion is still obligated to make all the payments as listed in Section i, ii, iii, and iv. Contemporaneously with the issuance of a building permit for each residential unit to be constructed on the Dominion property, Dominion shall pay to Columbus, in addition to the above sums, and in addition to the standard fee for building permits, the sum of \$1,000.

Section 1.2 M/I. If and only if Columbus fulfills its obligations under Section 8 of the Agreement: (i) on or before December 1, 2004, M/I shall pay to Franklin County the sum of \$184,118; (ii) on or before March 1, 2005, M/I shall pay to Columbus the sum of \$207,276; (iii) on or before June 1, 2005, M/I shall pay to Columbus the sum of \$54,871; and (iv) on or before September 1, 2005, M/I shall pay to Franklin County the sum of \$82,306. If M/I fails to submit plans for review, M/I is still obligated to make all the payments as listed in Section i, ii, iii, and iv. Contemporaneously with the issuance of a building permit for each residential unit to be constructed on the M/I Property, M/I shall pay to Columbus, in addition to the above sums, and in addition to the standard fee for building permits, the sum of \$1,000. Notwithstanding the foregoing, except for the standard fee for building permits, no payment shall be required with respect to the first 169 residential building permits issued to M/I.

Section 1.3. Lifestyle. If and only if Columbus fulfills its obligations under Section 8 of the Agreement: (i) on or before December 1, 2004, Lifestyle shall pay to Franklin County the sum of \$116,730; (ii) on or before March 1, 2005, Lifestyle shall pay to Columbus the sum of \$131,476; (iii) on or before June 1, 2005, Lifestyle shall pay to Columbus the sum of \$34,679; and (iv) on or before September 1, 2005, Lifestyle shall pay to Franklin County the sum of \$52,181. If Lifestyle fails to submit plans for review, Lifestyle is still obligated to make all the payments as listed in Section i, ii, iii, and iv. Contemporaneously with the issuance of a building permit for each residential unit to be constructed on the Lifestyle property, Lifestyle shall pay to Columbus, in addition to the above sums, and in addition to the standard fee for building permits, the sum of \$1,000. Notwithstanding the foregoing, except for the standard fee for building permits, no payment shall be required with respect to the first 213 residential building permits issued to Lifestyle

Section 1.4. Huntington. If an only if Columbus fulfills its obligations under Section 8 of the Agreement: (i) on or before December 1, 2004, Huntington shall pay to Franklin County the sum of \$272,504; (ii) on or before March 1, 2005, Huntington shall pay to Columbus the sum of \$306,929; (iii) on or before June 1, 2005, Huntington shall pay to Columbus the sum of \$81,211; and (iv) on or before September 1, 2005,

Huntington shall pay to Franklin County the sum of \$121,656. If Huntington fails to submit plans for review, Huntington is still obligated to make all the payments as listed in Section i, ii, iii, and iv. Notwithstanding the foregoing, except for the standard fee for building permits, no payment shall be required with respect to the first 89 residential building permits issued to Huntington or its successors or assigns.

Section 1.5 Total Developer Contributions of \$8,000,000. The Developers will make a total contribution in the form of cash payments, permit fees and agreed dedicated land value in the amount of \$8,000,000. The total amount of cash payments made by the Developers pursuant to Sections 1.1, 1.2, 1.3 and 1.4 shall not exceed \$7,150,000 (inclusive of payments made with respect to residential building permits issued by Columbus to the Developers). The total amount of those payments made by the Developers with respect to residential building permits issued by the Columbus to the Developers shall not exceed \$2,159,000. In addition, the agreed value of land to be contributed for regional road improvements by the Developers pursuant to Section 2 of this Agreement is \$850,000.

Section 1.6. Late Payments. Subject to Section 6 hereof, for any amount due pursuant to this Section 1 that is paid after the due date thereof (a "Late Payment"), there shall be imposed on such Late Payment a penalty of ten percent (10%) thereof plus interest accruing from the due date to the actual payment date at a rate equal to the greater of: (A) the sum of (i) the "federal short term rate" determined pursuant to Section 5703.47(A) of the Ohio Revised Code, rounded to the nearest whole number percent, and (ii) three percent; or (B) eighteen percent (18%) per year (or the maximum rate permitted under Ohio's usury laws, whichever is lower). For purposes of this section, due date means ten (10) days after written notice of payment being past due is received by the particular Developer. Each Developer agrees that its occupancy permits may be withheld until payments all late payments owed by such Developer are made.

Section 2. Developers' Contribution of Land. The agreed value of land to be granted and conveyed to or at the direction of Columbus for the construction of regional road improvements is \$850,000. (The Developers will also be contributing to or at the direction of Columbus other land for local public roads in the interior of the projects on the Developers' Property. No value is being assigned by the parties to these land contributions.) The description and timing of land contributions for regional road improvements that shall be made to or at the direction of Columbus by the Developers in connection with the development of the Developers' Property, respectively, shall be as follows:

Section 2.1. Dominion. At any time directed by Columbus after the date of both (i) Columbus' final approval of the regulating plan and preliminary plat for the Dominion Property and (ii) Columbus' final approval of the final plat and construction plans for a first phase of land development Dominion shall grant and convey to or at the direction of Columbus by plat or general warranty deed, free and clear of any liens or encumbrances, all property owned by it which is required for the right of way of the Columbus

Improvements and Franklin County Improvements (as hereinafter defined) which property is generally depicted as the "Dominion ROW" on Exhibit "A" attached hereto.

Section 2.2. M/I. At any time directed by Columbus after the date of both (i) Columbus' final approval of the regulating plan and preliminary plat for the M/I Property and (ii) Columbus' final approval of the final plat and construction plans for a first phase of land development, M/I shall grant and convey to or at the direction of Columbus, by plat or general warranty deed, free and clear of any liens or encumbrances, all property owned by it which is required for the right of way of the Columbus Improvements and Franklin County Improvements which property is generally depicted as the "M/I ROW" on Exhibit "A" attached hereto.

Section 2.3. Huntington. At any time directed by Columbus after the date of both (i) Columbus' final approval of the regulating plan and preliminary plat for the Lifestyle Property and (ii) Columbus' final approval of the final plat and construction plans for a first phase of land development on the Lifestyle Property (or such later date directed by Columbus), Huntington shall grant and convey to or at the direction of Columbus by plat or general warranty deed, free and clear of any liens or encumbrances, all property owned by it which is required for the right of way of the Columbus Improvements and Franklin County Improvements which property is generally depicted as the "Huntington ROW" on Exhibit "A" attached hereto.

Section 2.4. Lifestyle. At any time directed by Columbus after the date of both (i) Columbus' final approval of the regulating plan and preliminary plat for the Lifestyle Property and (ii) Columbus' final approval of the final plat and construction plans for a first phase of land development on the Lifestyle Property (or such later date directed by Columbus), Lifestyle shall grant and convey to or at the direction of Columbus by plat or general warranty deed, free and clear of any liens or encumbrances, all property owned by it which is required for the right of way of the Columbus Improvements and Franklin County Improvements which property is generally depicted as the "Lifestyle ROW" on Exhibit "A" attached hereto.

Section 3. Community Development Authority. As soon as is practicable after the date hereof, the parties except for the County shall establish the HRCDD in accordance with Chapter 349 of the Ohio Revised Code. The HRCDA, established to manage the affairs of the HRCDD, shall consist of a board of trustees (the "Board") of seven members. The Board shall include one member appointed by M/I, one member appointed by Dominion, and one member appointed by Lifestyle. The remaining four will be appointed in accordance with Section 349.04 of the Ohio Revised Code.

Contemporaneously with or prior to the establishment of the HRCDD, the Developers shall encumber the respective portion of the Developers' Property, with a Declaration of Covenants and Restrictions for the HRCDD (the "HRCDD Covenants"). The HRCDD Covenants shall run with the land and shall require each current and future owner of all or any portion of the Developers' Property (including all future homeowners and commercial property owners) with the obligation to pay an annual Community

Development Charge (the "HRCDC"), as such term is defined in Section 349.01 of the Ohio Revised Code, to the HRCDA in an amount equal to 0.004 multiplied by the "Assessed Value" of such property for a period of 20 years commencing one year after the date of completion of the construction of the residential or commercial structures, (as evidenced by a Certificate of Occupancy), as the context requires, on such property. The "Assessed Value" of such property shall be the assessed value (35% of the full value of such property) of such property as established from time to time by the County Auditor of Franklin County as shown on the tax duplicate for such property.

The documents establishing the HRCDD, the HRCDA, the HRCDC, and the HRCDD Covenants shall specifically and irrevocably provide that (i) the HRCDC collected by the HRCDA shall be paid to or at the direction of Columbus, or to a trustee designated by Columbus, for the payment of capital improvements and associated operating and maintenance costs for public services (including, but not limited to, police, fire and refuse collection services) and community facilities to serve the residents and property in the HRCDD; (ii) Columbus shall have a first lien on the amount of the HRCDC collected as is necessary to pay debt service charges for any bonds or notes issued for any public improvements required by Sections 5 and 6 of this Agreement; (iii) the remainder of any amounts above those amounts necessary for the City Columbus to meet debt service charges as provided above in (i) and (ii) are available for the HRCDA to spend on such projects as it deems appropriate (strong consideration will be given to dedicating one half of all of the HRCDC collected by the HRCDA to capital improvement projects and operations costs for schools serving the residents of the HRCDD depending on land availability and acquisition costs, and coordination with the school district on their capital and operating resources); and (iv) the HRCDD shall be expanded to include all property covered by the Hayden Run Corridor Plan. (A copy of the Hayden Run Corridor Plan is on file with Columbus.) Columbus shall work with the HRCDA to provide an agreement between both the City and HRCDA and any other necessary parties to provide for the assignment or transfer of the HRCDC to Columbus or a trustee or other party designated by Columbus pursuant to (i) and (ii) above. Otherwise, the terms and conditions of the documents establishing the HRCDD, the HRCDA, the HRCDC, and the HRCDD Covenants shall be subject to the approval of the parties except for the County hereto which approval shall not be unreasonably withheld.

As a condition to its acceptance of any future annexation of property covered by the Hayden Run Corridor Plan, Columbus shall require and shall take all steps necessary to add such property to the HRCDD.

Section 4. Tax Increment Financing District. As soon as is practicable after the date hereof, Columbus and the Developers shall create (and the other parties hereto shall consent to the creation of) the Hayden Run Tax Increment Financing Districts (the "HRTIFD"). The documents establishing the HRTIFD shall specifically and irrevocably provide that (i) service payments in lieu of real estate taxes (the "Service Payments") shall be paid by the then existing and future owners of all or any portion of the Developers' Property to the County Treasurer of Franklin County in the same manner as real estate taxes. The ordinance creating the HRTIFD shall direct the County Treasurer

of Franklin County to pay directly out of Service Payments an amount equal to the payments in lieu of real property taxes that the Columbus Public School District, or such other district as may exist within the HRTIFD District, would have received had the property subject to the HRTIFD not been exempted from taxation pursuant to the ordinance creating the HRTIFD. Columbus shall apply the revenue (the "TIF Revenue") it receives from the HRTIFD: first, to the payment for the infrastructure improvements described in Sections 5 and 6 herein below; second, to the cost of capital improvements to serve the residents and property in the HRTIFD.

As a condition to its acceptance of any future annexation of property covered by the Hayden Run Corridor Plan, Columbus shall require and shall take all steps necessary to subject such property to additional tax increment financing districts created to finance infrastructure improvements directly benefiting the area.

At the time of creation of the HRTIFD, the current owners of the property subject to the HRTIFD shall prepare and file with the Franklin County Recorder a declaration against the property which shall be covenants running with the property and which shall require the current and future owner(s) to make service payments in lieu of real estate property tax payments and to prepare, sign and submit such applications and other required documents, to exempt the property pursuant to Sections 5709.40, 5709.911, 5713.08, and 5715.27 of the Ohio Revised Code.

**Section 5. Road Improvement Projects by Columbus and Franklin County.** Columbus shall complete or cause to be completed the road improvement projects described as projects HR-2, HR-3, HR-4, HR-9 and HR-10 in Exhibit "B" attached hereto (the "Columbus Improvements"). Franklin County shall complete or cause to be completed, the road improvement project described as projects HR-1, HR-5 and HR-8 ("Franklin County Improvements") As long as the necessary funding is in place, the various phases of the aforesaid projects (design, right of way acquisition, construction and inspection) shall be completed by Franklin County and Columbus to the best of their ability in accordance with the schedule set forth in Exhibit "B" attached hereto. The cost of the aforesaid public improvements shall be funded with the revenue Columbus and Franklin County receives pursuant to Section 1 and Section 4 of this Agreement. In order to meet the construction schedule in Exhibit B in the first two years Columbus and Franklin County intends to finance a portion of the public improvements through grant funds in the amount of \$6.3 million available from the Ohio Public Works Commission. In the event such grants are not available, then in such event the roadway schedule for HR-1 shall be delayed until grant funding or sufficient TIF Revenues or HRCDC amounts are available to fund such projects. No credit enhancement shall be required of the Developers with respect to any debt instruments issued by Columbus in connection with the Columbus Improvements. If a private developer determines that a particular public improvement, or a part of said improvement, is necessary to accommodate that developer's activity, then such developer may, with approval of the government entity having jurisdiction of the improvement, implement said improvement in advance of the schedule set forth in Exhibit "B" at its own cost and be reimbursed for this cost, as approved by the City, provided that the City shall not be obligated to reimburse any

developer for any such improvement constructed in advance of the schedule set forth in Exhibit "B" unless and until there are sufficient funds available from TIF revenues or HRDC amounts which are not otherwise committed to projects set forth in Exhibit "B".

Due to the necessity to integrate some of the Columbus Improvements with other improvements being constructed by the Developers it is necessary and desirable that the Developers assist Columbus in the supervision of the engineers and contractors selected by Columbus to complete some of the Columbus Improvements as follows: Dominion, M/I and Huntington shall assist Columbus in the supervision of the engineer or engineers selected by Columbus to prepare the construction plans of all of the Columbus Improvements. Dominion shall assist Columbus in the supervision of the contractors selected by Columbus to complete the projects described as projects HR-2 in Exhibit "B" attached hereto; and Lifestyle shall assist Columbus in the supervision of the contractors selected by Columbus to complete the projects described as projects HR-3 and HR-4 in Exhibit "B" attached hereto. In providing assistance to Columbus, the Developers shall have no authority to bind Columbus to anything or to in any way amend any contract between Columbus and any engineer or contractor. The sole intent of the assistance is to help expedite and coordinate the timely completion of the Columbus Improvements and the other improvements being completed by the Developers. The assistance shall be provided by the aforesaid Developers free of charge.

All public improvements shall be designed to the standards of the City of Columbus or applicable public entity. In addition, public and private infrastructure, including sidewalks and bike paths, shall be subject to all reviews and approvals by the applicable public entity.

Section 6. Payments by Columbus and the Developers to Franklin County. The parties anticipate that the Franklin County Improvements will be completed by Franklin County in accordance with the schedule set forth in Exhibit "B" attached hereto. The parties have agreed to contribute to the cost of the completion of Franklin County Improvements from the funding being paid by the Developers pursuant to Section 1 of this Agreement and from the revenue received by Columbus as contemplated in Section 4 of this Agreement. This contribution shall be effectuated by the Developers completing the payments to Franklin County as required in Section 1 of this Agreement and by Columbus paying the sum of \$2,595,000 (Bond proceeds) to Franklin County in respect of project HR-1 no later than January 1, 2006. Notwithstanding anything in Section 1 to the contrary, Columbus and the Developers shall have no obligation to complete any payments if Franklin County is in any way not completing the Franklin County Improvements in accordance with the schedule therefore set forth in Exhibit "B" attached hereto. Columbus and the Developers may delay the making of such payments for periods equal in length to the number of days which the completion of the Franklin County Improvements is behind the schedule therefore as set forth in Exhibit "B" attached hereto.

Section 7. Development Phasing. The parties acknowledge and agree that it is necessary and desirable that roadway construction and other public improvements are phased with

build out of the Developers' Property. Accordingly, a schedule for the completion of the Columbus Improvements and the Franklin County Improvements has been established. In order to further promote the coordination of the phasing of development within the Developers' Property with the completion of the improvement of the intersection of Hayden Run Road and Avery Road, the improvement of Cosgray Road and the improvement of the intersection of Cosgray Road and Hayden Run Road, the parties have agreed as follows: No more than 1,100 permits for 1,100 residential units in the aggregate other than residential sales centers shall be issued until January 1, 2006. No building permits for commercial structures other than club house, residential sales centers and fitness facility for the residential portion of the development shall be issued prior to April 1, 2006. During the period between the date of this Agreement and January 1, 2006 the maximum number of residential building permits that may be issued to each Developer shall be as follows: Dominion – 579; M/I -200; Lifestyle – 321.

The issuance of building permits will be in compliance with the Columbus City Code. Accordingly, notwithstanding any other provision of this Agreement, no limits upon the issuance of building permits shall be applied after January 1, 2006 to any Developer who has made all of the payments then due and payable by it under Section 1 of this Agreement.

It is the intent of the parties that during the entire period of this Agreement that no Developer which has made all of its required payments then due and payable hereunder: (i) be penalized for the failure to complete projects which are not in that Developer's control, or (ii) be denied building permits as a result of a failure of one or more other Developers failing to make any payment or perform any obligation required hereunder.

Section 8. Expedited Plan Review. The parties acknowledge that there has been a protracted period of planning and study involved in the creation of the Hayden Run Corridor Plan and the completion of the zoning of the projects contemplated by this Agreement. In order to be able to complete first phases of land development during the 2004 development season, the Developers anticipate that they each will be submitting the regulating plans, preliminary plats, land development construction plans and final plats for each of their respective projects as soon as possible after the Date of this Agreement. Columbus shall immediately accept for review and concurrently review the regulating plan, preliminary plat, land development construction plans and final plats submitted by each of the Developers. Columbus shall complete its review and approval of each regulating plan and preliminary plat expeditiously upon receipt. Columbus shall complete its review and approval of each set of land development construction plans and final plats expeditiously upon receipt in order that development of first phases can be completed during the 2004 development season. Further, it is the intent of this Section that the review of all documents for a particular development, including subsequent phases will be commenced expeditiously upon receipt, and that all such plans will be reviewed by Columbus concurrently. For example, the review of a preliminary plat for a particular development will not be deferred until after the approval of the regulating plan for that development. Similarly, for example, the review and approval of the land

development construction plans for a particular development will not be deferred until after the approval of the regulating plan and the preliminary plat.

**Section 9. Contributions by Other Governmental entities and Developers of Projects in other Jurisdictions.** The parties acknowledge and agree that the Columbus Improvements and the Franklin County Improvements will benefit residents of Dublin, Hilliard and Washington Township and have been designed to accommodate future development of property in addition to the Developers' Property and that the cost of the Columbus Improvements and the Franklin County Improvements is currently being paid solely by Columbus, Franklin County and the Developers. Accordingly, Columbus shall use its good faith efforts to work with Dublin, Hilliard and Washington Township to (i) contribute to the payment of the cost of the Columbus Improvements and the Franklin County Improvements and (ii) work with developers of property in their respective jurisdictions which benefit from the completion of the Columbus Improvements and the Franklin County Improvements to contribute to the payment of the cost of the Columbus Improvements and the Franklin County Improvements. Contributions by these other jurisdictions and by developers of this other property may include, but shall not be limited to direct payments to Columbus or Franklin County, inclusion of property in the HRTIFD and/or inclusion of property in HRCDD.

**Section 10. Entire Agreement.** This Agreement embodies the entire agreement among the parties in respect to the completion of road, school and other infrastructure improvements and the payment of impact fees or any other fees (other than permit and inspection fees in effect on the date of this Agreement) in connection with the development of the Developers' Property and the completion of the Columbus Improvements, Franklin County Improvements, school facilities and any and all other community improvements. The Developers and their successors and assigns shall have no obligation to complete any additional road, school, community facility or other infrastructure improvements (other than the road and infrastructure improvements inside their respective developments) or to pay any other sums with respect to road, school, community facility and other infrastructure improvements.

**Section 11. Financial Obligations of Columbus.** The financial obligations of Columbus under this Agreement are expressly subject to future ordinances of its Council appropriating and authorizing the expenditure of such funds as are necessary to meet these financial obligations and the certification of the Columbus City Auditor under Section 159 of the Columbus City Charter and other parties shall have no claim in law or equity to enforce the provisions of this Agreement requiring such expenditures until the aforesaid acts have occurred.

**Section 12. Terms Binding.** The terms of this Agreement shall be binding on each of the parties hereto, and each of their successors, and assigns.

IN WITNESS WHEREOF, the undersigned parties have executed this Memorandum of Understanding as of the date first written above.

Dominion Homes, Inc.,  
an Ohio corporation

By: Robert A. Meyer

Name: Robert Meyer  
Title: Senior Vice President and General Counsel

M/I Homes of Central Ohio, LLC  
an Ohio limited liability company

By: Robert Schottenstein

Name: Robert Schottenstein  
Title: President & CEO

Huntington Tower Associates, LLC,  
an Ohio limited liability company

By: Paul S. Coppel

Name: Paul S. Coppel  
Title: Managing Member

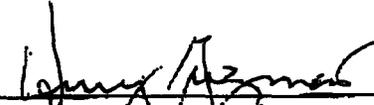
Lifestyle Communities Ltd.,  
an Ohio limited liability company

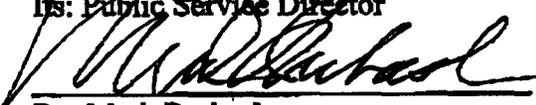
By: Michael Deascentis

Name: Michael Deascentis  
Title: President

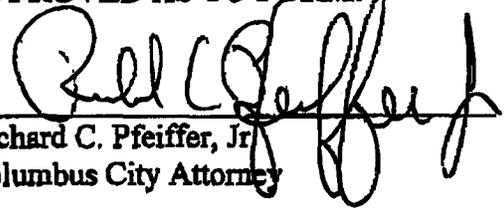
IN WITNESS WHEREOF, the parties hereto have set their hands and caused this Memorandum of Understanding to be executed on the 22<sup>nd</sup> day of November, 2004.

