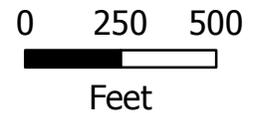


City of Dublin

17-059CP-Z-PDP-FDP
 Concept Plan/Rezoning/Preliminary
 Development Plan/Final Development Plan
 McKittrick, Subarea 1A Rezoning
 5175 Emerald Parkway





CITY OF DUBLIN..

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

RECORD OF ACTION

JULY 7, 2005

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

2. **Amended Final Development Plan – 05-080AFDP – McKittrick PUD, Subarea 1 – Verizon Smoking Shelters – 5165 and 5175 Emerald Parkway**
Location: 10.244 acres and 10.1736 acres located between Coffman Road and Dublin road on Emerald Parkway
Existing Zoning: PUD, Planned Unit Development for Office Space (McKittrick PUD)
Request: Review and approval of an amended final development plan under the provisions of Section 153.5 3.
Proposed Use: Two 108-square-foot (approximate) outdoor smoking shelters and other minor site modifications for two existing office buildings.
Applicant: 970 High Ridge Associates LLC and Dublin United LLC, 7777 Glades Road, Boca Raton, FL 33433, represented by Viox Services, Inc 15 W. Voorhees Street, Cincinnati, Ohio, 45215, c/o James Morio.
Staff Contact: Gary P. Gunderman, AICP, Assistant Director.
Contact Information: (614) 410-4682/Email: ggunderman@dublin.oh.us.

MOTION: To approve this Amended Final Development Plan because the shelters provide a necessary amenity for the existing tenant, coordinate with the existing architecture and building color, and are consistent with and complementary to the existing high quality office development along I-270, without conditions.

* James Morio, Viox Services, Inc., was present representing the applicant..

VOTE: 7-0

RESULT: This Amended Final Development Plan was approved.

STAFF CERTIFICATION

Gary P. Gunderman
Assistant Director

~~The Commissioners all agreed with the tabling of this case.~~

~~Mr. Gerber said based on the fact that a new document had been presented, he moved for a tabling of this case. Mr. Zimmerman seconded the motion, and the vote was as follows: Ms. Reiss, yes; Ms. Boring, yes; Ms. Jones, yes; Mr. Saneholtz, yes; Mr. Messineo, yes; Mr. Zimmerman, yes; and Mr. Gerber, yes. (Tabled 7-0.)~~

~~Mr. Gerber added that the Commission had very specific rules with respect to documentation. He said it was to enhance the orderly flow of information between the applicant and staff. He said the purpose was for staff to digest, analyze, and hopefully, work with the applicant. He said the Commissioners receive the staff report on Friday evening in order to review each case before the Thursday night meeting. He said the Commission had been very consistent on applying the rule over the years. He only recalled once when an exception was made, and it was because there were very unique circumstances that may have had something to do with a copy machine. He said there had to be rules. He said he was sorry it had to happen. He hoped that staff would review the new information and return the case to the Commission very quickly.~~

~~Mr. Messineo said he hoped that the new information would not affect staff's current recommendation.~~

~~Mr. Gerber said staff distributes the Planning and Zoning Commission Rules with each new application.~~

2. Amended Final Development Plan – 05-080AFDP – McKittrick PUD, Subarea 1 – Verizon Smoking Shelters – 5165 and 5175 Emerald Parkway

Chairman Rick Gerber said this was a request for review and approval of an Amended Final Development Plan for two 100-square-foot outdoor smoking shelters and other minor site modifications to two existing office buildings.

Mr. Gerber swore in those who wished to testify in regards to this case.

The Commissioners agreed that Mr. Gunderman's staff presentation was not necessary.

James Morio, Viox Services, Inc. was present, representing the applicant.

Cathy Boring said the key sentence in the staff report was: The applicants had revised their proposal to improve the basic appearance of the structures in accordance with staff's suggestions. She said that indicated that the applicants had worked with staff and that the plan had been modified so there were no conditions recommended.

Ms. Reiss asked how many openings would there be in the smoking shelters.

Mr. Morio said there would be two openings for each shelter.

Ms. Reiss asked if the white benches would match the structure.