**CITY OF COLUMBUS, OHIO**

  
By: Henry Guzman  
Its: Public Service Director

  
By: Mark Barbash  
Its: Development Director  
Per Ordinance 1433-04

**APPROVED AS TO FORM:**

  
Richard C. Pfeiffer, Jr.  
Columbus City Attorney

**FRANKLIN COUNTY, OHIO**

  
By: Dean Ringle  
Its: Franklin County Engineer

**APPROVED AS TO FORM:**

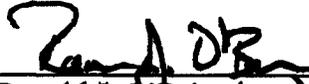
  
Ronald J. O'Brien by   
Franklin County Prosecutor

Exhibit B:

2004

PROJECT #	TITLE	DESCRIPTION	COST	FUNDING NEEDED BY	MANAGED BY	SOURCE OF FUNDS
HR-1	Hayden Run / Cosgray	Design	\$820,000	12/1/2004	Franklin County	Developer
HR-8	Hayden Run/ Avery	R/W, Design, Construction	\$4,200,000	12/1/2004	Franklin County	Franklin County
HR-5	Avery/Clagg	Design	\$19,000	12/1/2004	Franklin County	Developer
HR-5	Avery/Clagg	Construction/Inspection	\$39,000	12/1/2004	Franklin County	Developer
HR-8	Hayden Run/ Avery	Construction	\$800,000	12/1/2004	Franklin County	Developer

*Over*

**Fund Sources**

<i>Developer</i>	\$1,678,000
<i>Franklin County</i>	\$4,200,000

Exhibit B:

2005

Done  
 Done  
 Main to 57  
 Main to 57

PROJECT #	TITLE	DESCRIPTION	COST	FUNDING NEEDED BY	MANAGED BY	SOURCE OF FUNDS
HR-1	Hayden Run / Cosgray	Right-of-Way	\$400,000	3/1/2005	Franklin County	Developer Dedication
HR-1	Hayden Run / Cosgray	Right-of-Way	\$750,000	3/1/2005	Franklin County	Developer
HR-1	Hayden Run / Cosgray	Right-of-Way	\$750,000	9/1/2005	Franklin County	Developer
HR-2	Cosgray Britton Connector (Hayden to bridge)	Design	\$335,000	3/1/2005	Developer	Developer
HR-2	Cosgray Britton Connector (to Avery including Bridge)	Design	\$805,000	3/1/2005	Developer	Developer
HR-9	Avery Rd. Improvements	Design	\$500,000	6/1/2005	Developer	Developer

**Fund Sources**

Developer	\$3,140,000
Developer: RAW	\$400,000

Exhibit B:

2006

PROJECT #	TITLE	DESCRIPTION	COST	FUNDING NEEDED BY	MANAGED BY	SOURCE OF FUNDS
HR-1	Hayden Run / Cosgray	Construction (Partial share)	\$2,595,000	1/1/2006	Franklin County	TIF
HR-1	Hayden Run / Cosgray	Construction (Partial share)	\$6,295,000	1/1/2006	Franklin County	OPWC Funds
HR-1	Hayden Run / Cosgray	Inspection	\$880,000	1/1/2006	Franklin County	Franklin County
HR-2	Cosgray Britton Connector (Hayden to bridge)	Right-of-Way	\$450,000	3/1/2006	Developer	Developer Dedication
HR-2	Cosgray Britton Conector (to Avery including Bridge)	Right-of-Way	\$520,000	3/1/2006	Columbus	TIF
HR-3	Hayden Run to Leppert	Design	\$150,000	1/1/2006	Developer	Developer
HR-4	Hayden Run at Grener Drives	Design	\$46,000	1/1/2006	Developer	Developer
HR-4	Hayden Run at Grener Drives	Construction/Inspection	\$292,000	5/1/2006	Developer	TIF
HR-9	Avery Rd. Improvements	Right-of-Way	\$215,000	3/1/2006	Columbus	TIF/Developer

1.3 log Drive

DB  
DB  
?

32.3  
78.8  
1.3 1/22/06

\*2.4  
1292

Fund Sources

Developer	\$400,000
Developer: R/W	\$450,000
Franklin County	\$880,000
OPWC	\$6,295,000
TIF	\$3,418,000

Exhibit B:

2007

PROJECT #	TITLE	DESCRIPTION	COST	FUNDING NEEDED BY	MANAGED BY	SOURCE OF FUNDS
HR-2	Cosgray Britton Connector (Hayden to bridge)	Construction/Inspection	\$3,415,000	1/1/2007	Developer	TIF
HR-2	Cosgray Britton Connector (to Avery including Bridge)	Construction/Inspection	\$7,247,000	1/1/2007	Developer	TIF
HR-3	Hayden Run to Leppert	Construction/Inspection	\$1,300,000	1/1/2007	Developer	TIF/Developer
HR-6	Miscellaneous Signals	Design	\$85,000	3/1/2007	various	Developer
HR-7	Avery Rd./ Davidson Rd.	Design	\$25,000	1/1/2007	Hilliard	Developer
HR-7	Avery Rd./ Davidson Rd.	Construction	\$50,000	4/1/2007	Hilliard	Developer
HR-9	Avery Rd. Improvements	Construction/Inspection	\$4,005,000	1/1/2007	Columbus/Dev.	TIF
HR-10	Tuttle Crossing Extension	Construction (Partial Share)	\$2,800,000	5/1/2007	Dublin	TIF (Col. share only)

Handwritten notes on the left side of the table:

- HR-2: BUB, 57 made
- HR-2: 59
- HR-3: 57
- HR-6: 118
- HR-10: 108

**Fund Sources**

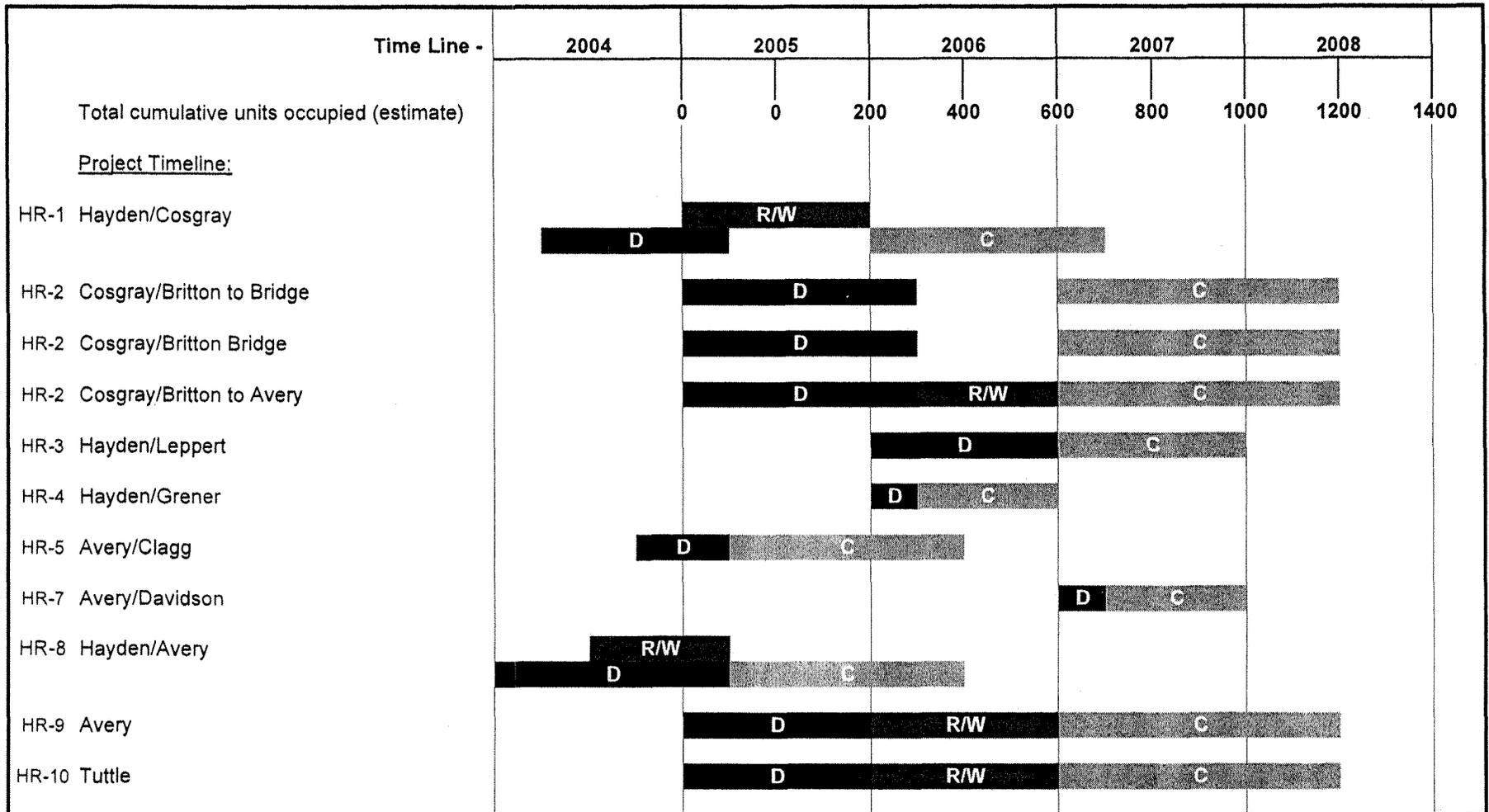
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Developer	\$702,000
TIF	\$15,425,000

Handwritten note at the bottom center:

Run at  
FNU 46  
\*6-7-2007

**Exhibit C  
Hayden/Cosgray Development Timeline**



**D** Design      **R/W** Right of Way      **C** Construction

# HAYDEN COSGRAY DEVELOPMENT EXHIBIT A



I:\LOWDOWN\PROJECTS\PROJECTS\2004\20041001\13383\DWG\2414 LANDSCAPES - NO DRIVE'S - PLOTTED BY: TRAXTER - FRIDAY, OCT 1 2004 - 8:26:26 AM

<b>EMHT</b> INC. ENGINEERS, SURVEYORS, PLANNERS, SCIENTISTS BYANS, MICHAEL, HANDELTON & TILTON, INC. 178 HILL STREET COLUMBUS, OHIO 43230 TELEPHONE (614) 471-5190 FACSIMILE (614) 471-9284		Date: October 1, 2004
		Scale: 1" = 400'
		Job No: 2004-1383
		Sheet: 1 of 1
REVISIONS		
MARK	DATE	DESCRIPTION

# RECORD OF PROCEEDINGS

Dublin City Council

Minutes of

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

September 22, 2014

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Held

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## **INTRODUCTION/PUBLIC HEARING/VOTE - RESOLUTIONS**

### **Resolution 82-14**

#### **In Support of Mid-Ohio Regional Planning Commission Attributable Funding and Ohio Public Works Commission Applications.**

Vice Mayor Gerber introduced the resolution.

Ms. Willis stated that this resolution is in support of applications staff has submitted to Mid-Ohio Regional Planning Commission (MORPC) for both Attributable Funds as well as the Ohio Public Works Commission for the **Tuttle Crossing Boulevard extension project**. Staff recommends approval of Resolution 82-14 in support of these two applications. This would bring regional level funds to Dublin in support of construction of this project. She offered to respond to questions.

Ms. Salay noted she that residents have had questions and the development on the south side of Tuttle Crossing Boulevard as it goes westward from Wilcox. She requested that Planning provide a memo on this topic. She is aware that the City purchased some land in this area. She also is aware that there are several potential development projects pending in the Columbus portion.

Ms. Grigsby responded that there was a memo in the last packet regarding some of this development activity in the area. Is she interested in additional information regarding the land the City owns that is on the south side of the extension?

Ms. Salay clarified she is interested in anticipated development and what has been approved in the Columbus portion of the area.

Vice Mayor Gerber asked if there is a specific timeframe for utilization of the funds, should the City be successful in obtaining grant funds.

Ms. Grigsby stated that construction cannot begin until July of 2018.

Ms. Willis stated that there are two separate applications. For the Attributable Funds, it is likely the City would not be eligible for funding before state fiscal year 2019, which would be July 1, 2018. It is dependent upon how other projects are ranked and how these funds are allocated to that point. For OPWC, the purpose of submitting this year is to see how this project ranks competitively with other projects in the region.

Ms. Grigsby added that typically, projects must be initiated no later than certain timeframes established, but those can be extended.

Vice Mayor Gerber that this is three years out, and things do change. If the roadway would change somewhat, it would not affect the funding, correct?

Ms. Willis responded that is correct.

Mr. Reiner noted the high densities in the planned future development in the Columbus area around Tuttle Crossing extension. Was some of this area designated conservation design?

Ms. Salay responded that there was a lot of discussion, but that never was implemented for any portion of the southwest area of Dublin.

Council members agreed that is their recollection.

Mayor Keenan noted that he would abstain from the vote due to his position as Chair of the Ohio Public Works Commission.

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

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Dublin City Council

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DAYTON LEGAL SLASH INC. FORM NO. 13148

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believes it is a data center for credit unions. Staff and the applicant have worked closely with the neighboring residents, and this should result in a very smooth transition for the relocated Spa. Excellent presentations were given by staff and the applicant.

Crawford Hoying secured their first approval that evening. One issue she noted relates to the presence of the cycle tracks on each side in the shopping corridor. She is aware that Crawford Hoying has some concerns with that, and she does as well – mixing the bicycle traffic with the pedestrians and outdoor dining. When Council reviews the area rezoning, perhaps more discussion can take place about the bicycle infrastructure. It is part of the oval loop track through the whole Bridge Street District and it intersects with the bridge. Her colleagues on the Commission disagreed, and felt that the bicycle infrastructure should remain in place, even if buildings had to be moved back to accommodate.

Council Standing Committees

Ms. Chinnici-Zuercher, Finance Chair stated that:

1. The Committee met earlier this evening. She is pleased to announced that Dublin's fiscal position remains solid. Even though there have been some employers moving out of Dublin, there have been others moving in or increasing employee numbers. She acknowledged the City Manager, the Finance Department and Economic Development staff for their work in managing the City's funds so successfully.
2. The Committee reviewed the application of the Dublin Arts Council for a \$12,000 hotel/motel tax grant for the Eddie Adams photography exhibit that begins Memorial Day of 2015 and continues through September 11, 2015. The Committee recommends approval.

Ms. Chinnici-Zuercher moved approval of the recommendation of the Committee.

Mr. Gerber seconded the motion.

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

Vice Mayor Gerber, Administrative Chair reported that the search firm of Ralph Andersen & Associates was selected to conduct the City Manager search. The project director for this engagement is President/CEO Heather Renschler, a native of northwest Ohio. City Council has begun the process of developing the list of characteristics and attributes desired in the new City Manager. This information and supporting documentation will be made available online for interested individuals. A more specific timetable is being developed and will be announced at a later date.

**COUNCIL ROUNDTABLE**

Mr. Peterson:

1. Echoed Ms. Grigsby's comments regarding the staff support for the July 4<sup>th</sup> event and the Irish Festival. They exceeded everyone's expectations, and their hard work is appreciated!
2. He was saddened to learn tonight that Officer John Wright is retiring from the Police Department. He worked with Officer Wright in serving as a Magistrate in Mayor's Court and he has had occasions to call upon him for assistance in his neighborhood. He thanked him for his dedicated service to the City.

Ms. Salay:

1. **Called to Council's attention the Tuttle Crossing Boulevard extension** and request for a grant, as outlined in a memo in the packet. She clarified that this project is not included in the five-year CIP – other than the "beyond" the five year listing. If the City were to be successful in obtaining a grant, would the project have to be built on that timeframe? She wants to ensure that this is a project serving Dublin and its residents. In the current environment, it would

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DAYTON LEGAL BLANK, INC., FORM NO. 10148

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be serving a region that needs to give further consideration to the development patterns before they rely upon Dublin to extend this road.

Ms. Grigsby responded the road extension serves the region as well as the City. The traffic in the Woerner-Temple and Avery Road areas experience delays and the road extension would provide relief to the City and the region. If the City is successful in obtaining a grant, the City has the option of not accepting the grant. The funds would not be available until 2019. If the City does not accept a grant, however, it may impact how the City is viewed in terms of future grants. The City does have the option to decide at a later date, if the grant is approved.

Ms. Salay asked if TIF funds would be used for this roadway extension.

Ms. Grigsby responded affirmatively – it will be funded out of the Nationwide or the Rings/Frantz TIF under the current programming.

Ms. Salay noted that this is a project where the City needs to give careful consideration to the potential consequences. It may increase development pressure westward going forward.

Mr. Gerber stated that he has concerns as well. He would like to have more information about the necessity of this project.

Ms. Grigsby responded that staff can provide this information. She added that if the additional grant funds are obtained, an option to be considered is modifying the existing TIF that would allow the City to extend Tuttle Crossing further to the west, which will be needed at some future point. This is a way to provide additional funding for the long term.

Mayor Keenan commented that it appears there is a lot of big box development planned in the Columbus area of Avery Road. Given the type of development that has occurred in the Hayden Run corridor, it is important to give this roadway extension careful consideration.

Ms. Grigsby noted in regard to the driving range on Avery that there have been proposals for big box retail and Columbus has not approved these. Their preference is not to have big box retail, and they believe having the road extended provides better reasons for it to develop commercially than with retail use.

Mayor Keenan asked if it is possible to have some assurance about their future plans should Dublin decide to do the roadway project.

Ms. Grigsby responded that staff will look into this, but it may be difficult to secure this.

Ms. Salay stated that Columbus has complete discretion in zoning matters, and if their community plan calls for office, they have the ability to disapprove a retail use. She has had many citizens ask about the timing of this roadway extension and the resulting development pressure. There is already high density residential in place on what will be Tuttle Crossing Boulevard and Avery Road.

Mayor Keenan stated that on the other hand, in terms of how this road extension could help, it would connect the Eiterman Road and tech center areas to the south. That information would be helpful to understand.

Mr. Gerber agreed, noting that a comprehensive report would be very helpful.

Ms. Grigsby stated that the memo was included in this packet due to the need to have legislation at a future meeting. Staff was aware of some concerns on Council's part, but believes this is an opportunity longer term.

# RECORD OF PROCEEDINGS

Minutes of

Dublin City Council

Meeting

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October 15, 2007

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Mayor Chinnici-Zuercher inquired how Council would like to proceed with the review. Council had originally indicated that after staff's presentation, they would discuss the Southwest Corridor. Is that still their preference? There is a significant amount of detail to address, yet all of the information is not provided.

- Tuttle Crossing area and its extension westward

Mr. Combs displayed a map of the Hirth Road area detail – the portion generally from Emerald Parkway west to Old Wilcox and to Old Avery Road.

Ms. Salay stated that she did not review this specific area, but it appears that a lot of detail has been added. She inquired if this is what was presented to the Planning Commission. Did the Hirth Road residents have the opportunity to attend and participate?

Mr. Combs responded that they did. The information was forwarded to them for a neighborhood meeting, as well.

Mrs. Boring inquired if it would be helpful if the City's design recommendations were displayed as well.

Mr. Combs stated that there have been no changes to this plan since the June version.

Ms. Salay requested that Mr. Combs review the site detail – location of existing homes, where Tuttle Crossing goes through, pointing out the homes, roads, and anything additional that was added since the June version.

Mr. Combs stated that on the corner of Hirth Road and Tuttle, there is a neighborhood park that has been integrated by providing for a higher density mix of residential that transitions south to the Old Dublin Woods subdivision. There is a mix of different residential types that work up to the Tuttle Crossing area, then west to the Old Wilcox Road as a variety of different office uses. In this general area, there are mixed uses that would serve all the surrounding residential in Dublin as well as future development to the south in Columbus. To the west, in the area of neighborhood services, there would be buildings up close to the street with pedestrian spaces and connectivity to the surrounding residential developments. Moving west to the Avery Road corridor and the intersection with Tuttle, additional residential uses are provided with smaller office uses on the corner and residences that are within walking distance to the neighborhood center.

Mr. Keenan noted that the township park is located in the vicinity.

Mr. Combs stated that the park connects to Wilcox Road; to the north are athletic fields related to the church.

Ms. Salay noted that she has received a couple of calls from Vineyard Church. Where is that located on the map?

Mr. Combs stated that the plan shows it as it currently exists with a plan that part of the property could be redeveloped to help add to the residential uses adjacent to the park.

Mr. Keenan noted that the church does not seem to exist in the plan. It has been overlaid with another plan.

Mrs. Boring stated that as she indicated previously, she cannot support a Community Plan that has plans overlaid on existing homes and churches. When everything else around a site is defined, that will set the tone. She cannot support anything that overlays a current residential or church use.

Ms. Salay asked if the church is in the plan or not.

Mr. Combs responded that the Plan shows the site layout as it exists today.

Ms. Salay clarified that what is being changed is the vacant land around the church, not the church land itself.

Mr. Combs agreed.

Mr. Combs continued, noting that the concept of Tuttle Crossing between Emerald and Avery is shown with the concept of a neighborhood center that provides for a pedestrian

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core across Tuttle and access to surrounding residential to the north and to the south. The view looks to the southeast and Old Dublin Woods subdivision is in the background with a transitional residential and a corner park at Hirth Road. For the remainder of the southwest area, there have been no changes of substance since the June 2007 draft.

Mayor Chinnici-Zuercher asked Mr. Combs to display the map which includes the Ponderosa Estates.

Mr. Combs noted that the map shows the inset of the detail just discussed, with Avery Road running from north to south, the future Tuttle extension to the west to the CSX railroad, and Ponderosa would be the subarea labeled as mixed residential. As noted in the presentation, the Commission asked Council to consider modifying the Plan to remove that bubble and to maintain the Ponderosa on the Plan map as it exists today.

Mayor Chinnici-Zuercher asked if the area delineated on the map includes the entire 100 acres owned by the Ponderosa owner.

Mr. Combs responded no, adding that there is additional acreage in the general area that is also noted in the plan as office use around the intersection of Tuttle and Avery. Moving west, that transitions to mixed residential and single-family residential.

Ms. Salay asked if that ties in with Tuttle Crossing Boulevard generally working with property boundaries, or is it very conceptual?

Mr. Combs responded that it is very conceptual, but staff has tried to look at the existing parcel lines to denote the concept of pushing the alignment south, but to still provide for a greenway corridor east-west along the roadway, and minimizing impacts on the properties.

Ms. Salay asked if there is a roundabout denoted at Avery and Tuttle.

Mr. Combs responded that it is conceptual only, given the traffic volumes in the area.

Mayor Chinnici-Zuercher asked for the projected timeframe for completion of Tuttle Crossing. There has been discussion with Columbus and others about this. Is it ten years out, or 30 years?

Ms. Brautigam responded that it is more likely in the vicinity of 10 to 15 years. There has been much development along Hayden Run at Cosgray, and staff believes that that kind of development will provide a lot of traffic up Avery Road. Staff therefore wants to protect Dublin citizens by providing adequate roadways. Tuttle extension is not in the five-year CIP, and is likely 10 to 12 years out.

Mayor Chinnici-Zuercher asked how this connects with the COIC.

Ms. Brautigam responded that Tuttle would proceed to the west to Houchard that would then move north across 161, ultimately making a curve around McKitrick Road and its intersection with US 33. That intersection is targeted in the Major Investment Study as a potential intersection in the distant future. Ultimately, the Tuttle Crossing extension will serve as Emerald Parkway does in another portion of the City, looping around the southern portion of the City to the northwest.

Mrs. Boring noted that on the current map, existing single family development is listed in some areas. She agrees with the Commission that the same treatment should be given to the Ponderosa development, denoting existing residential development on the Plan – not leaving it as a bubble.

Mr. Reiner agreed.

Mayor Chinnici-Zuercher asked why the existing development was noted in the Plan in some places, but not in others.

Mr. Combs responded that at the beginning of the process, the review covered the areas studied in the 1997 Plan. Based on what development potential existed and inquires that occurred, staff made some assumptions about what would develop over time.

Mr. Keenan inquired if Amlin was also removed from the map. He does not see it denoted.

Mr. Combs responded that it is included in the next portion of the plan.

Mr. Combs noted that consistent with the Ballantrae plan, the Community Plan suggests a Rings Road bypass that would connect Cosgray to Rings. Additional residential

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development would occur around the mixed uses at the village scale. Cosgray Road would also be re-configured based on future transportation improvements in conjunction with development to the south in Columbus. **The Tuttle Crossing extension would occur to the northwest, connect to Houchard and head north into the US 33 Corridor plan.** The lighter green areas on the periphery are residential conservation design developments of a lower density.

Ms. Salay stated that the practical effect would be to de-emphasize Cosgray Road. Mr. Combs responded that the idea is that Cosgray Road -- from the start of the village area further to the north up to Shier Rings -- would be kept at a residential scale, particularly through Amlin, maintaining a "village" feel. Based on modeling, most of the traffic in that area will attempt to reach I-270 through the Tuttle Crossing extension. The Tuttle extension would be of an Emerald Parkway level to facilitate the major traffic. At the same time, the pedestrian-oriented streets would downplay that with a residential scale.

Mr. McCash inquired how one would be able to travel out of Amlin with all that traffic. There is a railroad track on the east side of Amlin and a freeway -- Tuttle Crossing extension -- on the west side.

(At this point, a five-minute break was taken for videotaping purposes.)

Mr. Combs noted that the primary access points for that area would be Cosgray heading south to Tuttle and the Rings bypass heading east to Rings and Tuttle. There are also potential limited access points into the grid network.

Ms. Salay inquired about the church site.

Mr. Combs responded that there is an institutional use -- the church -- surrounded by mixed uses with a conceptual village green in the center.

Mr. Keenan noted that Washington Township owns four acres in that area.

Mr. Combs responded that the Township owns parkland on the corner. The vision is to build from that concept.

Mr. McCash inquired if it would be fair to say that without Tuttle Crossing extended across the railroad tracks, the development to the west would be severely limited due to traffic constraints.

Mr. Combs responded that is correct. The general idea of the plan is that development would occur as the Tuttle Crossing extension is phased to the west to accommodate that development. The idea of the Tuttle extension is to provide a beltway to have access from SR161 and the northern portion of the City to Tuttle Crossing. The densities would be downplayed on the periphery through the Hayden Run corridor to maximize open space and provide greenway and pedestrian linkages into the Village. The density would be increased within the area of the Village.

Mr. McCash responded that the Tuttle extension, which will provide direct access to I-270, would allow greater opportunities to develop even further to the west.

Mr. Combs stated that the intent is to provide access for employees from the south and southwest areas to the Central Ohio Innovation Center, and that residential development in this area will provide housing for those future COIC employees.

Mr. Reiner noted that at one time there was discussion regarding not having the Tuttle extension cross the railroad tracks in this location.

Mr. Combs responded that early in the process there was discussion of another alignment -- Tuttle extended west, through this alignment, then connecting with Cosgray Road. Later in the process, in negotiations with county engineers, they learned that Union County did not provide for the extension of the road further to the west, as does Dublin's plan. Discussion revealed that the best option for extending an arterial north would be via a Houchard Road extension.

Mr. Reiner inquired if crossing the railroad tracks would be the best option for Dublin. Mr. Combs responded that it is. It is necessary to facilitate the long-term goals for the COIC. It will be necessary for the viability of the COIC to move employees from all

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areas of the City without having to rely on US33 and I-270. The Tuttle extension would serve as the main through roadway for through trips in the City.

Mr. Reiner stated that the early discussion was that the roadway would be routed on the inside of the tracks and curve up to that area, serving only as an internal roadway. Mr. Combs responded that it was one of several iterations that was considered. The decision was made to take that option out of the transportation modeling process.

Ms. Brautigam stated that another factor is that as the City moves west, it is within the Columbus exclusive service area. However, Columbus has no ability to provide adequate water and sewer for a substantial development. The Columbus interim plan shows that area as very low density. Further to the west is Madison County, which has a comprehensive plan that indicates very low density of one unit per five or ten acres. The Darby watershed lies to the west. Dublin's understanding of the land use in that area is that it will be very low density residential. The purpose of the roadway will be to move traffic from the northwest area down to the Tuttle Crossing area and take traffic off of US 33 and I270. It will also take some traffic off of Avery Road.

Mr. McCash stated that there is a very large portion of Columbus land just south of Tuttle Crossing on the other side of the railroad tracks. That can be expected to be developed at the highest mixed use, retail, or multi-family of 50 units per acre. This development will result in a serious traffic bottleneck problem. Providing the opportunity for additional traffic flow in that location will also provide the opportunity for high intensity retail use. Ms. Brautigam stated that Columbus has control over the zoning of that area. Their plan is to build many residences there. All the vehicles heading to I-270 would then overload Dublin's streets. If the Tuttle extension does not occur, those vehicles will travel up Avery Road to the US 33 intersection or try to find a way through Cosgray, Rings or Wilcox Roads. The intent is to intercept those vehicles along the southernmost border of Dublin with a road of adequate capacity that will take them to I-270. This would keep all of that traffic out of the Dublin neighborhoods.

Mrs. Boring inquired if Dublin would ask Columbus to share in the costs. Ms. Brautigam stated that a Columbus representative to a MORPC committee has raised the idea of working with Dublin to identify ways to have the developers pay for these roadways.

Mr. McCash inquired about the arrangement Columbus has with the existing new developments in that area to cost share. Ms. Brautigam responded that she is not aware of specific arrangements or amounts, but she does know that they have received some monies. Mr. McCash responded that it is only minimal, and provides nothing with which to build a road.

Mrs. Boring stated that at one of the Community Plan work sessions, Dublin resident Terry Hofecker pointed out that his home was "eliminated" in this plan. Mr. Combs stated that he does not know of the specific location, but the City tries to save all the historic sites in the area, so this one can be highlighted as well.

Mr. Keenan inquired if staff had done any investigation to determine the long-term viability of the CSX railroad lines. Mr. Combs responded that for the long term, CSX is looking at this for a freight corridor. The Ohio Rail Hub concept is now moving through the state legislature. They are looking at the concept of a passenger railway that would link the entire region. This could potentially be one of the lines that would connect Columbus to the Terre Haute/Fort Wayne area. Consistent in the plan is an attempt to set aside buffer areas along the rail line, should this option become feasible in the future.

Mayor Chinnici-Zuercher inquired the time frame for this plan. Mr. Combs responded that in general, the entire planning document looks at a planning horizon of 20 to 30 years. Full build-out to the west may not occur until year 2050.

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Mr. Reiner inquired if Columbus were to refuse to share in the costs of extending Tuttle, would Dublin re-think or revisit this plan?

Ms. Brautigam responded that staff reevaluates the plan yearly. In her opinion, this roadway would be very beneficial to the City of Dublin. It is not being built to benefit Columbus; it is being built to protect Dublin.

Mayor Chinnici-Zuercher noted that in view of the future COIC, it would be wise to look at what type of infrastructure would move people to work. Those employees will not all live in Dublin. Dublin is always impacted by the land use decisions of neighboring entities and may need to expand its infrastructure to move that traffic through the community. However, the original purpose of this extension was to move employees to the COIC area.

Mr. Reiner responded that is the reason that the first iteration of the plan was for an internal road, to use Houchard Road as an internal circulation device for the Dublin citizens to access the COIC. He would like to watch this carefully, including the zonings that occur and their density. He does not want to see all of the Columbus traffic moving through Dublin and Dublin paying for the infrastructure need created by the Columbus development.

Mayor Chinnici-Zuercher inquired if there is any recommendation for a change.

Mrs. Boring moved that the Plan be amended to show existing homes and businesses.

Vice Mayor Lecklider stated that he is concerned that action would give residents a false sense of security. He is not advocating for the existing use to be eliminated, but it is important to educate the citizens on the future reality. Something similar has happened at Post and Avery Roads. There is now a different development in place than was originally planned. There are bubbles in some places in the Plan and details in others.

Mrs. Boring stated that there are also notations of "existing single family" in some places and not others. Why are "single family homes" denoted where none exist, while existing homes have no denotation? There is the same problem on Summitview as with Ponderosa Estates. She cannot support the Plan unless this is addressed.

Vice Mayor Lecklider stated that he would surmise that where single family is denoted, it is owner occupied, not tenant-occupied. Those neighborhoods are indicated.

Mrs. Boring responded that Ponderosa is also a neighborhood.

Vice Mayor Lecklider pointed out that it is unique from the traditional neighborhoods that are identified in the Plan.

Mrs. Boring agreed that Ponderosa is unique. It, too, needs to be recognized in the Plan.

Mr. Reiner agreed. Ponderosa Estates is unique, and recognizing it in the Plan gives direction to future developers. The fact that the residents do not own the land on which their homes are situated may impact their future, but the City should attempt to preserve their homes and their property. He doesn't want to take a position of not supporting the Ponderosa residents. They are an existing community of long-time residents.

Vice Mayor Lecklider inquired what direction that provides to future developers. If someone should purchase that land next year and seek a rezoning, what direction does recognizing the existing use in the Community Plan give them?

Mr. Reiner responded that identifying the Ponderosa community in the Community Plan is a statement that as of now, the City is satisfied with the zoning that exists there. If he were a developer seeking land, he would look at the City's Community Plan and then analyze his needs and where he wants to develop. It would not be the same as the "bubble" diagram at the Village Center at Sawmill Road. In that location, the City wants to encourage change and achieve something wonderful for the community. The Ponderosa community, however, is a group of Dublin residents who have been part of the community for a long time. In his view, including the Ponderosa Estates in the Community Plan carries a message that the City's position is that they should remain as is. Hopefully, it will remain that way.

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Vice Mayor Lecklider emphasized that he is not suggesting that the City turn someone out of their property, and hopes everyone understands that. However, given the circumstances under which they reside on the land, he is concerned that the City's actions could leave the residents with a false impression concerning the future.

Mr. Reiner responded that it is a good point to bring up tonight. They do know their situation could be precarious if the landlord decides to sell the property. His point is that the City owes it to the residents to stand by them in this situation.

Mr. McCash stated that he believes the area could be designated in whatever manner Council desires. Both Mr. Reiner and Vice Mayor Lecklider have made good points. Council's action will provide no real protection for the residents. Should the existing landlord or some future owner wish to eliminate the community, they could terminate the leases, give them time to relocate and then rezone it. Then the problem from the landowner's standpoint is resolved. It is important to be cognizant of the fact that whatever the City does, that issue still exists. The City is not solving the problem for the residents.

Ms. Salay stated that she was very disturbed this summer to hear at a Community Plan open house many of the Ponderosa residents saying that they believed that City staff and City Council members wanted their area to go away. That could not be further from the truth. None of Council is insensitive or indifferent to the plight that the Ponderosa residents face. The idea that the City can prevent things happening in the future, though, is irresponsible. There is a complex and precarious situation. There are multiple stakeholders. The landowners have rights as well. This is a business, and the operators have already made it known that if there is a purchaser who is willing to pay the right price, they are interested in selling the entire 100 acres. That is their intent and eventually what will happen here. Therefore, she would like to suggest that there is a mixed use "bubble," and within that "bubble" show the streets of the existing Ponderosa community.

Additionally, Dublin needs to aggressively pursue affordable senior housing for the community. She is not certain the form that would take, but there needs to be an alternative for these and future senior residents. Sale of this property is inevitable. With the development that is occurring in that area, it seems very unlikely the mobile home park will exist at that location 20, 30 or 40 years from now, so Dublin needs to plan for the future. There is a lot of vacant land in the southwest and more that will be coming in for development. As part of one of those developments, the City could set aside some land for affordable senior housing. There are different county, state or federal resources available to help achieve this. Adding the component of "affordable" would facilitate government assistance, and subsequently, alternative housing for seniors on a fixed income to continue to live in Dublin. To her, that is the best solution. She would like to suggest that staff resources be designated to research the concept of affordable senior housing. Two years ago, there was a temporary committee which worked only on securing the present location of the Ponderosa community. That might not be the wisest course of action long-term. She would like the City to work on devising a real solution.

Mr. McCash stated that extending Tuttle Crossing to the west would result in greater pressure to develop that acreage.

Ms. Salay agreed. Two years ago, a developer wanted to develop the balance of the southwest area. They had almost all the land in contract, but because of changes in the market, that did not occur. At some point the market will rebound, and the development will occur.

Mrs. Boring stated that she spoke with the Ponderosa owner last night, and they have no intention of selling the land at this time.

Ms. Salay responded that is because no one is interested in buying the property at this time.

Mrs. Boring stated that she has two comments/questions:

1. She has said repeatedly stated that the existing land uses included in the Community Plan affect the determination of future land uses. Therefore, she is confused. If everything around this small "bubble" is identified, there should not

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be a problem with a future developer. The pressure will exist to maintain something compatible with what is already existing.

2. She has visited the National Churches housing development on SR 161, and those are exceedingly small. She does agree that the City should pursue affordable senior housing. However, if she were a Ponderosa resident and heard the term, "government subsidies," she would suggest that government subsidize what already exists and maintain what exists.

Ms. Salay responded that perhaps it is an option; she does not know. She is not suggesting that the housing needs to be an apartment-type complex. There are ways to build individual units. Does the government subsidize mobile home parks? She would not necessarily be opposed to that. There would be challenges with sewer lines in the area and EPA regulations. There could be a considerable expense involved to tie in. If there are options available, then the need is not so great. The reality is that the Ponderosa residents do not own the land. This is a family business, and it is not possible for anyone to require, as a condition of sale, that the business continue to operate.

Mrs. Boring responded that the City has had occasions when a family owns land and wants to rezone it for a business use. They simply apply for a rezoning. It is a process. But for a City to change the designation of the existing use in the Plan is another matter. She will not support this Community Plan if the Ponderosa community is not identified in it.

Mr. McCash inquired if the land to the east and south of the Ponderosa community is designated as "Secondary Office."

Mr. Combs confirmed that is correct.

Mr. McCash asked if that designation would in fact put more pressure on developing Ponderosa into something other than the existing use, if there was a desire to develop the entire area once the Tuttle Crossing extension is completed?

Mr. Combs responded that it would come down to the policy question of how closely Council and the Planning Commission abide by the Community Plan.

Mr. McCash inquired if it would be preferable not to have that area designated as Secondary Office, but as Residential, similar to the Ponderosa.

Mr. Combs responded that is a modification Council can direct staff to make. There is an additional consideration of the traffic volume at that intersection.

Vice Mayor Lecklider inquired if that is a practical solution.

Mr. McCash stated that if it designated as Office, it is easy to rezone it. If it is designated as Residential, it is more difficult to rezone.

Mr. Reiner noted that the market would determine that at a later date.

Mr. McCash responded that the existence of the Ponderosa would be determined by the market as well. If the intent is truly to preserve the Ponderosa as long as possible, then Office use should not be designated for the land around it.

Mayor Chinnici-Zuercher inquired if Mrs. Boring has a recommendation.

Mrs. Boring moved that: (1) the Ponderosa Estates be included in the Community Plan as existing housing, and (2) that all of the existing historical structures be maintained in the Plan.

Mr. Reiner seconded the motion.

Mayor Chinnici-Zuercher referred to the previous discussion about Terry Hofecker's house. Is it classified as an historical home?

Mr. Combs responded that he believes it is. An attempt was made to maintain all the historic farmsteads in the Community Plan as potential for the national register.

Mayor Chinnici-Zuercher confirmed that the policy is that the Plan will have all historic homesteads designated within it. There is no need for a motion from Council regarding this.

Mr. Combs responded that is correct.

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Mayor Chinnici-Zuercher reiterated Mr. McCash's concerns about the surrounding area to Ponderosa being designated as Secondary Office.

Mrs. Boring responded that she is satisfied, given the Mixed Residential identification surrounding it.

Mr. McCash noted that the Ponderosa and the Mixed Residential area all belong to one property owner.

Mr. Combs confirmed that the red portion is all part of the larger parcel including the Ponderosa.

Mr. McCash stated that if the land is not subdivided when it is sold and the purchaser wants to redevelop it all as Office, he would likely terminate the lease and proceed. That is why the entire parcel must be designated as one use.

Ms. Salay stated that she does not believe including the Ponderosa on a map provides them with much assurance. Providing an affordable housing alternative would be better. Mayor Chinnici-Zuercher responded that she does not disagree, and she has been looking into some options as well. That would be a separate item, however, for Council to give direction to expend staff resources to pursue.

Following brief discussion, Mrs. Boring clarified that the motion as amended is to remove the land use "bubble" designation shown in the plan, to include the aerial view, and identify it as the existing Ponderosa Park in the 2007 Community Plan.

Mr. Reiner seconded the motion as amended.

Vote on the motion: Ms. Salay, yes; Vice Mayor Lecklider, no; Mr. Reiner, yes; Mr. Keenan, yes; Mayor Chinnici-Zuercher, yes; Mr. McCash, yes; Mrs. Boring, yes.

Mr. Keenan noted for the record that this is a private property issue, and that this Council will not ultimately deal with this matter. Future City Councils will have to make this determination.

Mr. McCash moved that the two red square areas in the Ponderosa vicinity, currently owned by the same owner as Ponderosa and denoted as Secondary Office be changed to Residential.

Brief discussion followed.

The motion died for lack of second.

Mayor Chinnici-Zuercher thanked everyone attending for their participation in tonight's discussion regarding the Community Plan. She noted the need to set additional meetings for continued review of the Plan.

Following review of the potential meeting dates and conflicts, it was the consensus of Council that the discussion of the Community Plan will continue at the Monday, November 5 Council meeting.

Ms. Brautigam confirmed that staff can provide hard copy of the draft plan to Council by October 29. It will include the revisions made tonight by motion of Council.

## **COUNCIL COMMITTEE REPORTS/COUNCIL ROUNDTABLE**

Mr. Keenan reported that he recently attended the Dublin Arts Council Board meeting. The Veterans Committee met on Friday morning, and progress continues.

## **ADJOURNMENT**

The meeting was adjourned at 11:15 p.m.

  
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Mayor – Presiding Officer

  
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Clerk of Council

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Mr. Hammersmith responded that he understands Council's concern. In this case, however, it would not have changed the priority of the project, as priority #2 was the SR 161 Tunnel at Monterey Drive, priority #3 was the Dublin Road Tunnel and the Summitview Tunnel was number #4.

Ms. Salay noted that she was not pleased to learn that Dublin Road would be closed again for three months, so soon after the Dublin Road roundabout project was completed. She requested that staff expedite the project and make every effort to have the road closed for a minimum amount of time.

Mr. Hammersmith responded that is staff's intent. They are attempting to coordinate the contractor's work with the utility companies, asking that the utility companies complete their work before the road closure.

Mrs. Boring noted that she has received many phone calls from residents concerned about egress and ingress safety in that area. If road closure is necessary to preserve safety for the residents, that action is preferable. There are also existing drainage issues for the residents in that area that she wants to address with Mr. Hammersmith at another time.

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

## **Resolution 53-06**

### **Authorizing the City Manager to Execute an Easement with the Ohio Bell Telephone Company (SBC) for the Relocation of Telecommunications Equipment.**

Vice Mayor Lecklider introduced the resolution.

Ms. Brautigam stated this project will improve the telephone service in the Barronscourt area of the Ballantrae subdivision.

Mayor Chinnici-Zuercher inquired what type of service problem exists.

Ms. Brautigam responded that the current location of these utilities is contributing to their deterioration. They need to be located within a more secure area.

Mr. Hammersmith responded that SBC is running out of service capacity. This improvement to their infrastructure is necessary to improve and to expand their service.

Wallace Maurer, 7451 Dublin Road inquired if the reference to "subsurface wiring" refers to the burying of their communication lines.

Mr. Hammersmith responded that their existing lines are underground.

Mr. Maurer inquired if all phone lines throughout the city are underground.

Mr. Hammersmith responded that they are not, although it would be a long-term goal of the City to have them buried.

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

## **OTHER**

### **• Eiterman Road Discussion**

Mr. Hammersmith stated that the Hilliard City School District voters recently approved the bond issue that will allow the construction of a new elementary school on a 31-acre site north of Rings Road and adjacent to the northern and eastern boundaries of the Ballantrae subdivision. It will be necessary for the City of Dublin, working with the City of Hilliard, to implement one portion of Dublin's 1999 adopted Thoroughfare Plan – the extension of Eiterman Road from Ballantrae to Rings Road. When the Ballantrae subdivision was constructed, the first portion of the extension occurred -- Eiterman Road from Shier Rings Road to Ballantrae. At the time Ballantrae was developed, the school site was not part of the original subdivision, and the second portion of the extension was delayed until a later time. That time is now. In response to concerns raised by residents regarding this extension, a public information meeting was held on April 27, 2006 at the Dublin Service Center. He will review the information provided at that meeting.

### **History:**

The Eiterman Road extension has been planned for 20 years, first appearing on the City's Thoroughfare Plan in 1988 as an arterial roadway extension from Shier Rings

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Road to Hayden Run Road. It was included again in the 1997 Thoroughfare Plan and in the 1999 Thoroughfare Plan as extending from Shier Rings Road to Tuttle Crossing Boulevard. The functional classification of the roadway was downgraded from an arterial in the 1988 plan to a collector in the 1999 plan. Both the Ballantrae Traffic Impact Study and the Ballantrae Preliminary Plat indicate the extension of Eiterman Road from Shier Rings Road to Rings Road and further south. The Preliminary Plat adopted by Council in September of 2000 states: "Eiterman Road to be extended to Rings Road, alignment to be determined." In 2001, the City of Hilliard purchased a 31.22 parcel through which the extension is planned. The Traffic Study for Eiterman Road projected traffic volume 25 years into the future. On the most southern portion of Eiterman Road it projected 17,800 vehicles/day; on the midsection, it projected 14,900 vehicles/day.

Two of the more important strategies are to "provide connections to several surrounding roadways within developments" and to "encourage the development of multiple connections, including a continuous network of collectors between subdivisions." The Community Plan included strategies to implement those policies.

The Community Plan included strategies to implement those policies. Two of the more important strategies are to "provide connections to several surrounding roadways within developments" and to "encourage the development of multiple connections, including a continuous network of collectors between subdivisions."

At the April 27, 2006 public meeting, information was gathered from the residents. That has been distilled into four primary areas of concern:

1. The need for the roadway connection;
2. Safety issues;
3. Location of the roadway/proximity to the Ballantrae residents;
4. Other design possibilities for the road alignment.

#### #1 The need for the Eiterman Road Extension

The primary function of this extension is to serve the Ballantrae residents. This connection would provide direct access to Rings Road, by which motorists could access the arterials of Avery Road and Cosgray Road. The alternative would be to travel along local subdivision streets, such as Royal Dublin Drive and Dalmore Lane, with multiple residential driveways to access the arterials. Much of the Ballantrae subdivision remains to be built out. It is estimated that with the full build-out, approximately 9,850 trips per day will be generated solely by the Ballantrae subdivision. With this many trips, a collector street, such as Eiterman Road, is essential to keep the traffic volumes lower on the local subdivision streets. It will also provide alternate routes for local trips so that the residents do not have to enter the arterial system. The arterial system would be used for longer through trips for those who want to access the interstate system. For that purpose, the collector street essentially collects the traffic from the residential streets and distributes it into the arterial systems.

#### #2 Safety Issues Related to School

Residents have expressed a concern about the proximity of the proposed extension to their lots. They have requested an increase in the buffer to provide more offset between the two. Therefore, staff suggests:

- Shifting Eiterman Road to the west approximately 40 feet from the eastern common property line. This would also protect the existing tree line.
- A median in the roadway to achieve a speed reduction.
- Mounding and landscaping to provide additional buffering.
- School zone flashers and driver feedback signs.
- Pedestrian sidewalk at Dalmore Lane and Eiterman Road.