Mr. Morio said the white benches would match the structure.

Mr. Zimmerman moved to approve this Amended Final Development plan because the shelters provide a necessary amenity for the existing tenant, coordinate with the existing architecture and building color, and are consistent with and complementary to the existing high quality office development along I-270, without any conditions.

Ms. Boring seconded the motion, and the vote was as follows: Mr. Messineo, yes; Mr. Saneholtz, yes; Ms. Jones, yes; Mr. Gerber, yes; Ms. Reiss, yes; Ms. Boring, yes; and Mr. Zimmerman, yes. (Approved 7-0.)

Administrative Business

~~Mr. Gerber asked how many cases were scheduled for the July 21st meeting agenda.~~

~~Anne Wanner said there were possibly four cases for the agenda going to the newspapers tomorrow.~~

~~Mr. Gerber said he was trying to keep things under control with the Commission. He said second meetings were presumably for overflow cases. He said tonight's schedule was light. He said he had received a lot of calls asking if that meant there would not be another meeting in July. He said it was just a question of timing.~~

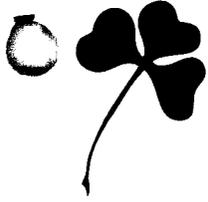
~~Mr. Gunderman said he thought there may be a heavy agenda in August.~~

~~Ms. Boring said it was set up that the Commission was to have one meeting per month and the second was for the overflow. She asked if there was an application deadline for cases to be in July, why are those cases not coming to the Commission at the first meeting in July. She said the filing date was the same whether the case is heard at the first or second meeting.~~

~~Mr. Gunderman said it was a matter of whether the case is ready or not. He said the cases that Ms. Wanner is tentatively looking at for the next meeting were not ready for tonight's meeting. Sometimes things come up, with the applicant and with staff. He said unfortunately, the timing is such that staff does not frequently know what is on the agenda until just prior to the agenda being sent. Sometimes cases are removed from the agenda.~~

~~Mr. Gerber asked if usually, in line with the 15-day Rule, cases are removed from the agenda.~~

~~Mr. Gunderman agreed.~~



CITY OF DUBLIN

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DUBLIN PLANNING AND ZONING COMMISSION

RECORD OF ACTION

October 21, 1999

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

4. **Revised Final Development Plan 99-095RFDP - McKittrick PUD, Subarea 1 - Air Touch - 5175 and 5165 Emerald Parkway**
Location: 22 acres located on the south side of Emerald Parkway, approximately 1,200 feet east of Coffman Road.
Existing Zoning: PUD, Planned Unit Development District (McKittrick Plan).
Request: Review and approval of a revised final development plan under the PUD provisions of Section 153.056.
Proposed Use: A single-story, enclosed building connector between two existing office buildings.
Applicant/Owner: Midwest Realty Holding, c/o Alter Asset Management, 1980 Springer Drive, Lombard, Illinois 60148; and 970 High Ridge Associates, LLC, c/o Walnut Services, Inc., 30100 Telegraph, Suite 403, Bingham Farms, Michigan 48025; represented by A. Mike Burkey, AIA, URS Greiner, Inc., 33 North High Street, Columbus, Ohio 43215.

MOTION: To table this application as requested by Mr. Burkey.

VOTE: 7-0.

RESULT: After much discussion, this application was tabled. The Commission wanted a better integrated connection, for the mechanicals to be completely screened, and for the landscaping for both buildings to be upgraded to double the Code requirement.

STAFF CERTIFICATION


Chad Gibson
Planner

~~Mr. Harian said he could not support this, but the scale issue is ever bigger now. It takes up too much area, and rezoning may not be justified. Mr. Fishman agreed on the scale issue.~~

~~Mr. Fishman said the central issue is conflict with the Community Plan. He noted developers always seem to want higher density than the Preferred Scenario. He thinks the floodplain will lower the density, to perhaps five homes. He visited the Henderson Road facility, and it is in a perfect location and attractive. He noted a lot of cars in the parking lot. He cannot support this rezoning, and said it should develop as individual houses.~~