#### #3 Location of the Roadway/Proximity to the Residents

The residents questioned if there are other areas within the City where homes back up to roadways in a similar arrangement as to that proposed with Eiterman Road. There are several existing locations: in Dublinshire, Avery Road is a minor arterial where homes are within 75 feet of the edge of roadway; in Earlington Village, Sells Mill Drive is a collector where homes are within 70 feet of the edge of roadway; in Hawk's Nest, Avery Road is a minor arterial where homes have side yards within 40-45 feet of the

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edge of roadway; in Indian Run Village, Muirfield Drive is a collector where there are homes within 90 feet of the edge of roadway; in Muirfield Village Phase 1, Muirfield Drive is a collector where there are homes within 75-80 feet of the edge of roadway; in Muirfield Village Phase 4, Memorial Drive is a collector where there are homes within 35-40 feet of the edge of roadway.

In summary, the setback from the edge of pavement to the backs of homes was the residents' concern. The typical distance from the edge of Eiterman Road to the existing homes will be 110 feet. This distance is consistent, and in most cases exceeds the distance of other collectors and arterials in Dublin between the homes and roadways.

#### #4 Other Design Alternatives

Several residents suggested alternate designs to provide access to the school with different alignments for Eiterman Road. Two of the proposed alignments depicted Eiterman Road in a more circuitous alignment with varying degrees of encroachment into the school site. Another proposal provided for an extension of Eiterman Road into the school site from the north and south with the use of cul-de-sacs or looped roads to disconnect the roadway at the school.

Staff analyzed the viability of these proposals and submits the final recommendation:

- (1) That Council uphold the adopted 1999 Thoroughfare Plan;
- (2) Further evaluate the extension of Rings Road through the Hilliard School site; and that the extension of Eiterman Road to Tuttle Crossing will be re-evaluated through the Thoroughfare Plan;
- (3) Re-evaluate the proposed extension of Eiterman Road to Tuttle Crossing;
- (4) The City should partner with the Hilliard City Schools to address resident concerns through the roadway and site design.

Mayor Chinnici-Zuercher stated that Council has always enjoyed a close partnership with the Dublin City Schools, working together to establish appropriate infrastructure, mounding, landscaping, etc. to accommodate the location of schools in residential areas. This is a new process for the Hilliard City Schools, but they have been an active participant in Dublin's planning meetings for this project. Will there be additional costs associated with the City's recommendation that Hilliard Schools might not have anticipated? If so, what type of cost-sharing arrangement is being considered?

Mr. Hammersmith stated that there would be additional costs associated with some of the more advanced safety features, such as the driver feedback signs. Dublin has assumed the responsibility for the school zone flashers throughout the City. Discussions with the school regarding cost sharing have been initiated only recently, so there are no specifics to report. However, that is a significant issue, as well as several site plan issues.

Mayor Chinnici-Zuercher invited testimony from citizens.

Mary Curran, 6695 Ballantrae Place stated that she lives one house away from the proposed Eiterman Road extension. She is aware that many safety issues related to the proximity of the school are being addressed that pertain to in-session hours, but what about after-school safety issues? There are fifteen children living within a four-house radius. At least 50 Ballantrae subdivision children are on the swim team and use the Community Pool South, accessing it by bicycle, scooter or skateboard. They moved to Ballantrae because it is a great family community, located a distance from the "feeder" road. They are concerned about the future safety of their children outside the school session hours. Although their children attend a private school, they purchased a particular lot because it is adjacent to the school property. She requested that Council seriously considered their children's safety.

Kevin Griffin, 5559 Kinvarra Lane referred to the first sentence of the first paragraph on page 3 of the memo, which states that "the function of Eiterman Road is to serve the Ballantrae residents. He attended a public meeting on March 21, at which Aaron Stanford stated that "Eiterman is needed to alleviate the traffic on Avery Road and Cosgray Road." If the road function is to serve the Ballantrae residents, then he requests that it not be extended to the south into another development whenever one should be built in the future.

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Sandy Wymard, 6609 Dalmore Lane stated that she lives on the undesignated neighborhood cut-through street -- a curved road that leads to Royal Dublin, the only southern entrance into Ballantrae. They have experienced a lot of speeding traffic, which is a safety issue for Ballantrae.

Dave Silvius, 6721 Swickard Court stated he has raised one issue with Mr. Hammersmith and that is whether there is really a need to move traffic from Avery and Cosgray onto Eiterman. There are many more children crossing Eiterman than cross Avery or Cosgray Roads. The City is proposing moving traffic from two roads with very little child pedestrian activity to a road with a significant amount of child pedestrian activity.

Laurie Sullivan, 6557 Ballantrae Place stated that at the April 27 meeting, a suggestion was made for an underpass for the children to enable children to safely cross Eiterman both during and after school hours. That has not been addressed tonight.

Mr. Hammersmith stated that a resident did ask if a pedestrian tunnel could be incorporated into the design. When staff reviewed the adopted pedestrian tunnel study, this location did not compete in terms of criteria with locations that had already been considered and were not yet programmed in the CIP.

Ms. Sullivan inquired if this location could potentially compete after the traffic flow is actually observed. Could it be reassessed after Eiterman has been extended?

Mr. Hammersmith responded that such pedestrian studies are re-evaluated in 5-6 years. Certainly, the location could potentially compete. However, if Muirfield Drive near Scottish Corners Elementary does not meet the requirements for programming a pedestrian tunnel, it is unlikely this site would meet them.

Ms. Sullivan inquired if there is a reason the extension of Eiterman Road to Rings Road cannot be delayed, addressing the improvement of Avery and Cosgray Roads prior to any extension of Eiterman.

Mr. Hammersmith stated that the earlier statement that Eiterman is intended to be a reliever road to Avery and Cosgray is not accurate. The intent is to allow residents to use a local collector street and not have a need for them to access Avery or Cosgray Roads. By doing so, the capacity on the arterial system is relieved. Delaying the project results in delaying a collector that is needed in this area. The alternative is to use a local residential street or force residents out onto the arterial system to make local trips.

Ms. Salay stated that the projected year 2030 traffic volume numbers are so high that it is difficult to visualize. The information indicates an estimated 17,800 trips per day on Eiterman Road compared to today's number of 12,000 trips/day on Muirfield Drive in front of Scottish Corners. Was that study conducted with the assumption of Eiterman as a four-lane road?

Mr. Hammersmith responded that Eiterman Road was modeled as a two-lane road in the 2003 study.

Ms. Salay stated that nearly 10,000 trips/day will be generated by Ballantrae residents alone.

Mr. Hammersmith clarified that the numbers are for traffic originating from the Ballantrae subdivision.

Ms. Salay stated that nearly 10,000 trips/day will be generated by Ballantrae residents alone. Is that a number for Eiterman Road alone or for the neighborhood?

Mr. Hammersmith responded that the numbers are for the Ballantrae neighborhood. The collector street connections are Woerner- Temple and Eiterman Road to the north and Eiterman Road to the south.

Ms. Salay stated that if 10,000 trips/day will originate from Ballantrae and 17,800 will be using Eiterman Road, a large percentage is originating elsewhere.

Mr. Hammersmith responded that the 17,800 number reflects the assumption that Eiterman Road would be extended from Rings Road to **Tuttle Crossing Boulevard**. The updated modeling should indicate a much different number, with no extension to Tuttle Crossing Boulevard. On the collector streets, there will be some through traffic.

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Ms. Salay expressed thanks to staff for the very productive public meeting on April 27<sup>th</sup> relating to the extension of Eiterman Road. She empathizes with the Ballantrae residents who were unaware of plans to possibly extend Eiterman Road. The timing of this project is not good from the standpoint of the fact that the City's Community Plan and Thoroughfare Plan are in the process of being updated. Another year would permit the City to have this roadway in focus and provide a higher comfort level to the residents. **She cannot support the extension of Eiterman Road if it is to continue south to Tuttle Road.** Her vote tonight would be based on that caveat. The success of Ballantrae will be based on the long-term quality of life for that neighborhood. Although there would be some cut-through traffic, Eiterman Road is primarily a roadway to serve the Ballantrae residents. Maintaining that as an access to their neighborhood is really important to the residents and needs to be important to the community and Council, as well. Council has talked extensively about road networks, connections, and the importance of providing adequate access to their neighborhoods. In fact, most neighborhoods have multiple connections. She recalls a comment made by the consultant during a recent Community Plan discussion: "If you try to solve traffic congestion by adding more lanes, it is equivalent to trying to solve obesity by loosening your belt." At a recent meeting, Mr. Griffin noted that the unsettling fact for Ballantrae residents is that they do not know what will develop to the north or south in the future. This is a question for Council as well, as they look at the character of not just this future roadway, but the entire southwest area. She encouraged residents to attend the Community Plan meetings to have their concerns addressed. The future of a neighborhood can depend upon its residents' participation in the planning process. She has become convinced that the roadway extension to Rings Road is needed, but a future connection to Tuttle Crossing should not occur.

Ms. Salay inquired if it would be possible to lower the speed limit on Eiterman Road to 25 mph, for the portion south of the golf course. There are currently several streets in Dublin that border backyards that have such a limit. Mr. Hammersmith responded that the City's approach to any requested speed reduction is to commission a speed study. The speed limit is intended to fit with a street's functional classification. In this case it does -- 35 mph is the appropriate speed for a collector roadway. To lower the speed limit, there must be a compelling reason, such as a concern about safety expressed by the neighborhood. Lowering the limit on that road would be out of character with the City's collector roadway system. The City tries to attract use of the collector system versus the local streets. One of the enticements is that it is a more efficient roadway in terms of movement.

Ms. Salay inquired if the results of the speed study on Eiterman Road are available. Mr. Hammersmith responded that data has been collected, but no results are available. Staff will share the results with Council as soon as they have been compiled. Stealth Stat reports provide the first indications of speed problems. Ms. Salay stated that the residents are particularly concerned about the roadway near the school zone. Mr. Hammersmith responded that the City collectively monitors those roadways, gathering complaints. When there are concerns, the Police Division reviews the area and gathers Stealth Stat data to determine the extent and character of the problem.

Ms. Salay inquired whether the detailed planning has been completed for the buffer requirements. She suggested that a 75 percent winter opacity with a heavy installation of spruce trees would protect the backyards and provide privacy. Mr. Phillabaum responded that discussion has recently begun. The intent is to achieve an opaque buffer with a mix of deciduous evergreens. Ms. Salay noted that where the City has provided opaque buffers, the wooded appearance has alleviated the problem for the residents. She thanked the residents for their participation. She invited residents to become involved in the Community Plan update process, as that is beneficial in protecting the quality of life for the community.

Mr. Keenan thanked the staff for their efforts and the residents for their involvement. It has been beneficial, as it has focused attention on the details, such as mounding and the opacity of the buffer. He and Ms. Salay attended a meeting with the residents last week where the potential extension of Eiterman Road to Tuttle Crossing Boulevard was

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discussed. If the extension further south to Tuttle were a part of the vote tonight, he could not vote in favor of the extension.

Mr. Reiner thanked staff and the residents for their continued involvement in the issue. He inquired if mounding is intended for the tree line. Mounding would normally damage a tree line, but perhaps the mounding would occur in intermediate areas.

Mr. Hammersmith stated that Council had the same concerns as staff and will work with the project engineer and architect to ensure the mounding does not damage the root zone of the trees.

Mr. Reiner stated that over the years, he has observed that mounding is much more beneficial than plant material in terms of noise abatement and screening. Is the soil to be taken from the road bed?

Mr. Hammersmith responded that at this time there has not been enough site work to know the amount of soil that can be anticipated from that source; however, staff will work with the Hilliard Schools to address the mounding need as much as possible.

Mr. McCash stated that when Ballantrae was planned in 1999-2000, the traffic flow and traffic patterns were analyzed. As a result, Eiterman was downgraded to a collector from an arterial. Over the years, the City has avoided undertaking the extension of Tuttle Crossing due to traffic concerns for this area of Dublin. However, the extension of Eiterman between Ballantrae and Rings is critical for safety/fire access. Currently, 45-52 homes sites in Section 9 do not have that access. He believes the extension to Rings Road is necessary. South of that, he shares the same reservations expressed by others. The intent has been to eliminate extraneous traffic in this area.

Mrs. Boring thanked staff for the time they have spent on the resolution of this issue. She thanked Council Member Salay for the time she spent as their ward representative with the residents of this area considering and addressing their concerns. She stated that in the past the City has approached this issue from the perspective of not widening roads, but accepting a lower level of service. If this road were not extended, would it be necessary to widen the other roads in the area?

Mr. Hammersmith responded that is staff's concern. If Eiterman Road is not extended, the future 17,800 trips per day in 2030 will have to look elsewhere within the system for a route. It has been difficult to maintain the south corridor of Avery Road as a four-lane roadway. The proposed roundabout will help, but it is on the fringe of becoming a six-lane roadway. That does not meet the desired community character for that area as indicated by the Community Plan -- a four-lane roadway was to be the widest roadway. Not extending Eiterman Road would impact the adjacent roadways.

Mrs. Boring stated that not extending Eiterman Road will impact the other roads in the system, which have many curb cuts. She believes it is important to stay on track with the plans for this roadway, which is its extension to Rings Road.

Vice Mayor Lecklider agreed with previous comments of Council members. He recognized staff for their thorough work on this issue and the residents for their involvement. The residents' concerns have contributed to a very thorough analysis. While they may not be entirely satisfied with the result, they can appreciate that there was a great deal of study on this issue. He is assured that, ultimately, the community will have a result that everyone will be satisfied with.

Mayor Chinnici-Zuercher stated that at one time, there was a more positive consideration of the future extension of Eiterman Road to Tuttle Crossing Boulevard. A different configuration is now being considered due to the concern for the Ballantrae subdivision and the Central Ohio Innovation Center. There is a desire to move traffic to that area as opposed to traveling through neighborhoods. Certainly, it is the sentiment of Council not to have Eiterman Road extend to Tuttle Crossing Boulevard, and staff is expected to give that serious consideration when an ultimate recommendation is made at a later date. The timing is not as the City would have chosen, but Hilliard Schools are now prepared to break ground for this school. To facilitate that, it is essential for Council to make a decision tonight. Mounding and buffering elements are expected to be planned and implemented to the greatest extent economically feasible. Dublin is known to take great care to protect the quality of life of its residents whenever adjacent development is occurring.

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Vice Mayor Lecklider moved to approve the extension of Eiterman Road to Rings Road. Mr. Reiner seconded the motion.

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

• **Final Plat – Emerald Parkway Phase 5B (NE Quad PUD, Subarea 5B and LifeTime Fitness PUD);**

Ms. Brautigam stated that the recommendations of the Planning Commission are included in Council's packet.

Mr. Reiner noted that the proposed street tree planting for the center median includes a Winter King Hawthorn. That particular species has a multitude of thorns and could scratch the finish of any vehicle coming into contact with it. He referred to the LifeTime Fitness project, noting that the plan indicates a curb cut into the forest. During the previous discussion, Mr. McCash had requested that the curb cut be removed in order to avoid cutting down these trees.

Mr. Hammersmith responded that in the final site plan approval, the curb cut was moved further south to avoid cutting down the trees.

Mr. Reiner moved to replace the Winter King Hawthorn from the median street tree design with a species without thorns.

Mrs. Boring seconded the motion.

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

Mrs. Boring stated that it appears that the tree preservation waiver is not being adhered to on that site.

Ms. Salay agreed. When she drove through the area recently, she observed that a large number of trees had been removed from the site.

Mrs. Boring stated that this was a major issue discussed and one of the conditions for approval. Something has transpired that was not agreed upon.

Mr. Hammersmith stated that over three years ago, Council adopted the tree preservation waivers for Sections 5A and 5B. Staff also noticed the large number of trees removed and is conducting an accounting per the terms of the tree waiver granted. That report will be forwarded to Council when complete.

Mrs. Boring requested that staff also review the site of the LifeTime Fitness Center, particularly along Hard Road.

Mr. Hammersmith indicated staff would do so.

Mr. Keenan moved approval of the final plat.

Vice Mayor Lecklider seconded the motion.

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

• **Final Plat – Villas at Glenealy**

Mr. Gunderman stated this is the final plat for a development of 22 four-unit buildings. This plat contains the street alignment for the continuation of Innovation Drive through the center of this project. The final plat divides the site into two primary parcels and several reserves.

Mrs. Boring stated that part of the condition of approval for this project was that Council would be provided a copy of the deed restrictions at the time of the request for final plat approval to ensure that the issue of renting versus owning units was addressed. Was that information included in the packet?

Mr. Gunderman stated that he believes the appropriate documents are on file.

Mrs. Boring stated that because it was a condition for approval, she cannot vote affirmatively for this item tonight.

Joel Rhoades, Epcon Communities, 500 Stonehenge Parkway, Dublin stated that the deed restrictions were submitted as required for the final development plan approval. They have not changed. It is impossible to submit final documents until the first homes

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Mr. Younkin stated he is not opposed to road improvements. Dublin has grown from a village to a city in a short period of time, and the City has done a commendable job dealing with the growth. However, a property owner should be able to develop his property or realize the value of that property. He is hopeful Council will consider the interests of the property owners on all four corners of that intersection and will ensure adequate access for those properties.

Mayor Chinnici-Zuercher asked about the acreage of his parcel.

Mr. Younkin responded that his parcel consists of two acres; however, there is a joint effort between him and the adjoining property owner – thus a total of three acres are involved.

Mayor Chinnici-Zuercher inquired how long he has owned the property,

Mr. Younkin indicated that he has owned the property for one year.

Mayor Chinnici-Zuercher requested staff obtain contact information and meet soon with Mr. Younkin to address his concerns.

Mayor Chinnici-Zuercher stated the request is for Council approval of a two-lane roundabout in a two-lane footprint.

Mr. Hammersmith stated that is essential for staff to proceed with the plan design.

Ms. Salay inquired when staff would report to Council on recommendations for the remainder of the corridor, from Shier Rings to Post Road.

Mr. Hammersmith indicated those recommendations would be provided with the five-year CIP update.

Ms. Salay inquired if a roundabout at Post Road is programmed.

Mr. Hammersmith responded that some monies are programmed for the Post Road intersection improvements, but not a sufficient amount.

Mayor Chinnici-Zuercher asked for Ms. Grigsby's input.

Ms. Grigsby responded that last year, construction dollars were programmed in 2006 for the Post Road intersection, in 2007 for the Perimeter Drive intersection, and in 2008 for Perimeter Loop. If this roundabout proposal for Post Road were to be approved by Council, improvement of the other two intersections would be deferred to a later date, using the monies earmarked for those two intersections for the Post Road project.

Mayor Chinnici-Zuercher inquired the projected total cost for a Post Road roundabout.

Ms. Willis responded that the construction cost is estimated at \$1.35M; right-of-way acquisition is estimated at \$80,000 for a total cost of \$2.15M. A potential expansion to three lanes with the corresponding right-of-way acquisition would not occur until after 2015.

Mr. Reiner moved to approve staff's recommendation for a two-lane roundabout within a two-lane footprint at the Post Road intersection.

Mrs. Boring seconded the motion.

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

- **Avery Road South Corridor Presentation**

Mr. Hammersmith stated that one project has been carried for many years within the CIP program, that is the Avery Road widening. Recently, that project was separated into two phases: phase 1 – the improvement of Avery Road between Woerner Temple and Shier Rings, and phase 2 – the improvement of Avery Road between Woerner Temple and the future extension of Tuttle Crossing Blvd. Currently, \$3.1M is programmed in the CIP for construction of phase 1 in 2007. The project is more complex than a simple road widening. The widening is essential to provide future safety for motorists and pedestrians by ensuring long-term capacity within the corridor, minimizing congestion, and increasing the levels of service. The issue with this project is achieving the results while maintaining the access of the adjacent properties. In October, staff met with the adjacent property owners to discuss the proposed project.

Steve Teakin, Burgess & Niple, provided a report on the issues involved with the proposed widening of this corridor, Avery Road from Shier Rings Road to Woerner Temple Road. It is anticipated that the traffic will more than double within this corridor in

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Mr. Smith responded that the agreement staff reached with the applicant was that they would post a bond and file a request for a waiver prior to October 1. The request was filed on September 10, and their assumption was that the hearing date would be October 15. Mrs. Boring stated that the certificate of zoning compliance should have been held up and that they should not be occupying the site.

Mr. Ciarochi stated that Mr. Price issued a certificate of occupancy with the stipulation that they would have 60 days in which to resolve the landscaping issue. October 5<sup>th</sup> is the 60<sup>th</sup> day, and the applicant has agreed to extend the agreement already in place.

Mr. Smith stated that Dublin is not releasing them from any obligation. The City often grants conditional occupancy permits when outstanding landscaping issues exist.

Mrs. Boring suggested cashing the bond and refunding the money to them in the future, should the tree preservation waiver be granted by Council.

Mr. Adamek stated that the City can hold the bond over until the next meeting. They still must come to Council for approval of any waiver.

## LEGISLATION

### TABLED ORDINANCE SCHEDULED FOR HEARING

#### **Ordinance 75-01(Amended) – An Ordinance Amending Ordinance 21-95(Amended) to Update the Arterial Traffic Plan for the City of Dublin.**

Mr. Ciarochi stated that this amendment to the Thoroughfare Plan relates to the **alignment of the Tuttle Crossing extension**. The proposed alignment for the road veered to the north in order to retain all of the road frontage in Dublin. At the September 4 Council meeting, Ben Hale, Jr. presented an alternate proposal with a straighter alignment that included a parcel, located just south of the current City boundary, which is owned by Mr. Edward's sister. Staff has analyzed the revised alignment, and in terms of land acquisition costs, staff recommends that Council give serious consideration to Mr. Hale's proposal. Staff is requesting additional time to study the alignment proposed, specifically looking at the depth for the property to the south. Staff will then return to Council with a recommendation. At this time, staff recommends that the ordinance presently before Council be defeated.

There was no discussion.

Mr. Adamek moved to defeat the ordinance.

Mr. Peterson seconded the motion.

Vote on the motion – Mr. Peterson, yes; Mr. Adamek, yes; Mr. Reiner, yes; Ms. Chinnici-Zuercher, yes; Mrs. Boring, yes.

### SECOND READING/PUBLIC HEARING – ORDINANCES

#### **Ordinance 118-01 – An Ordinance Amending the Annual Appropriations for the Fiscal Year Ending December 31, 2001.**

There was no discussion.

Vote on the Ordinance – Mrs. Boring, yes; Ms. Chinnici-Zuercher, yes; Mr. Reiner, no; Mr. Peterson, yes; Mr. Adamek, yes.

### INTRODUCTION & FIRST READING – ORDINANCES

#### **Ordinance 124-01 – An Ordinance Accepting the Lowest/Best Bid for the North High, North Street and Darby Street Crosswalk Enhancement Project for the City of Dublin, and Declaring an Emergency**

Mr. Adamek introduced the ordinance.

Mr. Ciarochi stated that this ordinance accepts the bid from Complete General Construction to install the crosswalk in Historic Dublin. At the last meeting, Council asked that this be brought forward, notwithstanding the fact that the bids exceeded the allowable percentage over the engineer's estimate. The only option to reduce the cost would be to substitute a regular traffic pole for the upgraded mast arm and pole structure now proposed. Staff is seeking direction from Council on this aspect.

Ms. Chinnici-Zuercher noted that the engineer's estimate for this project was 40 percent lower than the bid. Why has this situation occurred so frequently in City projects?

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Mayor Kranstuber called the Dublin City Council meeting of September 4, 2001 to order at 7:00 p.m.

Mr. Peterson led the Pledge of Allegiance.

### **Roll Call**

Council members present were: Mayor Kranstuber, Mrs. Boring, Ms. Chinnici-Zuercher, Mr. McCash, Mr. Peterson, and Mr. Reiner. Mr. Adamek was absent (excused).

Staff members present were: Mr. Hansley, Mr. Ciarochi, Ms. Grigsby, Mr. Smith, Ms. Clarke, Mr. Harding, Mr. McDaniel, Mr. Stevens, Ms. Crandall, Mr. Hahn, Mr. Price and Mr. Combs.

### **Approval of Minutes of August 27, 2001 Council Meeting**

Mrs. Boring noted a correction to Page 9 – Scott Shively is not a resident of Dublin but a builder in Dublin.

Mayor Kranstuber moved approval of the minutes with this correction.

Mr. Reiner seconded the motion.

Vote on the motion – Mr. McCash, yes; Ms. Chinnici-Zuercher, yes; Mr. Peterson, yes; Mr. Reiner, yes; Mrs. Boring, yes; Mayor Kranstuber, yes.

### **Correspondence**

The Clerk reported that no correspondence requiring Council action had been received.

### **Citizen Comments**

Wallace Maurer, 7451 Dublin Road, stated that at the last meeting, he commented in regard to the art to be located at the new golf course development, somewhat pre-judging it. He subsequently contacted Mike Fite who referred him to Mr. Edwards in regard to details about the sculpture. He spoke at length with Mr. Edwards and learned that the sculptor is Sophie Ryder who had made considerable impression in Europe and other countries. He regrets having pre-judged this piece, and looks forward to viewing the piece.

Sharon Zimmers, new Superintendent of Dublin Schools addressed Council, indicating that she is looking forward to working closely with the City. She brought greetings to the City from Jodi Holbrook, Mayor of Perrysburg, Ohio. Dublin Schools began their school year today with over 12,000 students. The Dublin Schools appreciate the City's ongoing support of the DARE program and provision of school resource officers to the District.

### **Staff Comments**

There were no comments from staff.

### **LEGISLATION**

#### **TABLED ORDINANCE SCHEDULED FOR HEARING**

#### **Ordinance 75-01—An Ordinance Amending Ordinance No. 21-95 (Amended) to Update the Arterial Traffic Plan for the City of Dublin.**

Mayor Kranstuber asked staff to provide background information.

Mr. Ciarochi stated that staff brought forward an amendment to the Thoroughfare Plan several meetings ago to accommodate a **new alignment for the Tuttle Crossing extension** to the west. The new alignment takes the roadway in an "s" curve to the north, resulting in the frontage of both sides of the roadway being in the City of Dublin. Several property owners in the area and their legal representatives requested that Council delay action on this amendment until a later date, allowing time for further study of the impact on the property owners. Mr. Hale represented the Edwards Company and their interests and Mr. Cline, at that time representing the Karanfilovs, indicated that there might be an opportunity to work with the City of Columbus to adjust the City boundary line. Based upon that request, Council tabled the ordinance for action until tonight.

Ben Hale, Smith & Hale stated that he has two clients he represents with an interest in this matter. The alignment presently before Council runs through the Karanfilov property and the first property south of this is owned by the Bosan family, a sister of Mr. Edwards. The

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piece owned by Mr. Edwards' partnership is currently zoned as a commercial planned district, and the intent of the zoning was that this roadway would remain relatively straight in its alignment to Avery Road. He noted that when a right of way is taken, an owner has the right to compensation for the underlying right of way as well as for the damage to the residual portion of the property. In the present alignment proposed by Council, there will be significant residual damages to the property owners. The other problem with the proposed alignment is that it aligns with the trailer park, and any future western extension will require a taking of the trailer park – generally a very expensive proposition. He is now proposing that the road be placed all in the City of Dublin, but along the border of the Karanfilov and Bosan properties. This results in the Karanfilov property having almost 600 feet of depth, and the Edwards property having a minimum of 240 feet of depth, so there would be little or no damage to the residuals. The Edwards Company would be willing to sell the property in question to Dublin at a fair price. Columbus has indicated that they would then approve transfer of this property into the City of Dublin. This also allows for a future extension to the west which would not impact the trailer park frontage. In terms of development on these properties, with proper depth and proper layout, higher quality development would result.

He asked that Council consider directing staff to work with him on working out the details of this new alignment with the property owners.

Mayor Kranstuber asked if staff has reviewed the proposal.

Mr. Ciarochi spoke to Mr. Hale today briefly about this matter. If Council is supportive, staff would suggest an executive session regarding the land acquisition matter; the amendment to the Thoroughfare Plan would need to be revised. There may be merit to this proposal which would provide a minimum lot depth for properties along both the north and south, within the City of Dublin.

Mayor Kranstuber asked if staff has reviewed this to the extent that they could recommend one of the alignments based upon the costs to the City.

Mr. Ciarochi responded that this has not been studied in any detail. The basic concepts are accurate.

Mr. Hansley commented that Mr. Hale's proposal may be the most cost effective way to accomplish the goal.

Mayor Kranstuber moved to table the ordinance until the October 1<sup>st</sup> Council meeting.

Mr. Reiner seconded the motion.

Mrs. Boring asked what information Council will expect to have from staff by the October 1<sup>st</sup> meeting.

Mayor Kranstuber stated that the information needed is the cost of the new alignment proposed by Mr. Hale, as well as information on any related issues which may have bearing on the matter.

Mr. Hansley stated that Mr. Hale has indicated tonight that Columbus is willing to release this land from the City of Columbus upon petition of the property owner. Therefore, appraisals will have to be done and discussions held with Mr. Hale's clients about a fair price for the land.

Vote on the motion – Mr. Peterson, yes; Mr. Reiner, yes; Mayor Kranstuber, yes; Ms. Chinnici-Zuercher, yes; Mr. McCash, yes; Mrs. Boring, yes.

## **SECOND READING/PUBLIC HEARING - ORDINANCES**

**Ordinance 88-01 – An Ordinance Providing for a Change in Zoning for 642.57 Acres Located on Both Sides of Woerner-Temple Road Between Rings Road and Shier-Rings Road, from: PLR, Planned Low Density Residential District and PCD, Planned Commerce District to: PLR, Planned Low Density Residential District and PCD, Planned Commerce District, and Declaring an Emergency. (Minor Text and Plan Modifications for the Dublin Community Golf Course – Case File No. 01-069Z)**

Mr. Combs noted that this case is a minor text revision related to the Dublin Golf Course development. This incorporates the minor changes made to the text during the development process over the past year. There were four conditions recommended by Planning Commission in their action of August 9, 2001:

1. That finalized legal descriptions be submitted for all subareas prior to review by City Council, subject to staff approval;
2. That all subarea acreages be updated accordingly, prior to being scheduled for City

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Minutes of

Dublin City Council

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held

September 4, 2001

(YEAR)

Mayor Kranstuber called the Dublin City Council meeting of September 4, 2001 to order at 7:00 p.m.

Mr. Peterson led the Pledge of Allegiance.

### Roll Call

Council members present were: Mayor Kranstuber, Mrs. Boring, Ms. Chinnici-Zuercher, Mr. McCash, Mr. Peterson, and Mr. Reiner. Mr. Adamek was absent (excused).

Staff members present were: Mr. Hansley, Mr. Ciarochi, Ms. Grigsby, Mr. Smith, Ms. Clarke, Mr. Harding, Mr. McDaniel, Mr. Stevens, Ms. Crandall, Mr. Hahn, Mr. Price and Mr. Combs.

### Approval of Minutes of August 27, 2001 Council Meeting

Mrs. Boring noted a correction to Page 9 – Scott Shively is not a resident of Dublin but a builder in Dublin.

Mayor Kranstuber moved approval of the minutes with this correction.

Mr. Reiner seconded the motion.

Vote on the motion – Mr. McCash, yes; Ms. Chinnici-Zuercher, yes; Mr. Peterson, yes; Mr. Reiner, yes; Mrs. Boring, yes; Mayor Kranstuber, yes.

### Correspondence

The Clerk reported that no correspondence requiring Council action had been received.

### Citizen Comments

Wallace Maurer, 7451 Dublin Road, stated that at the last meeting, he commented in regard to the art to be located at the new golf course development, somewhat pre-judging it. He subsequently contacted Mike Fite who referred him to Mr. Edwards in regard to details about the sculpture. He spoke at length with Mr. Edwards and learned that the sculptor is Sophie Ryder who had made considerable impression in Europe and other countries. He regrets having pre-judged this piece, and looks forward to viewing the piece.

Sharon Zimmers, new Superintendent of Dublin Schools addressed Council, indicating that she is looking forward to working closely with the City. She brought greetings to the City from Jodi Holbrook, Mayor of Perrysburg, Ohio. Dublin Schools began their school year today with over 12,000 students. The Dublin Schools appreciate the City's ongoing support of the DARE program and provision of school resource officers to the District.

### Staff Comments

There were no comments from staff.

### LEGISLATION

#### TABLED ORDINANCE SCHEDULED FOR HEARING

#### **Ordinance 75-01—An Ordinance Amending Ordinance No. 21-95 (Amended) to Update the Arterial Traffic Plan for the City of Dublin.**

Mayor Kranstuber asked staff to provide background information.

Mr. Ciarochi stated that staff brought forward an amendment to the Thoroughfare Plan several meetings ago to accommodate a **new alignment for the Tuttle Crossing extension** to the west. The new alignment takes the roadway in an "s" curve to the north, resulting in the frontage of both sides of the roadway being in the City of Dublin. Several property owners in the area and their legal representatives requested that Council delay action on this amendment until a later date, allowing time for further study of the impact on the property owners. Mr. Hale represented the Edwards Company and their interests and Mr. Cline, at that time representing the Karanfilovs, indicated that there might be an opportunity to work with the City of Columbus to adjust the City boundary line. Based upon that request, Council tabled the ordinance for action until tonight.

Ben Hale, Smith & Hale stated that he has two clients he represents with an interest in this matter. The alignment presently before Council runs through the Karanfilov property and the first property south of this is owned by the Bosan family, a sister of Mr. Edwards. The

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piece owned by Mr. Edwards' partnership is currently zoned as a commercial planned district, and the intent of the zoning was that this roadway would remain relatively straight in its alignment to Avery Road. He noted that when a right of way is taken, an owner has the right to compensation for the underlying right of way as well as for the damage to the residual portion of the property. In the present alignment proposed by Council, there will be significant residual damages to the property owners. The other problem with the proposed alignment is that it aligns with the trailer park, and any future western extension will require a taking of the trailer park – generally a very expensive proposition. He is now proposing that the road be placed all in the City of Dublin, but along the border of the Karanfilov and Bosan properties. This results in the Karanfilov property having almost 600 feet of depth, and the Edwards property having a minimum of 240 feet of depth, so there would be little or no damage to the residuals. The Edwards Company would be willing to sell the property in question to Dublin at a fair price. Columbus has indicated that they would then approve transfer of this property into the City of Dublin. This also allows for a future extension to the west which would not impact the trailer park frontage. In terms of development on these properties, with proper depth and proper layout, higher quality development would result.

He asked that Council consider directing staff to work with him on working out the details of this new alignment with the property owners.

Mayor Kranstuber asked if staff has reviewed the proposal.

Mr. Ciarochi spoke to Mr. Hale today briefly about this matter. If Council is supportive, staff would suggest an executive session regarding the land acquisition matter; the amendment to the Thoroughfare Plan would need to be revised. There may be merit to this proposal which would provide a minimum lot depth for properties along both the north and south, within the City of Dublin.

Mayor Kranstuber asked if staff has reviewed this to the extent that they could recommend one of the alignments based upon the costs to the City.

Mr. Ciarochi responded that this has not been studied in any detail. The basic concepts are accurate.

Mr. Hansley commented that Mr. Hale's proposal may be the most cost effective way to accomplish the goal.

Mayor Kranstuber moved to table the ordinance until the October 1<sup>st</sup> Council meeting.

Mr. Reiner seconded the motion.

Mrs. Boring asked what information Council will expect to have from staff by the October 1<sup>st</sup> meeting.

Mayor Kranstuber stated that the information needed is the cost of the new alignment proposed by Mr. Hale, as well as information on any related issues which may have bearing on the matter.

Mr. Hansley stated that Mr. Hale has indicated tonight that Columbus is willing to release this land from the City of Columbus upon petition of the property owner. Therefore, appraisals will have to be done and discussions held with Mr. Hale's clients about a fair price for the land.

Vote on the motion – Mr. Peterson, yes; Mr. Reiner, yes; Mayor Kranstuber, yes; Ms. Chinnici-Zuercher, yes; Mr. McCash, yes; Mrs. Boring, yes.

## **SECOND READING/PUBLIC HEARING - ORDINANCES**

**Ordinance 88-01 – An Ordinance Providing for a Change in Zoning for 642.57 Acres Located on Both Sides of Woerner-Temple Road Between Rings Road and Shier-Rings Road, from: PLR, Planned Low Density Residential District and PCD, Planned Commerce District to: PLR, Planned Low Density Residential District and PCD, Planned Commerce District, and Declaring an Emergency. (Minor Text and Plan Modifications for the Dublin Community Golf Course – Case File No. 01-069Z)**

Mr. Combs noted that this case is a minor text revision related to the Dublin Golf Course development. This incorporates the minor changes made to the text during the development process over the past year. There were four conditions recommended by Planning Commission in their action of August 9, 2001:

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Mr. Liddell agreed to forward a copy of the materials to Mr. Smith.

Muriel Liddell, 3838 Summit View, stated she is concerned about the R-1 zoning specifications requiring an acre of land for one home. She and her husband originally purchased two full acres. They understood that they could have placed a home on each of the two acres. Now, her husband has retired, is also disabled, and they are living on a fixed income. Subsequent to their purchase several years ago, the City has taken some of their land in road widenings and easements. They had planned to sell one of their acres, but the new zoning that would require one acre per home would make that land worthless.

Mr. Smith stated that if, through no fault of their own, but as a result of road expansion or takings, their property has been reduced, that would have no effect on the zoning.

Mrs. Liddell asked to receive a written assurance of that.

Mr. Smith indicated that Planning Director, Bobbie Clarke will forward documentation to the Liddell's.

Ms. Liddell stated that a second concern relates to the construction of sewers in their area. A previous Council had made a commitment to the original landowners that when that area received City sewers, no tap-in fee would be charged to those landowners. She is concerned that, unless that also is carried forward in writing, no one will be aware of that commitment.

There was no further discussion.

Vote on the Ordinance: Mrs. Boring, yes; Ms. Chinnici-Zuercher, yes; Mr. Reiner, yes; Mr. McCash, yes; Mr. Adamek, yes; Mr. Peterson, yes.

**Ordinance 66-01 – An Ordinance Authorizing the City Manager to Execute a Ground Lease With Craig R. Sonksen, on a 135' X 104' Tract of Land, Located South of Darby Street, City of Dublin, County of Franklin, State of Ohio, and Declaring an Emergency.**

Mr. Hansley stated that staff requests that this ordinance remain on the table due to the fact that discussion is continuing with the property owner.

**SECOND READING/PUBLIC HEARING - ORDINANCES**

**Ordinance 74-01 – An Ordinance Adopting the Proposed Tax Budget for Fiscal Year 2002, and Declaring an Emergency.**

Ms. Grigsby stated that this is an annual housekeeping item required by the Ohio Revised Code, authorizing the City to file with the County Auditor to continue to receive local government funding. Staff requests adoption tonight on an emergency basis.

Mr. Adamek moved to dispense with the public hearing and treat this as emergency legislation.

Ms. Chinnici-Zuercher seconded the motion.

Vote on the motion: Mr. Reiner, yes; Mrs. Boring, yes; Mr. McCash, yes; Ms. Chinnici-Zuercher, yes; Mr. Adamek, yes; Mr. Peterson, yes.

Vote on the Ordinance: Mr. McCash, yes; Mr. Adamek, yes; Ms. Chinnici-Zuercher, yes; Mr. Reiner, yes; Mrs. Boring, yes; Mr. Peterson, yes.

**Ordinance 75-01 – An Ordinance Amending Ordinance No. 21-95 (Amended) to Update the Arterial Traffic Plan for the City of Dublin.**

Mr. Hansley stated that this provides for the **realignment of Tuttle Crossing** to take a more northerly route. At the last Council meeting, staff was requested to provide an amended exhibit, showing the construction stopping at Avery Road. The amended exhibit was provided in the meeting packets. Staff recommends adoption.

Christopher Cline, attorney, Blaugrund, Herbert & Martin, 5455 Rings Road, stated that he is present tonight to represent Ilija and Denise Karanfilov. He stated that they own approximately 23 acres on Avery Road. Up to this point, the Thoroughfare Plan placed the Tuttle Crossing extension along the southern boundary of their property. That is also the boundary line between Dublin and Columbus. The Karanfilovs were encouraged by

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staff to petition for annexation to Dublin, which they did and are now within Dublin's jurisdiction. Ordinance 75-01 would move the Tuttle Crossing alignment from the southern property line to bisect their property. This impact of this would be significant. Tuttle Crossing is a wide road, between 132 - 138 feet, and it has a 20-ft. utility easement on the north and on the south sides. Overall, they have 640 feet of depth and were assured of developable property up to this point. The Karanfilovs were aware that this process was under discussion, but they were not able to obtain any information or permitted to have discussion with City staff until after the ordinance was introduced. Nor have they yet received any scale drawings to facilitate discussion. As it is currently planned, the Karanfilov's property to the north of the roadway will be undevelopable with only 150 feet of depth. With Dublin's development standards, that is inadequate to allow development. On behalf of his clients, Mr. Cline requested that staff work with the landowners to modify the requirement for a precise alignment, to meet the City's development needs yet not require so significant a detriment to the Karanfilovs. He remarked that he has not previously observed an amendment move with such speed or high degree of confidentiality.

Mr. Adamek noted that the confidentiality was due the fact that it was a land acquisition matter. It was solely a City-driven project, particularly as the roadway is proposed to be completely within the City's jurisdiction as opposed to a shared roadway with the City of Columbus.

Mr. Hansley responded that the staff's objective in bringing this legislation forward at this time was to remove any perceived "cloud of secrecy" attached to the project. If this is approved as an amendment to the Arterial Plan, it will allow open discussion and negotiations with the property owners. It would not preclude minor adjustments to the plan in the future.

Mr. Cline responded that this is unlike previous thoroughfare plan amendments. This is an alignment study, a very precise plan, and that is what Council is being asked to approve. Although he has not seen scaled drawings, he feels certain they exist.

Mr. Hansley noted that it is a conceptual plan.

Mr. Cline requested that the language in the ordinance be amended to clarify that.

Glen Dugger, attorney, 37 W. Broad Street, stated that he represents Bosan & Wilcox, owner of the land through which the west extension of Tuttle Crossing presently runs. He received notification of this proposed amendment this evening, so they do not have enough information on which to base a position in favor or opposed to the legislation. He stated that Bosan is acronym for the Sanbo family, the sister of Pete Edwards and her family. The Wilcox-Tuttle Ltd. Partnership property is comprised of a number of partners, owners and employees of the Edwards' land interests. This is a group which has a long-term relationship with the City, yet has not received any notification. He understands the need for confidentiality in land acquisition matters, but his clients request that Council table this for two weeks to allow them an opportunity to discuss this with City administration before any approval is given. They would like to study the impact on the affected property owners. Generally, anything significant in land use matters receives a public hearing process with time and opportunity for discussions to occur.

Mr. Adamek inquired if there is any reason this legislation could not be tabled to the July 23<sup>rd</sup> Council meeting.

Mr. Hansley indicated that there is not.

Mrs. Boring inquired if this project is programmed in the CIP, and if so, for what year.

Ms. Grigsby that design is planned for this year, acquisition next year, and construction in the following year.

Mrs. Boring inquired about the timeframe for the design process.

Mr. Kindra stated that the design process takes 10 to 12 months. A contract is currently in place with MS Consultants.

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Mr. Hansley stated that if Council desires to consider other alignments, now would be the time to do so.

At this point, Mayor Kranstuber arrived.

Mrs. Boring stated that there are reasons for the proposed amendment to the Thoroughfare Plan. However, property owners who have plans in place which reflect the present alignment of Tuttle Crossing ought to be fully aware of the proposed changes. It is true, that in land alignment issues, Council generally meets with the property owners that would be most effected by the changes. Often this discussion does result in changes being made to the original plan. Consequently, she encourages tabling of the legislation to allow time for that discussion.

Mrs. Boring moved to table Ordinance 75-01 to the July 23<sup>rd</sup> Council agenda.

Ms. Chinnici-Zuercher seconded the motion.

Vote on the motion: Mr. McCash, yes; Mrs. Boring, yes; Mr. Peterson, yes; Mr. Adamek, yes; Mr. Reiner, yes, Mayor Kranstuber, no; Ms. Chinnici-Zuercher, yes.

## **INTRODUCTION & FIRST READING- ORDINANCES**

**Ordinance 76-01 - An Ordinance Accepting the Annexation of 140+/- Acres from Jerome Township, Union County to the City of Dublin.** (Petitioner Norman L. Malik, et al.)

Mayor Kranstuber introduced the ordinance.

Mr. Hansley stated that this land is north of the third high school site. Staff requests that it be held for a second reading/public hearing at the July 23<sup>rd</sup> Council meeting.

Mrs. Boring inquired if the site is in the Dublin Schools district.

Mr. Hansley stated that it is, and is planned for residential development.

Mr. McCash inquired about the relationship to the boundaries for the Metropark.

Mr. Hansley stated that this land theoretically could be on the eastern boundary of the Metropark footprint, but he does not anticipate that the park will be extended to that point.

**Ordinance 77-01 - An Ordinance to Appropriate a 0.564 Acre, More or Less, Fee Simple Interest, From Warren W. Gorden, Located North of Post Road, Township of Jerome, County of Union, State of Ohio, and Declaring an Emergency.**

Mr. Adamek introduced the ordinance.

Mr. Smith stated that a resolution related to this property was approved at the last meeting. Staff continues negotiations on the property and requests that it be held for a second reading/public hearing at the July 23<sup>rd</sup> Council meeting.

Mr. Adamek inquired why this was not the developer's responsibility.

Mr. Smith stated that the developer cannot take the property; only the City can do so.

There is an agreement in place for the City to be reimbursed for the cost of the appropriation and the attorney fees.

**Ordinance 78-01 - An Ordinance Designating National City Bank as an Additional Eligible Depository for Active Monies of the City of Dublin to Implement a Purchasing Card Program.**

Mr. Adamek introduced the ordinance.

Ms. Chinnici-Zuercher indicated that she has many concens about the legislation, and she will call Ms. Grigsby to discuss them.

There will be a second reading/public hearing at the July 23, 2001 Council meeting.

**Ordinance 79-01 - An Ordinance Authorizing a Cooperative Agreement with the Ohio Department of Transportation to Complete a Highway Improvement Project on a Portion of Interstate 270 within the City limits of Dublin at No Expense to the City of Dublin.**

Mr. Adamek introduced the ordinance.