~~Mr. McCash said assisted living works well in some residential areas. His initial concerns were issues of scale. He could support the use, but this building does not fit on this site. Mr. McCash said the odd shape will not led itself to standard lots. The site could expand Avery Park. Mr. Sprague agreed with these comments. The scale is troubling.~~

~~Mr. Sprague supports integrating assisted living into the neighborhood, but the project would need to be totally redesigned. He noted senior housing will be needed by many.~~

~~Mr. Peplow thanked Mr. Close for his candor, but said he could not support the project. Mr. Eastep also could not support it.~~

~~Mr. Lecklider commended Mr. Close and his client for making the effort to amend the proposal since the first hearing. Under the circumstances, he did not think this plan works. Mr. Sprague and Lecklider did not think traffic was a central issue.~~

~~Mr. Eastep made a motion to disapprove this concept plan for the reasons stated in the meeting and for those listed in the staff report:~~

- ~~1) The proposed is not consistent with the uses recommended in the Community Plan.~~
- ~~2) The proposed non-residential uses will increase the amount of peak hour traffic in a predominately residential neighborhood.~~
- ~~3) The use, as proposed, is far more intense than those tested in the Community plan for this site.~~
- ~~4) The development proposed is inconsistent with low density residential surroundings.~~

~~Mr. Harian seconded the motion, and the vote was as follows: Mr. Fishman, yes; Mr. McCash, yes; Mr. Lecklider, yes; Mr. Sprague, no; Mr. Peplow, yes, Mr. Harian, yes; and Mr. Eastep yes. (Disapproved 6-1.)~~

4. Revised Final Development Plan 99-095RFDP - McKitrick PUD - Air Touch - 5175, 5165 Emerald Parkway

Chad Gibson presented this revised final development plan for a one-story building connector. The 22-acre site is located on Emerald Parkway, and abutting I-270 in Subarea 1 of the McKitrick PUD. He said offices are permitted uses, and the maximum building height is four stories. There are two existing buildings owned by different parties. One tenant occupies both buildings, and the proposal is a connection between the two buildings.

Mr. Gibson showed a variety of slides. He noted the application lacks the owner's authorization for the Building 1, and no building permits can be approved until the letter is received.

Mr. Gibson said the Building 1 parking lot is not fully screened from I-270, and the applicant has agreed to augment the existing landscaping per staff requests. He said there is a sign issue to consider. Each building is currently entitled to one wall sign and one ground sign. Currently, there are two wall signs and one ground sign along Emerald Parkway. The connector technically makes the two buildings "one" for zoning code purposes, permitting only one wall sign for the whole structure. He said staff can support the two existing signs, but this is subject to the Commission's discretion in the PUD zone. Mr. Fishman and Mr. McCash thought this might set up inequities.

Ms. Clarke said by connecting the two buildings, under the Zoning Code, they become one building. When staff examines this 20 acres, there is no sign clutter created. One sign oriented toward the freeway per 10 acres seems to be reasonable. She said in the case of the Duke informal request, the buildings are zoned PCD, and this would not be discretionary. A text change would be needed, and none has been formally requested.

Mr. Eastep asked why the mechanicals are not fully screened. Mr. Gibson said there are trees, but they are not doing the job 100 percent.

Mr. Gibson said staff feels it will be amenity to the existing tenant. He said they are recommending approval with 16 conditions, (11 of the conditions with asterisks are held over from previous approvals of both buildings):

- 1) That the applicant submit an agreement/cross-access easement between the two adjacent property owners addressing the use of the connector, in the event different tenants occupy part or all, of one or both buildings;
- 2) That the site lighting plan conform to the Dublin Lighting Guidelines and utilize matching fixtures;
- 3) That the proposed landscaping modifications provide substantial screening of the existing parking lots, subject to staff approval;
- 4) That the stormwater plan conforms to Engineering requirements;
- 5) That signage conforms with the Dublin sign regulations and conforms to the development text, unless otherwise approved by the Planning Commission;
- 6) That the full access curb cut be relocated to the east, subject to agreement between the applicant and staff, or that its placement be resolved by the Planning Commission at a later date if an agreement is not reached;*
- 7) That the stormwater plan conform to engineering requirements;*
- 8) That the site conform with the Dublin Lighting Guidelines;*
- 9) That the landscape treatment along the west property line be subject to acceptance by the Willow Grove Civic Association as outlined in Section 1.08(10) of the zoning text;*
- 10) That the I-270 landscape treatment be subject to approval by the Planning Commission at a later date along with the connector road [Emerald Parkway];*