Mr. Hansley stated that this will allow ODOT to work within the City limits to pave a section of I-270.

There will be a second reading/public hearing at the July 23, 2001 Council meeting.

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grounds for operating funds and additional capital projects.

Ms. Chinnici-Zuercher suggested that in view of the expenditure of \$800,000 plus, there are federal grant monies available and foundations interested in restoration of historic buildings, particularly for a public art arena. It is likely not too late to explore this possibility. Staff should routinely seek grant monies without being given specific direction from Council. Securing grant monies for projects such as this frees up City funds for other projects.

Mr. Hansley responded that staff will explore this possibility, but if it adds time or restrictions, he will bring it back to Council for consideration.

Mr. Hahn requested emergency action in order to protect the bid timeframes, and because the DAC's current lease expires at the end of the year.

Mrs. Boring moved to treat this as emergency legislation.

Ms. Chinnici-Zuercher seconded the motion.

Vote on the motion: Mr. Reiner, yes; Ms. Chinnici-Zuercher, yes; Mr. McCash, yes; Mrs. Boring, yes; Mr. Peterson, yes; Mayor Kranstuber, yes.

Vote on the Ordinance: Mr. McCash, yes; Mr. Peterson, yes; Mrs. Boring, yes; Ms. Chinnici-Zuercher, yes; Mayor Kranstuber, yes; Mr. Reiner, yes.

## **INTRODUCTION & FIRST READING – ORDINANCES**

### **Ordinance 74-01 – An Ordinance Adopting the Proposed Tax Budget for Fiscal Year 2002, and Declaring an Emergency.**

Mayor Kranstuber introduced the ordinance.

Ms. Grigsby stated that the Ohio Revised Code requires this each year. It is a preliminary step in the budgeting process. There is no significant change from last year. It again incorporates the use of the inside millage for parkland acquisition. Staff is recommending that this be held over for public hearing on June 25.

There will be a second reading/public hearing on June 25.

### **Ordinance 75-01– An Ordinance Amending Ordinance No. 21-95(Amended) to Update the Arterial Traffic Plan for the City of Dublin.**

Mayor Kranstuber introduced the ordinance.

Mr. Hansley stated that this amendment **adds the new alignment for the Tuttle Crossing extension**, as previously discussed by Council. The intent is to inform the public of this change. Testimony will be taken at the second reading.

Mayor Kranstuber stated that Mr. Adamek asked him to relay that his understanding in previous discussion was that the Tuttle Road extension being authorized at this time was to stop at Avery. This plan as shown, however, continues west of Avery.

Mr. Hansley agreed, noting that this was a plan from 1999 and it can be revised prior to the second reading.

It was the consensus of Council that the Tuttle Crossing alignment being authorized with this ordinance end at Avery Road.

Mrs. Boring asked why this is not being referred to Planning & Zoning Commission.

Mr. Hansley stated that Council could do so, if they desire. It does affect development issues. Council could also refer it to a Committee of Council, if that is their preference.

Mr. Smith stated that referral to P&Z is optional.

Mr. Hansley stated that staff shared this information with the City of Columbus staff last week. The positive news for Columbus is that they will no longer have to contribute to the road project – the new alignment brings the entire roadway into Dublin.

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

## **INTRODUCTION & PUBLIC HEARING – RESOLUTIONS**

### **Resolution 34-01 – A Resolution of Intent to Appropriate a 0.564 Acre, More or Less, Fee Simple Interest, From Warren W. Gorden, Located North of Post Road, Township of Jerome, County of Union, State of Ohio.**

Mayor Kranstuber introduced the resolution.

Mr. Smith stated that this relates to the ongoing RailVan project on Perimeter Drive.

Vote on the Resolution: Mr. Peterson, yes; Mrs. Boring, yes; Mr. Reiner, yes; Mr. McCash, yes; Mayor Kranstuber, yes; Ms. Chinnici-Zuercher, yes.

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Mr. McCash noted that the Old Dublin Association is also a 501c6 entity. Mayor Kranstuber added that restricting the grants further would eliminate Council's discretion about certain groups, i.e., schools, merchant organizations, etc. Discussion followed.

In regard to the Old Dublin Association application, Mr. Reiner noted that the group was also asked to work together to develop a mutually beneficial plan, using the guidelines of the Community Plan, to resolve the parking issue in Old Dublin before requesting additional funds.

Mr. Reiner moved approval of the recommendation of the Committee.

Mr. Peterson seconded the motion.

Vote on the motion - Mr. McCash, yes; Mr. Reiner, yes; Mrs. Boring, yes; Ms. Hide Pittaluga, yes; Mayor Kranstuber, yes; Mr. Peterson, yes.

## 5. Dublin Kiwanis 34th Annual Frog Jump Festival

The request is for \$4,000 to offset the cost of City services during the event scheduled on June 26, 1999. The recommendation of the Committee is to grant funding to cover the actual cost of City services not to exceed \$4,000 with the conditions listed in the minutes of the Committee meeting of April 6, 1999.

Mayor Kranstuber moved approval of the recommendation.

Mr. Peterson seconded the motion.

Vote on the motion - Mr. McCash, yes; Mrs. Boring, yes; Ms. Hide Pittaluga, yes; Mayor Kranstuber, yes; Mr. Peterson, yes; Mr. Reiner, yes.

## 6. Grandview Bicycle Race Company

The request is for \$1,200 to offset the cost of City services for the Wendy's International Sports Festival - a cycling event to be held on August 6, 1999 in Dublin. The recommendation of the Committee is to grant funding to cover the actual cost of City services, not to exceed \$1,200, with the conditions listed in the minutes of the Committee meeting of April 6, 1999.

Mayor Kranstuber moved approval of the recommendation.

Mr. Peterson seconded the motion.

Vote on the motion - Ms. Hide Pittaluga, yes; Mrs. Boring, yes; Mr. McCash, yes; Mr. Reiner, yes; Mayor Kranstuber, yes; Mr. Peterson, yes.

## Shannon Glen 3 Entry Feature Sign Encroachment

Mr. Hansley stated that a detailed staff report has been provided. The City Engineer is recommending approval of this encroachment.

Joe Luebbe, R.D. Zande & Associates, 1237 Dublin Road stated that their intent is to mirror what has been done across the street at Balmoral in Muirfield. The original proposal for this subdivision included the sign in the median, but due to the bikepath and utility constraints, many of the walls done at Balmoral cannot be duplicated at this location. They would still like to retain the wall in the median as a main identification sign.

Mrs. Boring asked who will maintain this sign.

Mr. Luebbe stated that the responsibility for maintenance of the island and the sign will be by the homeowners association. If any type of easements are required, that would be acceptable. The responsibility for maintenance will be noted on the final plat.

Mr. Kindra pointed out that the final plat has already been approved by Council, so language cannot be added to the document. This matter has probably been addressed, but approval can be contingent upon maintenance being done by the homeowners association.

Mrs. Boring moved approval of the encroachment with the understanding that the island and sign will be maintained by the homeowners association.

Ms. Hide Pittaluga seconded the motion.

Vote on the motion - Mr. Peterson, yes; Mr. McCash, yes; Ms. Hide Pittaluga, yes; Mrs. Boring, yes; Mayor Kranstuber, yes; Mr. Reiner, yes.

## Tuttle Crossing Alignment West of Wilcox Road

Mr. Helwig stated that staff was requested at an early Southwest Plan session to undertake an analysis of the feasibility of moving the alignment northward of the Tuttle Crossing extension from Wilcox to Avery Road. A report was distributed prior to the last Council meeting and redistributed for this packet. There were some preliminary

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estimates of the cost of moving this to the north as outlined in the memo from Mr. Kindra.

Mayor Kranstuber asked if the \$780,000 figure in the memo is for construction costs alone.

Mr. Kindra responded that this includes additional construction costs as well as the additional right-of-way needed.

Mayor Kranstuber indicated that Mr. Cline has estimated the right-of-way costs at much higher, and it is important to have an accurate cost estimate before making any decisions.

Mr. Smith noted that the report does not take into consideration the damage to residuals associated with the change of alignment. He suggested that Council authorize some appraisals to be made in order to determine preliminary numbers about the amount of acreage involved in the take and, based on the current lot lines, the damage to the residual.

Mayor Kranstuber asked if Council agrees with this course of action.

Mr. Peterson noted that the other options identified in Mr. Kindra's memo should also be explored.

Mrs. Boring stated that she has concern with honoring some commitments made to residents, i.e., the Wilcox Road issue, and not honoring others, i.e., the alignment of Tuttle Crossing.

Mayor Kranstuber noted that there are three courses of action available to Council tonight: vote to realign the road, vote against realigning the road, or delay the decision until the costs are understood.

Mr. Hansley noted that, as outlined in Mr. Cline's memo, there are commitments in place regarding the alignment: one with the City of Columbus regarding the present alignment which was jointly engineered and secondly, a moral commitment to the property owner impacted. If Council wants additional information, the request should be specific because of the cost of appraisals, engineering studies, etc.

Mayor Kranstuber moved to direct staff to investigate Mr. Kindra's options contained in the memo of March 8, 1999 and to obtain appraisals for the costs associated with moving the road in terms of right-of-way.

Ms. Hide Pittaluga asked that he amend his motion to include bringing forward other options for realigning the road.

Mayor Kranstuber accepted this amendment.

Mr. Reiner seconded the motion.

Vote on the motion - Mr. Reiner, yes; Mr. Peterson, yes; Mrs. Boring, no; Ms. Hide Pittaluga, yes; Mayor Kranstuber, yes; Mr. McCash, yes.

Mrs. Boring moved that staff notify all of the affected parties of the proposed realignment. There are affected Dublin residents who live in the Hilliard School district and therefore do not receive the *Dublin News*.

Mr. Smith suggested that staff assemble the information and, prior to scheduling this item on a future Council agenda, a public information notice be sent out by the City.

It was the consensus of Council to have staff send out a letter informing affected parties about the alignment matter prior to the next hearing.

## **Council Round Table/Committee Reports**

Mr. Peterson noted that he is optimistic about the southwest planning effort after attending the meeting with the developers on Friday. He was encouraged by their positive response to the proposal.

Ms. Hide Pittaluga commented as follows:

1. She has received an advertisement for a video of *Robert's Rules of Order*. This may be of interest to staff or Council members.
2. The light sequence at Coffman Road and Emerald Parkway seems delayed at late night hours. She asked that staff check on this.
3. She asked if there is any more news on the possibility of funding for storm water problems.

Mr. Helwig responded that the CIP forms have been distributed by Ms. Grigsby for summer CIP sessions. In terms of outside funding, he is not aware of any new developments, but staff will continue to pursue any such opportunities.

4. As discussed previously at goal setting, she would like to propose tonight that the concept of a business center be explored for Dublin, possibly as an extension or as a part of the new municipal facility being considered. She has spoken with the Convention Bureau and the Economic Development Division about this

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Mr. Clear responded that the studies have not been completed. He met with the residents last week, and then was requested to have a report for staff on Thursday. The studies have been preliminary at this point. What he has found is that there is an existing problem now on Wilcox, and the traffic volumes continue to increase. When the Woerner-Temple extension is completed, Wilcox will have an even greater traffic volume south of Woerner-Temple. The traffic volumes north of Woerner-Temple will be reduced significantly. He is suggesting that the cul-de-sac be in place for some significant amount of time, in view of the timetable for the Tuttle Crossing and Avery Road improvements. Therefore, temporary does not mean simply a barrier on Wilcox at Woerner-Temple, but rather something that appears as the end of a road, with signage and sized large enough for the fire department turn around. **The issue can be revisited after the Tuttle Crossing extension,** Emerald Parkway, and Avery widening are completed.

Mr. Yoder stated that the residents support a comprehensive solution for the entire neighborhood. Cul-de-sacing Wilcox Road on the south side of Woerner-Temple is the right thing to do now, and he urges Council to do so.

Mayor Kranstuber asked if there is anyone present who is opposed to the cul-de-sac as a short term solution, with a continuation of traffic studies being done.

Joel Craig, Wilcox Road asked if Council would consider some ways to reduce the speeding on Wilcox. It is a serious problem. He does not want the problem compounded after this cul-de-sacing is done.

Mr. McCash stated that perhaps speed humps would be effective for this portion of Wilcox. This could be reviewed with the Fire Department.

Ms. Hide Pittaluga suggested that the cul-de-sac be done for a trial period to see how effective it is.

Mr. Peterson asked about the possibility of a "no left turn" during the rush hour period from Wilcox Road onto Tuttle Crossing.

Mr. Clear responded that they do not recommend these kind of things because it requires constant monitoring for enforcement purposes. Planning the roads correctly is the real answer, not temporary fixes.

Discussion continued.

Ms. Hide Pittaluga stated that she is in favor of a phased-in trial period for the various options.

Mr. Peterson agreed with Mr. Clear's recommendation on the cul-de-sac at Woerner-Temple.

He moved to establish a task force to give direction to staff and to help prioritize the solutions, and that Council review the CIP in order to address the timing of the other road improvements.

Mr. Reiner seconded the motion.

Mr. Adamek stated that temporary will translate to several years. If the issue is one of timing, will Woerner-Temple be constructed with turn lanes for eventual connection to Wilcox? Or will direction be given to staff to eliminate the stub street, because the temporary cul-de-sac will be more permanent in nature? If that's the case, there will be land acquisition needed for the turnaround. Eliminating the stub street will require changes orders to the construction documents. He would prefer to make this decision based on concise studies and a cost analysis. Whatever decisions are made will affect

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Township approximately 44 acres at Darree Fields. The City with this action is exchanging the 44 acres owned jointly with the Township for seven acres owned by the City along Wilcox Road. A map was provided to Council tonight. The resolution indicates that the City no longer has a need to develop the seven acres which abuts land owned by Washington Township along Wilcox. The township will deed their interest in the 44 acres at Darree Fields to the City. After this action, the City can proceed with the petition for annexation of the 44 acres to the City.

Mrs. Boring asked why this is in resolution form.

Mr. Smith responded that it declares the intent to exchange land, and Washington Township will pass a similar resolution. The quit claim deeds will be drafted and then executed to effect this action.

Vote on the resolution - Mr. Adamek, yes; Mr. Reiner, yes; Mrs. Boring, yes; Mr. McCash, yes; Mr. Peterson, yes; Ms. Hide Pittaluga, yes.

Mr. Hansley added that the main reason that the City initiated discussion with the township on the Darree Fields land exchange was to facilitate the annexation process provided under the ORC for land owned by municipalities. After this annexation is completed, the City can extend utilities lines to the site to allow for needed restroom improvements.

## **OTHER**

### Discussion re Windmiller parcel right-of-way

Mr. McCash noted that information from staff was included in the packet regarding what has occurred to date in regard to the Windmiller parcel issue. A rezoning application was filed prior to the moratorium in the southwest area to rezone the property from an existing planned district text to essentially a higher intensity type of commercial zoning. A copy of the proposed text was provided in a separate packet on Friday along with a copy of a letter of intent regarding the appropriation of the additional right-of-way. An issue arose because of a need for **additional right-of-way for the Tuttle Crossing extension through to Avery and ultimately to the west.** The Thoroughfare Plan was amended to increase that right-of-way width to 138 feet from the 80 feet which was part of their approved development text. After the amendment to the Thoroughfare Plan, staff discussed with the applicant the need for the additional right-of-way. As part of that request for additional right-of-way, the applicant stated that their approved plan for a small neighborhood commercial town center at those corners was no longer viable, and that they would need to add uses or amend the zoning in exchange for this additional right-of-way. Apparently, there was some sort of negotiation between staff and representatives of the Wilcox Tuttle Limited Partnership, and a letter of intent was executed in which the applicant agreed to give the City the additional right-of-way, subject to a successful rezoning. Previously, there was an issue of whether the applicant would build a portion of the road, and under this letter of intent, the City would build portions of the road and reimburse them for 40 percent of their cost of the roadway. The letter of intent was executed by the City Manager and by a representative of Wilcox Tuttle Limited Partnership.

The applicant then went to the Planning Commission with an amended development text. It included conditional uses such as movie theaters; it increased the size and square footage of the buildings from a 12,000 square foot grocery store to 20,000 square feet; and there were also some density issues. It was discussed at Planning Commission, and a subcommittee was formed to explore a way to acquire the additional right-of-way in exchange for negotiation on items such as lot coverage or stormwater issues. Two meetings took place, and the developer provided three options for the subcommittee's consideration: 1) not to request the additional right-of-way and amend the Thoroughfare Plan to 80 feet; 2) the City pays for the additional right-of-way and the applicant builds what has already been approved; or 3) compensate them for the right-of-way by means of a tax abatement. All of these options require Council action.

In addition, Council needs to consider some other factors such as the possibility of re-

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orienting the Tuttle Crossing extension toward the north. **The land on both sides of Tuttle Crossing would then be located in Dublin, and therefore the development and traffic impacts can be controlled by Dublin in the best interests of the southwest area.** Staff has been asked to gather information on this matter for further review by Council.

In the meantime, there has been an application for final development approval for a United Dairy Farmers store at the northeast corner of the Windmill parcel. Although the relocation of the Tuttle Crossing to the north doesn't affect the land east of Wilcox Road, the issue of the right-of-way does affect this final development plan. If the City wants 138 feet of total right-of-way for Tuttle Crossing, it will affect the final development plan for UDF. Perhaps these issues should be discussed at the March 8 southwest plan meeting. He asked Ms. Clarke to comment on the UDF final development plan and the possibility of reworking it.

Ms. Clarke responded that she is not familiar with the specifics on that particular case. In relation to the Windmill parcel, there are some basic problems with the zoning that is in place in view of the wider right-of-way now needed. The assumption a few years ago was that Tuttle Crossing would be three lanes or possibly five, yet the amended Thoroughfare Plan calls for seven. Taking additional right-of-way decreases the developable land, and the site plan layout in that overall plan no longer will work.

Mr. McCash stated that this is why he believes there is a conflict in that there is less developable area, yet the applicant is requesting more intense use and larger buildings.

Mayor Kranstuber asked for clarification of what action is needed from Council tonight.

Mr. McCash stated that the developer has brought forward three proposals as options to resolve the current issue before Planning Commission. Personally, he does not believe any of these is viable. He is seeking direction from Council on these options as proposed. In the original rezoning documents, it indicates that the applicant is responsible for constructing five lanes of Tuttle "all the way through". The applicant seems to have a different interpretation of what was agreed upon, and believes they were to build three lanes. The letter of intent was an attempt to resolve who would pay for what.

Mr. Reiner noted that the realignment of Tuttle Crossing as discussed recently by Council may resolve much of this. In terms of the land use, how does the altered road alignment impact this parcel in terms of developable land?

Mr. McCash responded that it may affect the amount of right-of-way needed, but in order to determine that, staff will need to do some traffic analysis. In reviewing the traffic analysis from the Community Plan and assessing what may or may not develop in the area, staff came up with a figure of 138 feet of needed right-of-way.

Mayor Kranstuber asked that Mr. McCash frame a motion for Council.

Mrs. Boring commented that she is having a difficult time understanding this issue without maps and detailed information. **Her understanding is that Council had directed staff to investigate the realignment of Tuttle Crossing,** and it seems premature to make any decision at this time on the Windmill parcel.

Mr. McCash stated that the Tuttle Crossing extension issue should be included on the agenda for the March 8 southwest plan meeting. The issue regarding the additional right-of-way and the United Dairy Farmers proposal is related to areas east of Wilcox Road. Whether the Tuttle Crossing extension is relocated to the north or not doesn't impact anything east of Wilcox.

Mr. McCash moved that Council reject the three options that have been presented by the developer for the acquisition of the right-of-way.

Mrs. Boring seconded Mr. McCash's motion.

Ms. Clarke pointed out that staff has negotiated over a long period of time what they

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believe is a fair agreement with the developer. However, the Planning Commission believed that staff had negotiated away too much - that the retail uses were too broad. She explained that when the developable land becomes smaller, the developer looks to be compensated for the loss of the land and the loss of the development rights. What the staff negotiated was some slightly broader uses, larger buildings, and changes to the architecture. The developer gave concessions in terms of curb cuts, and the City agreed to absorb part of the construction costs. The subcommittee of Planning Commission was not in favor of the changes in use or architecture, and the developer was encouraged to consider some different development standards. These were determined by the developer not to be viable. Thus the developer proposed the options as outlined by Mr. McCash.

Mr. McCash stated that the history of the zoning indicates a commitment to build a five-lane road, and if the City is going to be pay 40 percent of the cost, compensation has already been given to them for the additional right-of-way.

Mrs. Boring seconded Mr. McCash's motion.

Ms. Clarke noted that these options were the result of two years of negotiation. If there isn't any interest in compensating the developer in some way, how can the planned zoning already in place be reconciled with the adopted Thoroughfare Plan?

Mr. Smith summarized that Council amended the right-of-way requirements in the Thoroughfare Plan. The issue of appropriate compensation may not be able to be settled by this body. It appears that the three proposals of the developer are unacceptable to Council. It has been a policy of Council that they are the body who determines the right-of-way needs within the Thoroughfare Plan. How this right-of-way is obtained and under what terms is then a negotiable item - not the amount of right-of-way needed. He added that realigning the road does have an impact on the site and maybe on the appropriate uses. Until Council decides what to do with the road and the costs of doing so, it is premature to make a decision.

Mayor Kranstuber asked why this is not being handled at the staff level.

Mr. Hansley responded that staff negotiated for over two years what they believed to be the best deal, and the members of Planning Commission are not satisfied. The key factor here is that Council will have to amend the Thoroughfare Plan to change the right-of-way requirement. However, a road that is not designed to carry the traffic is destined to fail five years from now.

Ms. Hide Pittaluga stated that she is concerned with negotiating expanded uses for this site, especially in view of the process underway currently for the overlay district in the southwest area. She agrees with Mr. Smith that if the right-of-way is needed, the City should take it.

Mayor Kranstuber asked for clarification of the staff recommendation.

Mr. Helwig responded that staff negotiated with the developer that they would donate to the City 2.5 acres of land for the right-of-way in order to comply with the Thoroughfare Plan as adopted in the Community Plan. In regard to the stub west of Wilcox on Tuttle, the City would pay 40 percent of the construction costs and the developer would pay 60 percent. This was forwarded to Planning Commission for rezoning, and the applicant was seeking nine additional uses for those corners. Planning Commission balked at this and referred it to a subcommittee. Since that time, staff has not been involved. The deal recommended by staff was worked on by Ms. Clarke, Mr. Kindra, and himself with Mr. Hansley's concurrence. It gave the City the necessary land at no cost, an agreement on the extension of the road to the west, and provided additional land uses. Staff felt this was a good compromise. Some residents in the southwest were opposed to any retail at that intersection, and there was no resolution on the issues. Staff has not been involved with this matter for three months.

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Mr. Hansley added that the letter of intent executed by staff is the way business has been done in Dublin for the past 15 years. Planning Commission has always asked for information about the roadway construction and funding in conjunction with their review of development proposals, and staff has provided this. From staff's perspective, this proposal was handled in the same manner as proposals have been handled over the years. The letter of intent merely indicates that upon favorable rezoning, staff will recommend that the road is funded and constructed as outlined in the letter. In this case, the key issue is the width of the road desired by the City. From the standpoint of economics, the letter of intent with this proposal is the least costly way to construct the road.

Mr. Reiner stated that if the developer was to pay for five lanes of roadway, they should pay for five. He does not understand the issue.

Mr. McCash responded that this is part of the debate. The current proposal before Planning Commission will likely be disapproved and the applicant will then come to Council requesting an override. From his standpoint, it was a surprise to see a letter of intent signed and executed stating that, subject to approval of rezoning, the City will be given the additional right-of-way and the City will reimburse 40 percent of the road costs.

Mr. Hansley reiterated that it has long been the City's practice for staff to negotiate letters of intent, subject to approval by Planning Commission and Council.

Discussion continued.

Mr. McCash commented that the developer has indicated that if the City pays them for the right-of-way needed, they'll proceed with their plan as it is already zoned. This seems to indicate that the plan is still viable.

Mr. Smith noted that the issue will be with the value of the right-of-way as determined by the City's appraiser. The simple solution is for the City to purchase the 2.5 acres, and for the developer to build what is already approved.

Mr. McCash stated that if Council rejects these options, Planning and Zoning will proceed and the proposal will come to Council with either a favorable or unfavorable recommendation.

Mr. Adamek indicated that he is supportive of allowing the Planning Commission to do their job. The developer should not dictate how business is done in the community.

Mayor Kranstuber suggested that Planning Commission come up with another option.

Mr. McCash responded that they do not want to discuss another option.

Mayor Kranstuber repeated the motion on the floor, that Council reject the three options provided by the developer.

Vote on the motion - Mr. Peterson, yes; Mayor Kranstuber, yes; Mrs. Boring, yes; Mr. Reiner, yes; Mr. Adamek, yes; Ms. Hide Pittaluga, yes; Mr. McCash, yes.

## **Council Round Table/Committee Reports**

Mr. Adamek congratulated Ms. Grigsby and her staff for receiving a Certificate of Achievement for Financial Reporting.

Mr. Reiner congratulated Ms. Grigsby as well. He noted that the recent Employee Recognition Dinner was a very enjoyable event.

## **Mrs. Boring:**

1. Invites everyone to join her under the new "tree" at Scioto Park - the City's newest cellular tower.
2. Provided a brief summary of the Administrative Committee action of January 25.

**To:** Members of Dublin City Council  
**From:** Dana L. McDaniel, City Manager   
**Date:** May 5, 2016

**Initiated By:** Paul A. Hammersmith, PE, Director of Engineering/City Engineer  
Jean-Ellen M. Willis, PE, Engineering Manager – Transportation

**Re: Resolution 26-16, Support of the Mid-Ohio Regional Planning Commission (MORPC) Attributable Funding Commitment**

## Background

In 2014, Dublin submitted an application and was awarded \$7 million by the Mid-Ohio Regional Planning Commission (MORPC) Attributable Funds grant program for the Tuttle Crossing Boulevard Extension project. The awarded grant funds will become available to this project in State Fiscal Year 2019, which begins July 1, 2018. Resolution 82-14, which is the legislation passed to support the Attributable Funds application, and all supporting documentation are attached for your reference.

This regionally important project connects Tuttle Crossing Boulevard from its existing terminus at Wilcox Road with Avery Road, and also widens Avery Road, from Dublin's southern corporation limit to the Rings Road west intersection. Roundabouts will be installed at the existing intersections of Tuttle Crossing Boulevard and Wilcox Road and Avery Road and Rings Road west, and the future intersection of Tuttle Crossing Boulevard and Avery Road. A general project location map with work descriptions is below in Figure 1.

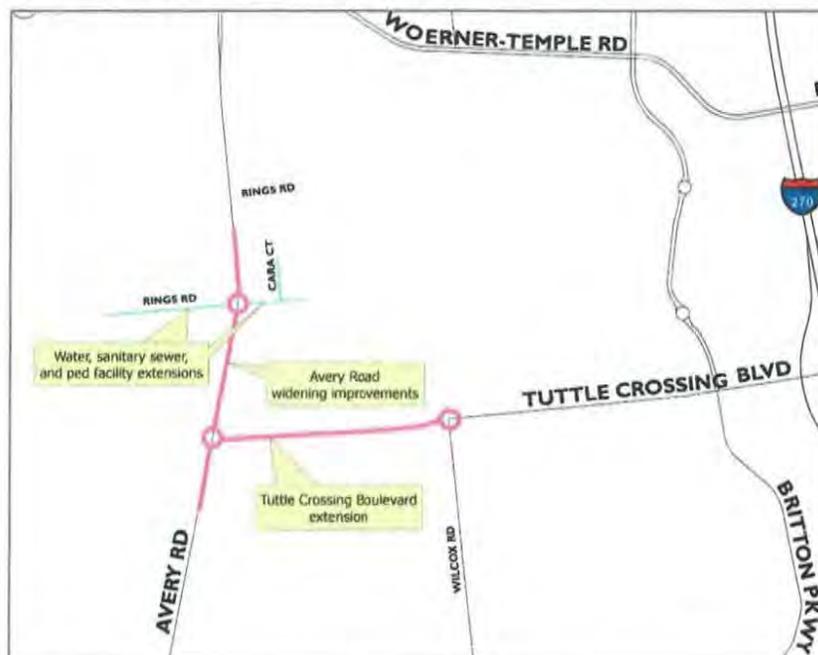


Figure 1. Avery Road widening and Tuttle Crossing Boulevard project area

After receiving an Attributable Funds grant award, a Funding Commitment Project Update is required every two years to report on the project scope, schedule, and estimated cost to MORPC. In addition, project sponsors must submit legislation to reaffirm the commitment to the project for MORPC's records.

Currently, the project is on budget and on time. Staff and our consultant for the project, American StructurePoint, are working with the Ohio Department of Transportation (ODOT) to submit and receive approval of the required environmental documents and develop thirty percent, or Stage 1, construction drawings. The most current schedule shows the Stage 1 drawings being submitted to Dublin and ODOT by mid-May. It is anticipated that right-of-way will be authorized in early 2017. The project is scheduled to bid in the fourth quarter of 2018 in order to be ready for construction to begin in the spring 2019.

The current construction cost estimate for the project is \$12,054,000. Total project costs, including design, landscaping, utility relocation and acquisition are estimated to be \$15,815,000. Several sources of funding for this project have been identified. The table below outlines known contributions to date.

<b>Funding Source</b>	<b>Amount</b>
MORPC Attributable Funds	\$7,000,000
Columbus Pay as You Grow	\$2,800,000
Avondale Infrastructure Agreement	\$492,800
<b>Total</b>	<b>\$10,292,800</b>

Given the funding identified from outside sources in the table above, the amount of needed funding from Dublin to construct this project is estimated to be \$1,761,200. It is expected that Dublin's total financial contribution to the project will be \$5,522,200. The project is funded through service payments from the Rings/Frantz TIF, and an advance of income tax from the General Fund.

### **Recommendation**

Staff recommends adoption of Resolution 26-16 supporting the Mid-Ohio Regional Planning Commission Attributable Funding Commitment.

# RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc., Form No. 30045

82-14

Resolution No. \_\_\_\_\_ Passed \_\_\_\_\_, 20\_\_\_\_

**RESOLUTION SUPPORTING THE ATTRIBUTABLE FUNDING AND OHIO  
PUBLIC WORKS COMMISSION APPLICATIONS  
FOR THE TUTTLE CROSSING BOULEVARD EXTENSION  
AND AVERY ROAD WIDENING TO THE MID-OHIO REGIONAL PLANNING  
COMMISSION (MORPC)**

**WHEREAS**, the extension of Tuttle Crossing Boulevard between Wilcox Road and Avery Road, and the widening of Avery Road between Dublin's southern corporation limit and Rings Road West is included in the Community Plan; and

**WHEREAS**, this project provides a much needed east-west link in the City's transportation system; and

**WHEREAS**, the project provides dedicated bike and pedestrian ways along both Avery Road and Tuttle Crossing Boulevard; and

**WHEREAS**, providing direct access to the interstate system and increasing capacity on Avery Road will improve driving conditions in the southwest portion of the City and neighboring portions of the region.

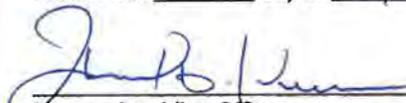
**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Dublin, 5 of its elected members concurring, that:

**Section 1.** Dublin City Council respectfully supports all efforts to obtain funding from the Mid-Ohio Regional Planning Commission (MORPC) to assist in advancing the extension of Tuttle Crossing Boulevard and the widening of Avery Road.

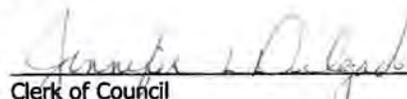
**Section 2.** Dublin City Council is committed to the local funding level included with this request.

**Section 3.** This Resolution shall be effective upon passage in accordance with Section 4.04(a) of the Revised Charter.

Passed this 22<sup>nd</sup> day of September, 2014.

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

ATTEST:

  
\_\_\_\_\_  
Clerk of Council  
(Acting)



**To:** Members of Dublin City Council

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

**Date:** September 18, 2014

**Initiated By:** Paul A. Hammersmith, PE, Director of Engineering/City Engineer  
Jean-Ellen M. Willis, PE, Engineering Manager – Transportation

**Re:** Resolution 82-14 - Support of Mid-Ohio Regional Planning Commission  
Attributable Funding and Ohio Public Works Commission Applications

### Background

The Tuttle Crossing Boulevard extension, from Wilcox Road to Avery Road, and Avery Road widening, from Dublin's southern corporation limit to the Rings Road West intersection is an important transportation project. Included in the City's Community Plan, this project provides a much needed east-west link in the City's transportation system, as well as dedicated bike and pedestrian ways along both Avery Road and Tuttle Crossing Boulevard. A shared-used path is also included along Rings Road, as well as sidewalk extensions along Cara Road and Cara Court.

Water and sanitary sewer are also extended along Tuttle Crossing Boulevard, Rings Road West, Cara Road and Cara Court. Providing direct access to the interstate system and increasing capacity on Avery Road will improve driving conditions in the southwest portion of the City and neighboring portions of the region (see Figure 1 below).

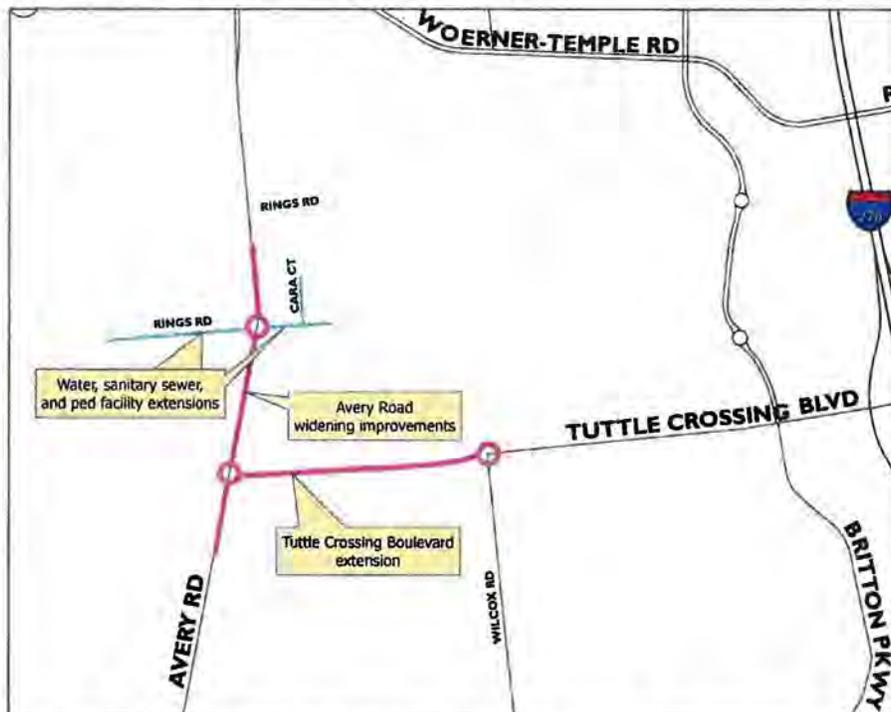


Figure 1. Avery Road widening and Tuttle Crossing Boulevard project area

The construction cost of this project is estimated to be \$11 million. Staff is requesting \$7 million for construction through the MORPC Attributable Funding program. MORPC's attributable funding is typically used to close funding gaps, not fund entire projects. Successful requests are typically \$7 million or less per year. A funding match of at least 20% of the construction is generally required. Other sources of funding will also be pursued for this project.

MORPC expects to make \$40 to \$50 million total available for new projects, pending previous commitments. About \$16 million of the total is targeted for major roadway widening and new alignment projects. Final applications were due to MORPC August 15, 2014. The Federal Funding Committee (in MORPC) will review the application scores/rankings and will recommend projects for funding. A draft list of projects selected for funding will be published by December, with a public review and comment period following. MORPC expects to approve the new funding commitments in February 2015.

Ohio Public Works Commission (OPWC) funding will also be sought for this project. Successful grants for this funding typically range from \$500,000-\$2,000,000. An application was submitted by the September 15, 2014 filing date. It is unlikely that the project will receive funding in this round as Dublin is not proposing to go to construction before next year. However, it is good to have the project presented to the region to see how it ranks in comparison. Once staff has a better understanding of timing for construction, another application will be submitted for OPWC funds that can be used in a future year.

### **Recommendation**

Staff recommends adoption of Resolution 82-14, supporting the Mid-Ohio Regional Planning Commission Attributable Funding and OPWC applications.

**To:** Members of Dublin City Council  
**From:** Marsha I. Grigsby, City Manager *mlg*  
**Date:** September 4, 2014  
**Initiated By:** Paul A. Hammersmith, PE, Director of Engineering/City Engineer  
Jean-Ellen M. Willis, PE, Engineering Manager – Transportation  
**Re:** Tuttle Crossing Boulevard Extension/Avery Road Widening Project Summary

## Background

For the August 11, 2014 Council meeting, staff prepared a report informing Council that a grant application for MORPC Attributable Funding was being prepared for the Tuttle Crossing Boulevard Extension and Avery Road Widening project and that a resolution of support for the application be passed at a future Council meeting. At that meeting, several questions were asked regarding the project. This staff report will discuss the long-term plan for Tuttle Crossing Boulevard, nearby development projects, the overall roadway network in the vicinity, and why this project benefits the residents of Dublin.

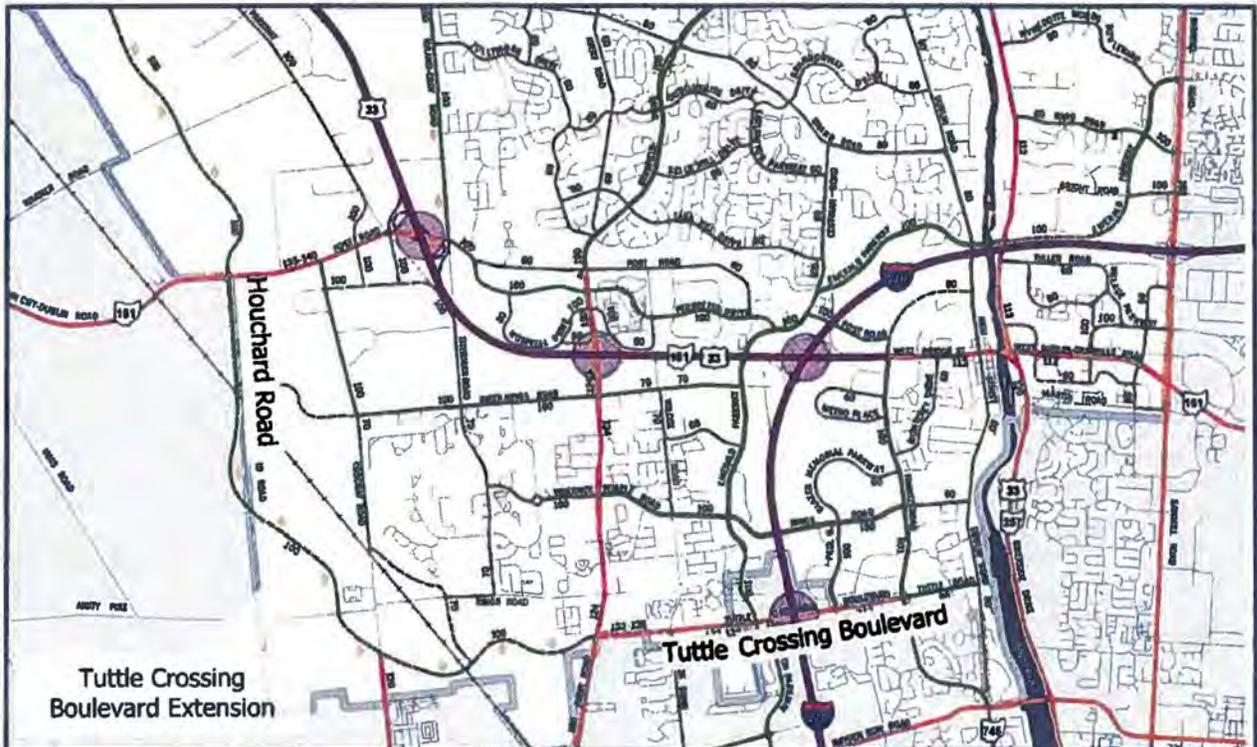
## Long-Term Network

The extension of Tuttle Crossing Boulevard has been considered for many years. It has been included in the Thoroughfare Plan in Dublin's Community Plan since 1988, in various alignments. A preliminary alignment study was performed in 1995 by ms Consultants. In 2004, the Hayden Run Corridor Plan was developed in partnership between the Cities of Dublin, Hilliard, and Columbus, along with Franklin County, and depicts Tuttle Crossing Boulevard extending west from Wilcox Road on an independent alignment and tying into Amity Pike (Rings Road) west of Houchard Road, as shown in Figure 1.



**Figure 1:** Hayden Run Corridor Thoroughfare Plan

Most recently, the Thoroughfare Plan included in the 2007 Dublin Community Plan update, and again in the 2012 update, reflects current intentions that Tuttle Crossing Boulevard will extend west of Avery Road along an independent alignment and connect to Houchard Road near the CSX railroad tracks. The special area plan contained in the 2012 Community Plan for the Southwest Area also depicts the extension from Wilcox Road westward aligning with Houchard Road. Figure 2 and Figure 3 reflect the Thoroughfare Plan and Southwest Area Special Area Plan, respectively.

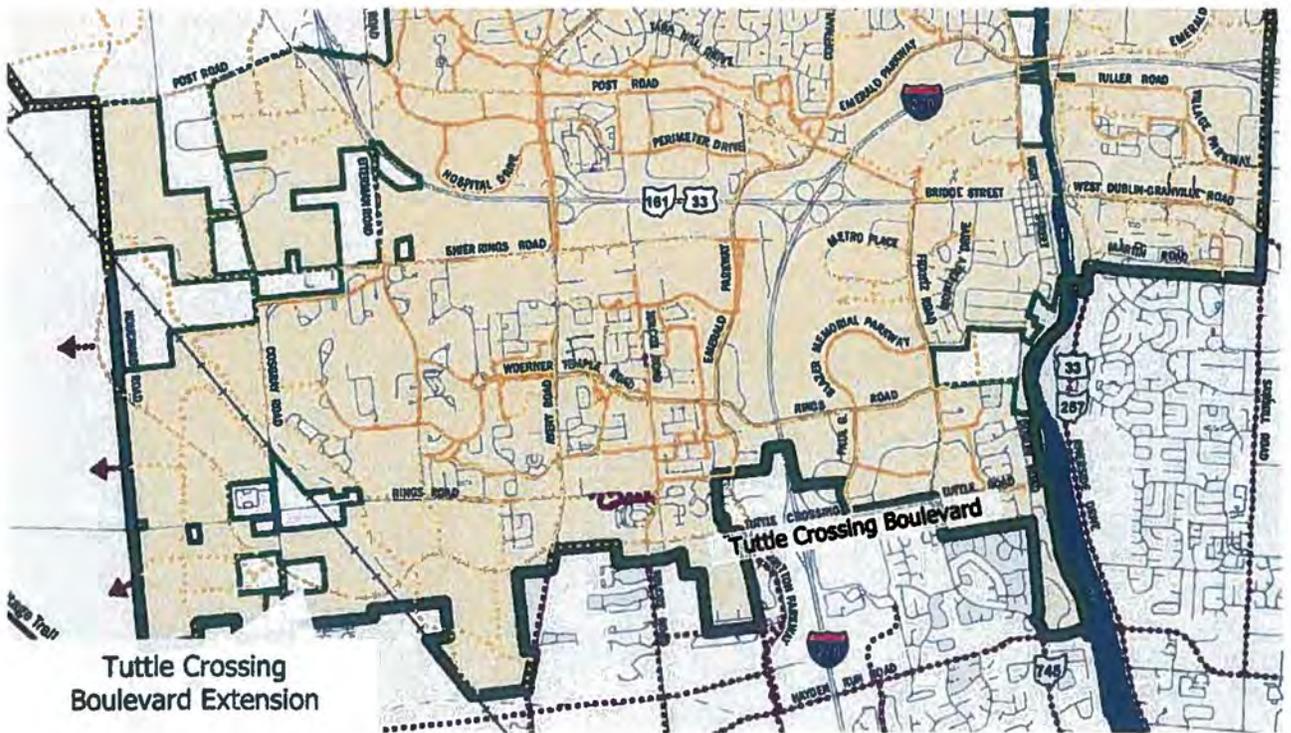


**Figure 2:** Thoroughfare Plan from Dublin Community Plan

Plans for pedestrian and bikeway connections for this area have also been included in recent Dublin Community Plans, as shown in Figure 4. Accordingly, pedestrian and bikeway connections are included in the Tuttle Crossing Boulevard Extension/Avery Road Widening project detailed construction plans. These connections will provide key links for these modes of travel where virtually none exist today. These plans include shared-use paths and bike lanes on Tuttle Crossing Boulevard and Avery Road, as well as installing a shared-used path along the north side of Rings Road, and sidewalk extensions along the south side of Rings Road, as well as Cara Road and Cara Court.



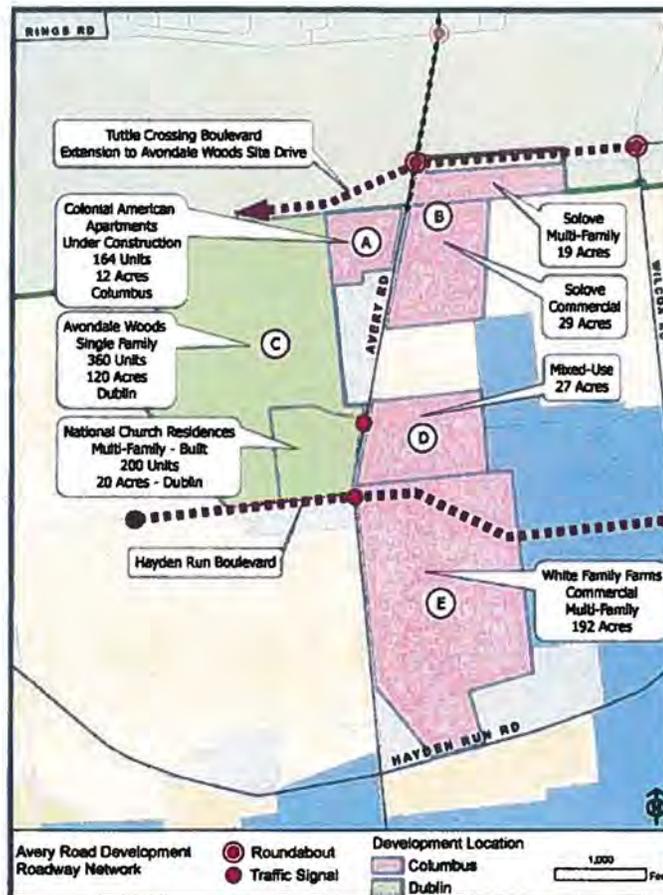
**Figure 3: Southwest Area Special Area Plan from Dublin Community Plan**



**Figure 4: Bikeways Plan from Dublin Community Plan**

## Developments

Several developments have been proposed recently along Avery Road. There are seven known developments at various stages of review and approval along Avery Road south of Rings Road. Five of the seven developments are in the City of Columbus and two are in the City of Dublin. The site locations are shown in Figure 5.