- 11) That the landscape treatment along the north border of the subject site, adjacent to the connector road [Emerald Parkway], be in conformance with the landscape plan for the entire roadway landscape/buffer treatment plan;*
- 12) That the stormwater plan conforms with engineering requirements;*
- 13) That the site lighting plan conforms with the Dublin Lighting Guidelines;**
- 14) That the applicant submit an agreement with the adjacent property owner allowing joint use of the driveway linking the Air Touch Cellular property and the full service curb cut to the east;**
- 15) That the proposed landscaping complies with the revised Landscape Code and fully incorporates the Emerald Parkway design, as prepared by James Burkart Associates, subject to staff approval; ** and
- 16) That signage conforms with the Dublin sign regulations and conforms with the development text.**

Mr. Gibson said staff feels the connection matches the existing building materials and detailing. They are carrying forward the symmetrical design of the building, and the connector will help screen the service area. Mr. Lecklider was troubled to learn they are using the connector as a screening device. This does not seem to be a legitimate basis for approval.

Mr. Harian noticed that the screening does not work. He asked if anyone checks landscaping. Mr. Gibson said there are landscape inspections, and to his knowledge, they have met the approved plan. The landscape inspector has inspected the site, and will be moving forward with the augmentation of the existing landscaping. Mr. Harian doubted this site complies with the Code.

Mr. Gibson said the applicant has been cooperative with staff. They agreed to proceed with recommendations from Ms. Newcomb.

Mr. Fishman said there should be a standard condition regarding screening the mechanicals and the needed opacity for screening cars.

Mr. Fishman asked when there are two separate owners, is there a setback requirement.

Mr. Gibson said there will be a zero setback on a interior property line. Since this is a PUD, the Commission can approve it without any setback. Ms. Clarke said in a PUD, there is no hardship finding necessary. One needs to show compliance as judged by the Commission with the preliminary development plan or the plan intent at the time of zoning.

Mr. Fishman hopes the applicant is agreeable to eliminating one sign.

Mr. Gibson there are two separate sites. The Sign Code as currently written would permit each building to have one wall and one ground sign. Currently, there are two wall signs, one on each building and one ground sign. There could be an additional ground sign installed. Ms. Clarke noted in the future, there might be two separate tenants.

Mr. Harian said they are asking for a variance for no side yard setbacks. Ms. Clarke agreed. The Commission wanted a condition that it does not apply to future construction.

Mr. Harian asked if today all they were approving is a connector.

Mr. Sprague asked about a similar Duke building with a connector. Mr. Gibson said it is entitled to only one sign.

Ms. Clarke said under the Zoning Code if the buildings or building spaces are completely separated with no connecting doors, they are separate buildings and entitled to their own signs. She said currently they have two independent buildings. Once they build a connector between them, under the Zoning Code, they become one building.

Mr. Sprague said theoretically, this building could be held to the same standard (one sign) as the Duke building. Ms. Clarke agreed.

Mr. Peplow noted this site was promised to have unique landscaping features along I 2770. He wanted more information regarding substantial screening. Ms. Newcomb said the site has existing evergreens that have not filled in yet. An evergreen hedge at the edge of the parking lot is proposed to fill in the lower level.

Mr. Eastep said the connector is shown to be a combination of spandrel and visual glass similar to the rest of the building. The mechanical units should be screened. Since the connector is see-through, the mechanicals still will not be screened.

Mr. Gibson said they are proposing to install evergreen shrubs along that connector to break up the mass and the views.

Mr. Gibson said the connector would be sprinkled.

Mr. Gibson said the site would have to meet the Dublin storm water regulations.

Mr. Lecklider noted in addition to the connector, there are plans for benches and tables.

Mr. Gibson said the applicant is not going to add additional external lighting fixtures to the connector.

Michael Burkey, URS Greiner, architect for Air Touch, said there was considerable discussion about the signage. The connector does make them one building. The two office buildings are of such mass, compared to the connector, that he feels certain that they will be perceived as two separate buildings.