**Figure 5: Development Summary Map**

All seven sites will add traffic to an already busy two-lane Avery Road. Many of the trips will be destined for I-270 and US 33, leading Dublin and Columbus to consider the timing of infrastructure projects in this area:

- Tuttle Crossing Boulevard Extension/Avery Road Widening: provides additional travel lanes and medians
- Improving the intersections of Avery Road & Rings Road west: provides additional capacity, improved level of service, and improved safety

## Zoning Status

All seven of the proposed sites are at various stages of review and approval. The zoning status, as known today, is summarized for each project starting on page 5 and corresponds to Figure 5.

- A. Colonial American Apartments - Columbus.** The apartment site has been granted approval and is currently under construction. This land use is less intense from a traffic standpoint than the office use presented in the Hayden Run Corridor Plan. This project is in the City of Columbus and is subject to their zoning code. This project fell under the threshold necessary to require a Traffic Impact Study. As such, there was limited coordination with adjacent jurisdictions during the rezoning process. During the site development process, however, the City of Columbus did coordinate with Dublin to ensure that emergency access between Avondale Woods and this site was placed in the best location for both projects. Right and left turn lanes are needed on Avery Road for this project as well.
- B. Solove Commercial and Solove Multi-Family - Columbus:** During the Columbus rezoning process for this proposed development, Columbus worked very closely with Dublin, Hilliard, and Franklin County to cooperatively determine traffic mitigation strategies for this project. Ultimately, Columbus required that this project either make several significant roadway contributions or limit the total amount of development allowed until regional roadway connections and improvements were made. The original proposal included over 300,000 SF of retail space and a 220-unit extended stay hotel. The applicant has not agreed to these conditions, nor pursued development of the overall site. Some further discussions have occurred regarding the 220-unit extended-stay hotel, which would be built in the northern portion of the site, but have not progressed to date. The commitments outlined by Columbus for the larger project are:
- Contribute to extending Tuttle Crossing Boulevard, including dedicating all necessary right-of-way
  - Install a temporary traffic signal at the Avery Road & Rings Road/Cara Road intersection
  - Contribute to enhanced traffic control at the Avery Road & Avondale Woods Boulevard intersection
  - Install a traffic signal, provide through lanes (about 1,100 feet of the 1,727-foot frontage), and dedicated turn lanes at the main site driveway
  - Limit development until regional roadway network is in place:
    - Restrict development to fifteen percent (15%) of proposed total square footage planned, or 63,000 sq. ft., prior to any additions to regional roadway network
    - Restrict development to thirty percent (30%) of proposed total square footage planned, or 126,000 sq. ft., if Tuttle Crossing Boulevard is extended from Wilcox Road to Avery Road.
    - Full development of the twenty-nine acre site (commercial area) will be permitted only upon the completion of Hayden Run Boulevard, from Wilcox Road to Cosgray Road, or the extension of Tuttle Crossing Boulevard, from Wilcox Road to Avery Road, in conjunction with the extension of Hayden Run Boulevard, from Avery Road to Cosgray Road.
- C. Avondale Woods - Dublin.** The Avondale Woods/Homewood site includes a mix of multi-family and single family homes, for a total of 360 units. Dublin staff coordinated the Traffic Impact Study review with Columbus, Hilliard, and Franklin County. Dublin staff has

worked to develop a list of conditions to mitigate traffic impacts for this development, which follow:

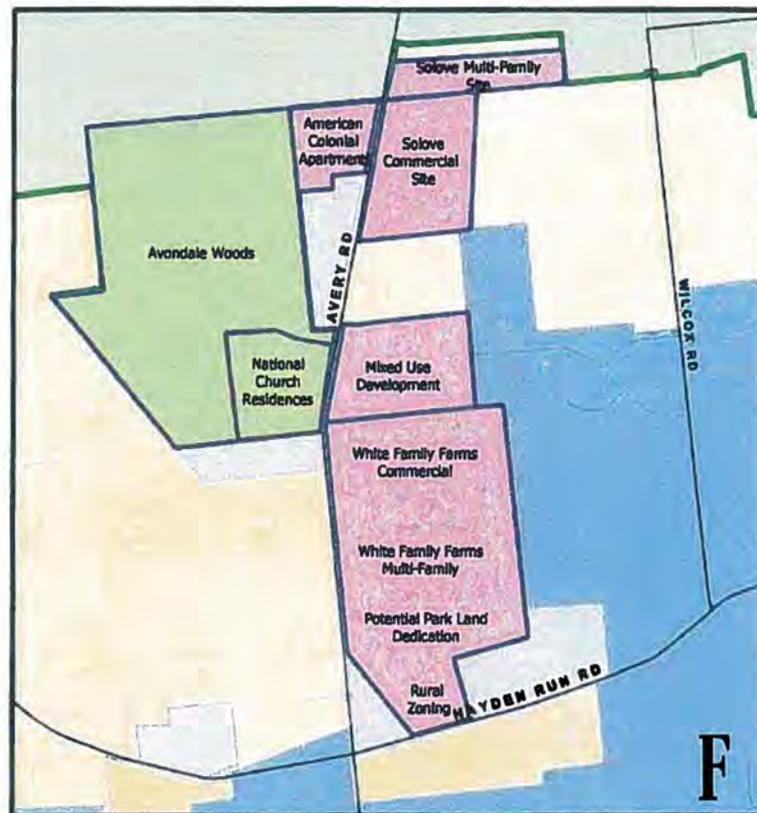
- Restrict development to 126 units until the second access point from the north end of the site to Avery Road is complete.
- Restrict development to 185 units until at least one regional connection is in place between Avery Road and Emerald Parkway/Britton Parkway. Once either Tuttle Crossing Boulevard or Hayden Run Boulevard makes this connection, the cap is lifted.
- The developer is responsible for the connection extending south between the north end of the site and the new alignment of Tuttle Crossing Boulevard.
- Developer responsible to contribute \$55,000 to the Tuttle Crossing Extension project, based on the long-term traffic projections for Tuttle Crossing Boulevard west of Avery Road.
- Developer responsible to install traffic signal at Avery Road and Avondale Woods Boulevard as soon as Columbus allows.
- Developer responsible to contribute \$492,800 to the Avery Road widening in Dublin including the Avery Road roundabouts at Rings Road /Cara Road and Tuttle Crossing Boulevard, and the extension of Tuttle Crossing Boulevard between Wilcox Road and Avery Road.

**D. Columbus Mixed Use - Columbus:** The Columbus mixed use proposal includes about eight (8) acres (about 80,000 SF) of non-regional retail on the west edge of the site along Avery Road, and apartment units on the remaining 20 acres in the eastern portion of the site. It appears that this land use is consistent with the adopted Hayden Run Corridor Plan. Again, Columbus coordinated the Traffic Impact Study review with Dublin, Hilliard, and Franklin County. It is staff's current understanding that this developer is no longer pursuing this project.

**E. White Family Farms - Columbus:** The White Family Farms proposal is in the early stages of project development. It includes about forty-four (44) acres of commercial in the northern portion of the site and about fifty-seven (57) acres of multi-family to the south. Approximately eight (8) acres of park land dedication is being considered to the north of the Hayden Run, and another six (6) acres of rural zoning is requested to the south of the Hayden Run. This proposal appears to be partially consistent with the adopted Hayden Run Plan Corridor Plan. The Plan calls for a community scaled retail center on the proposed commercial portion of the site and a school/recreation center with a large park on what appears to be the multi-family portion of the site. Again, Columbus has engaged Dublin, Hilliard and Franklin County to coordinate the Traffic Impact Study scope and review.

### **Roadway Network**

The current roadway network requires that the seven sites access Avery Road directly. Please see Figure 6 (page 7) for the existing roadway network. This will burden all Avery Road travelers, including Dublin residents, adding delay and congestion, and decreasing safety. Five of the seven development projects have detailed mitigation measures that are necessary for the project to move forward. It is very likely the White Family Farms project will also have several conditions defined, but as the Traffic Impact Study for this project has not yet been submitted, none have been determined to date.

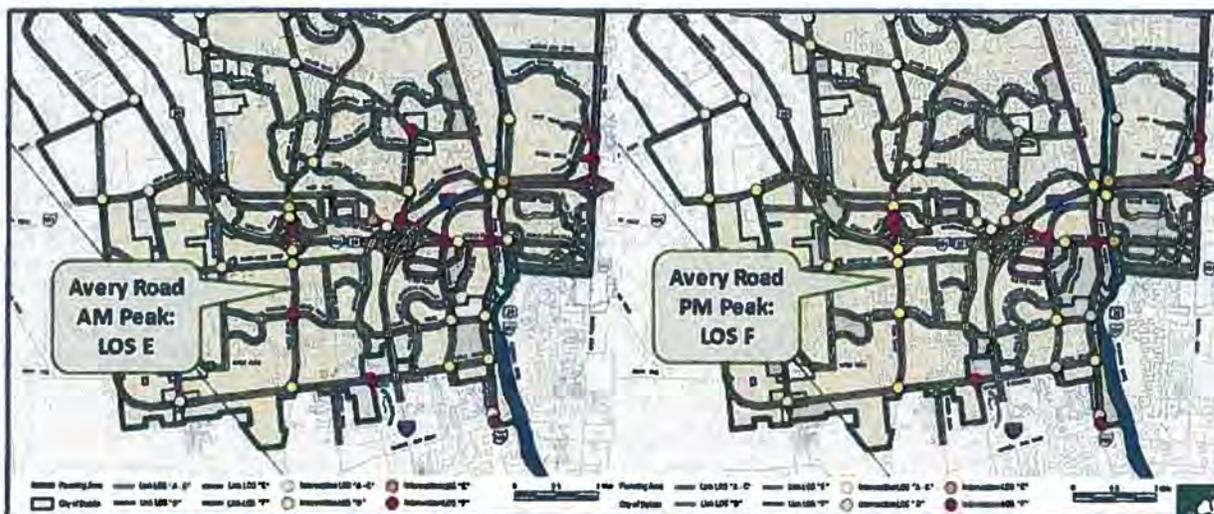


**Figure 6: Existing Roadway Network**

Recent traffic analyses have shown that certain intersections along Avery Road have already reached poor Levels of Service (LOS) based on current traffic volumes. During the PM peak hour, both Rings Road/Cara Road and Cramer's Crossing Drive experience LOS F as drivers wait to enter the Avery Road traffic stream.

As can be seen in Figure 7, Dublin's Community Plan has predicted that by year 2030, the LOS along Avery Road in the AM peak degrades to LOS E, and in the PM peak, the LOS falls even lower to LOS F for much of the length between the future intersection with Tuttle Crossing Boulevard and US 33/SR 161. This stretch of Avery Road serves not only the larger regional traffic, but also directly serves roughly 3,300 households and over 200 commercial properties in the southwest area of Dublin alone. Key destinations are I-270 and US33/SR 161.

As each new development is added in the area, the current and future year LOS for Avery Road, from the southern corporation limit north to US 33/SR 161 continues to degrade. This progressive degradation affects the amount of delay, congestion, and safety Dublin commercial and private residents experience on a daily basis.



**Figure 7: AM and PM Peaks 2030 Levels of Service**

Currently, Columbus's Thoroughfare Plan indicates Avery Road will be widened to a four-lane divided roadway with turn lanes and will require a minimum of 120-foot right-of-way. Work is currently underway at Columbus to re-examine their Thoroughfare Plan. This 2-year long project will not only look at vehicular levels of service, but also include other modes of transportation, such as pedestrians and bikes. The work will determine the appropriate number of lanes for roadways in Columbus and their corresponding right-of-way width, develop appropriate street typologies, meaning what the street should look like, and will include adding provisions in their traffic standards code for pedestrians and bikes.

Columbus plans to study Avery Road to determine if the number of lanes and right-of-way width contained in their current Thoroughfare Plan is appropriate based on future land use expectations. This work will likely be completed with their Thoroughfare Plan update. The preliminary engineering, detailed design and construction phases to improve Avery Road have not been scheduled to date, however, it is included in the Columbus Pay as You Grow initiative.

In addition to Tuttle Crossing Boulevard, another key east-west connector in the area is Hayden Run Boulevard. As shown in Figure 8 (page 11), it will connect Cosgray Road to Britton Parkway when complete, and provide an important route to distribute traffic in the area. Hayden Run Boulevard, or Riggins Road in Hilliard, has already been constructed in various locations in both Columbus and Hilliard. It currently exists from Cosgray Road to just west of the CSX Rail Road in Columbus and from Britton Parkway to Wilcox Road in Hilliard.

Columbus has just finished acquiring right-of-way to construct the piece that will span the CSX Rail Road and connect Avery Road to just west of the rail road. Construction of this final western link is expected in late 2015/early 2016. And lastly, Franklin County, Hilliard, and Columbus are working together to complete the detailed design for the eastern segment of Hayden Run Boulevard connecting Avery Road eastward to Wilcox Road. Construction funding, through various sources including Ohio Public Works Commission (OPWC), is available when detailed drawings are complete.

### **Infrastructure Improvements**

As mentioned on pages 5 and 6, there are several infrastructure improvements that have been identified, by either related conditions placed on the various development projects, or through agencies implementing long-range plans. These improvements are shown on Figure 8 (page 10). The list below highlights these (in Dublin and Columbus):

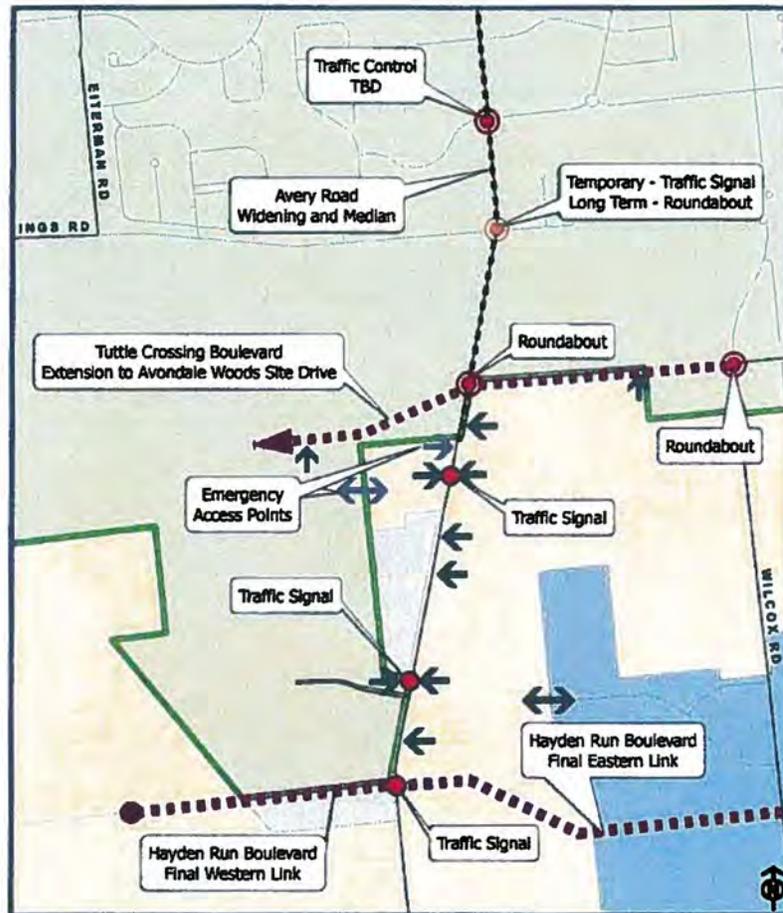
- A traffic signal is proposed at the site driveway for the Colonial American Apartments to the west that would align with one of the site driveways for the Solove commercial site to the east. This signal is warranted with the Solove commercial site project and would be installed if this project moves forward.
- Secondary access for fire to Avery Road will be constructed with the Colonial American Apartments. They will also provide a temporary emergency vehicle access along their west property line to the Avondale Woods/Homewood site.
- A traffic signal will be installed at Avondale Woods Boulevard by Homewood when permitted by Columbus.
- A temporary traffic signal will be installed at the Avery Road & Rings Road/Cara Road intersection if the Solove commercial site project moves forward.
- A traffic signal and dedicated left turn lanes will be installed at the main site drive and the Avery Road pavement will be widened to construct approximately 1,100 feet of through lanes (about 1,100 feet of the 1,727-foot frontage) if the Solove commercial site project moves forward.
- The final western link of Hayden Run Boulevard, west of the CSX Rail Road to Avery Road, including the grade separated railroad crossing, is expected to go to construction in late 2015/early 2016.
- The final eastern link of Hayden Run Boulevard, between Avery Road and Wilcox Road, is expected to go to construction once detailed drawings are complete.
- The extension of Tuttle Crossing Boulevard is currently under design and right-of-way acquisition is expected to begin in 2015. Construction funding in the Capital Improvements Program (CIP) has not been programmed to date.
- The Avery Road Widening project is also currently under design in conjunction with the Tuttle Crossing Boulevard Extension project. Acquisition for this project is also expected to begin in 2015. Construction funding in the CIP has not been programmed to date.

### **Funding**

The construction cost of the Tuttle Crossing Boulevard Extension/Avery Road Widening project is estimated to be \$11 million. Because this project does serve not only Dublin residents, but also the larger region, staff is applying for \$7 million for construction through the MORPC Attributable Funding program. This is so Dublin isn't solely responsible for the construction cost, but is shared across the region, for this important roadway link.

If the application is successful, at the earliest, funds would not be available until State Fiscal Year 2019, which begins July 1, 2018. Staff anticipates requesting a resolution of support be considered for the MORPC Attributable Funding application at the September 22 City Council meeting, which would need to be submitted to MORPC no later than October 14, 2014.

Ohio Public Works Commission (OPWC) funding will also be sought for this project. Successful grants for this funding typically range from \$500,000-\$2,000,000 and the application will be due September 15, 2014.



**Figure 8: Roadway Network and Site Access Map**

**Recommendation**

Staff is providing this memo for information only as requested by City Council.

**To:** Members of Dublin City Council  
**From:** Marsha I. Grigsby, City Manager *MLG*  
**Date:** August 7, 2014  
**Initiated By:** Paul A. Hammersmith, PE, Director of Engineering/City Engineer  
Jean-Ellen M. Willis, PE, Engineering Manager – Transportation  
**Re:** Tuttle Crossing Boulevard Extension and Avery Road Widening Project Funding Introduction

## Background

The Tuttle Crossing Boulevard extension, from Wilcox Road to Avery Road, and Avery Road widening, from Dublin's southern corporation limit to the Rings Road west intersection is a project important to both Dublin and the region. Included in the City's Community Plan, the Tuttle Crossing Boulevard Extension project provides a much needed east-west link in the City's transportation system, as well as dedicated bike and pedestrian ways along both Avery Road and Tuttle Crossing Boulevard. It builds on the improvements constructed along Tuttle Crossing Boulevard, between Wilcox Road and Emerald Parkway, in 2007.

The character of Avery Road and Tuttle Crossing Boulevard will be similar to Emerald Parkway, inclusive of all transportation modes. Each corridor will provide two travel lanes and a bike lane in each direction, divided by a median. A shared-used path is also included along the north side of Rings Road, as well as sidewalk extensions along the south side of Rings Road, as well as Cara Road and Cara Court. Water and sanitary sewer are also extended along Tuttle Crossing Boulevard, Rings Road west, Cara Road and Cara Court.

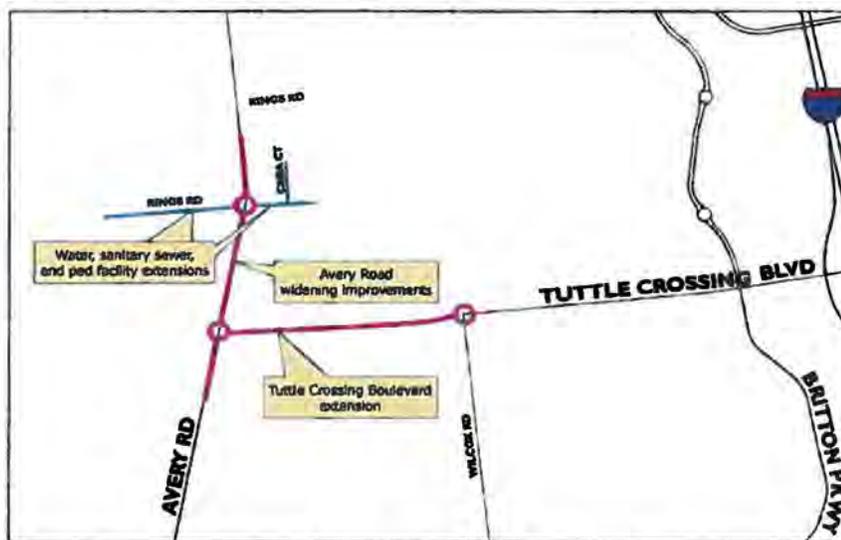


Figure 1. Avery Road widening and Tuttle Crossing Boulevard Extension project area

Providing direct access to the interstate system and increasing capacity on Avery Road will improve driving conditions in the southwest portion of the City and neighboring portions of the region (see Figure 1 on page 1).

Residents and employees in Dublin, Hilliard, Columbus, Franklin County and other areas of the region will benefit from this project. For the region, it provides a more direct route to and from the freeway system and creates new routes for bikes and pedestrians. Emergency response times and routes for fire, emergency services, and police will also be improved by providing additional capacity on Avery Road and a new connection to Tuttle Crossing Boulevard.

Dublin residents currently experience long delays on the side streets entering Avery Road at Rings Road/Cara Road or entering Tuttle Crossing Boulevard at Wilcox Road from the north. Without improvements, conditions at these local intersections will continue to degrade. The Tuttle Crossing Boulevard and Wilcox Road intersection will be converted from a stop controlled T-intersection to a four approach roundabout with this project. Roundabouts will also be installed along Avery Road at the intersections with Rings Road west and with Tuttle Crossing Boulevard extended, improving the safety and efficiency of this corridor.

The construction cost of this project is estimated to be \$11 million. To share the costs across the region, staff will apply for \$7 million for construction through the MORPC Attributable Funding program. If the application is successful, funds would most likely not be available until State Fiscal Year 2019. Staff anticipates requesting a resolution of support be considered for the MORPC Attributable Funding application at the August 25 City Council meeting. OPWC funding will also be sought for this project. Successful grants for this funding typically range from \$500,000-\$2,000,000.

### **Recommendation**

Information only.