He said they wanted to make the smallest connection between the two buildings. He said structurally and aesthetically it separates this connector from the two existing two buildings and proves light into the offices of the first floor of the existing buildings.

Mr. McCash said the expansion joints could occur right along the wall of the existing building. Mr. Burkey agreed and said there would be a lot of disassembling of the existing wall in order to provide the structural supports. He said they studied other locations. Mr. Burkey feels in materials, architecture and shape mimic the existing buildings. As a by-product, it does screen the units between the two buildings. Mr. Burkey said the existing buildings have a curved portion and this connector mimics it and matches the architecture.

Mr. Lecklider asked if they considered an underground connection. Mr. Burkey said no.

Mr. McCash said this does seem to be in the right proportion to the rest of the horizontal lines of the building. Mr. Burkey said he believes the spandrel and glass proportions are identical to the curved portion of the existing building.

Mr. Eastep suggested precast columns to break up the connector.

Mr. Burkey said they were not the architects on the existing buildings. He said they knew that there were some deficiencies in the landscaping, particularly on the first building. They have met with the City and have corrected them. He said the connector is an opaque spandrel wall.

Mr. Burkey said it is 14 feet to the top of the connector and matches the floor to floor height from the first floor to the second floor of the existing buildings.

Mr. McCash said the horizontal lines are seen from I-270 and all the lines have been shifted by a foot, now they are connecting with horizontal lines, unless all the connector lines are at the slope. They are not going to line up on either side. Drawing A4-1 shows them both at the same base pad elevation.

Mr. Burkey said there is an element that imitates one of the columns on the two buildings. The intent is that element is enough of a transition between the buildings so that the difference in elevation, which would be about six inches at that point, would not be perceptible.

Mr. McCash questioned how much light there would be between the separation with a 14-foot high wall. Mr. Burkey said there will be some light, but will not be right against an office window. Mr. McCash thought it might create the appearance of a dark cavernous tunnel which would collect debris. He suggested connecting it against the building and dealing with the transition elements.

Mr. Burkey said the area between the connector and the existing buildings would be a washed gravel. He said the tunnel faces south and there should be some light coming in there. Mr. Burkey said the area was for window washing. They wanted the two buildings perceived individually, not as two buildings with the connector jammed up against them.

Mr. McCash said the issue was how this would look from I-270.

Mr. Fishman opposed two wall signs after the building was connected because it would set a dangerous precedent. He asked Mr. Burkey to remove one of the signs if the connector was approved.

Mr. Lecklider pointed out that this is a consent agenda item and the assumption was that the applicant agreed to all the conditions. Agreement with the sign conditions was not clear.

Mr. Harian said the condition needed to be changed to reflect the agreement to one sign. Ms. Clarke said as the staff report was written, it would require removal of one of the signs. Staff assumed that it would be okay to leave them both. She said if it is the determination of the Commission that one of those signs should be removed, then another condition is necessary. This condition was discussed further

Mr. Fishman assumed trash would be controlled between the buildings. He was concerned that the mechanicals were visible from I-270. He wanted a condition that the nearby trees and Landscaping be doubled so as to fully screen the area from the mechanicals to the parking lot. Mr. Burkey agreed to double the landscaping.

Mr. Eastep suggested that "...and complete screening of all mechanical units" be added to Condition 3. Mr. Fishman wanted a tree added in addition for each tree required. Mr. Burkey agreed to work with Mary Newcomb to screen the mechanicals.

Mr. Sprague asked if adding precast features would visually connect the building. He thought it might enhance the building. Mr. McCash said he would not have imitated the curved wall on the other side, but tied it in with some kind of colonnade instead.

Mr. Lecklider was opposed to this connection because this is a very prominent site. A one-story connection such as this, does not suggest "signature" office architecture.

Mr. Peplow said he remembered discussing at the time of rezoning that this prominent site was one of the last remaining sites along I-270. It was to be a signature office building. He remembered that the landscaping was to be special and "spectacular". He said this looks very plain. This connector seems to be missing something and it looks strictly utilitarian. Mr. Peplow said he wanted architectural detailing, perhaps columns added. Mr. Harian agreed.

Mr. Harian said AirTouch is a good corporate tenant. He said it is important to allow them to connect the buildings, but the connector needed something more in the design. It needed to look more substantial. He thought it would work as a 14-foot connector, but it needed columns. An atrium was not necessary.

Mr. Eastep said if this is the cost of keeping AirTouch in Dublin, he was in favor of a connector. However, he was concerned with future tenant changes. He thought columns were necessary. He could support this connector if the landscape complies with Code and columns were added to make the connector appear more integrated. He wanted, as a condition, one sign to be removed.

Mr. Sprague said these were two of the most attractive buildings in Dublin. He expected a special, unique connector. The proposal looked like an afterthought and industrial, and an underground connection would be better. He said he was in favor of the connector if it could be modified to match the buildings and look appropriate. The precedent of going with two signs under these circumstances is problematic. He favored only one sign.

Mr. Fishman asked why the connector could not be built underground. Mr. Burkey said the mechanicals and utility lines between the two buildings would make it extremely difficult and costly.

Mr. Fishman said the landscaping should be "special," as previously agreed. One sign should be eliminated, and the building should be repainted/cleaned to remove any shadow left by the signage.

Mr. McCash said he always had a problem with the two signs saying "Air Touch" so close together. He suggested replacing both signs with a two-sided ground sign. He was uncomfortable with the appearance, particularly along I-270 in the corporate environment.

Mr. Lecklider was opposed to the connection of the buildings. He said there was a likelihood that in the future there may be different users who may not want the connector. He did not think this connector would have been approved with the original building.

Mr. Harian said the applicant had heard the Commission concerns.

Mr. Burkey requested that the Commission table this application to a future date.

Mr. Harian made a motion to table this application and Mr. Eastep seconded. The vote was as follows: Mr. Fishman, yes; Mr. McCash, yes; Mr. Lecklider, yes; Mr. Sprague, yes; Mr. Peplow, yes; Mr. Eastep, yes; and Mr. Harian, yes. (Tabled 7-0.)

~~5. Development Plan 99-092DP – Perimeter West PCD, Subarea 2 – Rail Van – 6805 Perimeter Drive~~

~~Due to the late hour, this case was postponed to the November 4 agenda.~~

~~6. Development Plan 98-095DP – 6350 Perimeter Loop Road and Revised Development Plan 99-073RDP – 6400 Perimeter Loop Road – Perimeter Center, Subarea I – Crown Dealerships~~

~~This case was postponed prior to the meeting at the request of the applicant.~~

~~7. Development Plan 99-094DP – Tuttle Crossing PCD, Subarea E – Hawthorn Suites – 5300 Parkecenter Avenue~~

~~This case was postponed prior to the meeting at the request of the applicant.~~



**DUBLIN PLANNING AND ZONING COMMISSION
RECORD OF ACTION
JULY 6, 1995**

CITY OF DUBLIN

5800 Shier Rings Road
Dublin, OH 43016-1236
Phone/TDD: 614/761-6550
Fax: 614/761-6506

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

3. Final Development Plan - CellularOne

Location: 10.95 acres located on the south side of the proposed Coffman-Sawmill Road connector, approximately 600 feet east of Coffman Road, north of I-270.

Existing Zoning: PUD, Planned Unit Development District (Revised McKittrick Office PUD Plan, effective date, July 19, 1995.)

Request: Approval of a final development plan under the provisions of Section 1181.07 of the Planning and Zoning Code.

Proposed Use: A 121,955 square foot, four-story office building.

Applicant: The Alter Group, Ltd., c/o Stephen M. Park, 3000 Glenview Road, Wilmette, Illinois 60091.

MOTION: To approve Final Development Plan because it is in conformance with the Preliminary Development Plan, is consistent with the high quality office development along I-270, and exceeds the minimum setback requirement adjacent to Willow Grove, with the following six conditions:

- 1) That the full access curb cut be relocated to the east, subject to agreement between the applicant and Staff, or that its placement be resolved by the Planning Commission at a later date if agreement is not reached;
- 2) That the stormwater plan conform with engineering requirements;
- 3) That site lighting conform with Dublin Lighting Guidelines;
- 4) That the landscape treatment along the west property line be subject to acceptance by the Willow Grove Civic Association as outlined in Section 1.08(10) of the zoning text;
- 5) That the I-270 landscape treatment be subject to approval by the Planning Commission at a later date along with connector road; and
- 6) That the landscape treatment along the north border of the subject site, adjacent to the connector road, be in conformance with the landscape plan for the entire roadway landscape/buffer treatment plan.

Stephen M. Park agreed to the above conditions.

VOTE: 5-0.

STAFF CERTIFICATION

RESULT: This Final Development Plan was approved.

—
— 97-084FDP
— Th 5165 Emerald Parkway

3. Final Development Plan - McKitrick Office Park - CellularOne

Tom Rubey said this 10.95 acres is the first phase of the Cellular One construction and the first building in the McKitrick Office Park. The new PUD rezoning will go into effect on July 19. The overall office park is 152 acres with a mix of different intensity office and single-family residential uses. The site abuts Willow Grove condominiums and is across the new road from Dublin Coffman High School. He presented slides of the site and surrounding area.

He said the site is in Subarea 1. The total subarea contains 20 acres. The first building is to contain 121,000 square feet with over 660 parking spaces. He said the building exterior is to be scored concrete panels with mirrored glass as an accent. It is to be a four-story building with convex elements on the north and south elevations. Along Willow Grove is a 75-foot wide landscape area, and the landscaping requirements are to be acceptable to the Willow Grove Condominium Association. If agreement cannot be reached on a landscape plan it will be decided by the Commission. A 6-foot screen along I-270 or a consistent alternative along the entire McKitrick frontage will be installed.

Development within this subarea is to complement both Willow Grove and the higher density offices proposed to the east. Mr. Ruby said staff recommends approval of this final development plan with the following six conditions:

- 1) That the curb cut be moved to the east in conformance with the Burgess and Niple traffic study;
- 2) That the Stormwater plan conform with engineering requirements;
- 3) That site lighting conforms with Dublin Lighting Guidelines;
- 4) That the landscape treatment along west property line be agreeable to the Willow Grove Civic Association as outlined in zoning text;
- 5) That the I-270 landscape treatment return for Planning Commission review along with connector road; and
- 6) That the landscape treatment along the north border of the subject site, adjacent to the connector road, be in conformance with the landscape plan for the entire roadway landscape/buffer treatment plan.

Dan Sutphen asked if the signage was schematic and if it complies with code. Mr. Rubey did not know but said the applicant was familiar with Dublin's sign code.

Marilee Chinnici-Zuercher asked for an explanation of conditions #5 and 6. Mr. Rubey said the applicant had originally proposed a unifying landscape treatment on I-270, and the specifics are still undefined. It should be presented to the Commission. The landscape treatment along the north border of the subject site, adjacent to the connection road is to be reviewed with the connector road. A bridge over the Indian Run and landscaping treatment for the east-west road still need to be approved.

Steve Park, the applicant, said they were close to resolving this project and getting it under way

quickly. He said they had a four-story building in conformance with the Planned Unit Development District. The Willow Grove setback was an absolute minimum and increased with the height of the building. This building is set back 100-120 feet further than required.

Mr. Ruby said they had met with the Willow Grove representatives regarding the landscaping in the buffer area and the berm area. He said landscaping along I-270 and on the Coffman/Sawmill connector have not been resolved. A concept of the entire length of the Coffman/Sawmill connector has not been proposed. Along I-270, a unified concept may be proposed, and Cardinal Health and Dublin must agree with it. The applicant has an option to acquire additional acreage in Subarea 1. There could be a companion building with a mirror image of this building.

Marilee Chinnici-Zuercher asked if Mr. Park agreed with the six conditions listed above. He only disagreed with item #1. He said the Burgess and Niple study proposed a single full access point on the common property boundary, between their phases one and two. They did not feel that met the needs of their project. They want a right in/right out near the west property line and a full access point just west of the structure Phase Z should also have a full-service access. If the full access point is shifted, it is not a problem. They do not own the second phase. The access suggested brings the traffic into the loading/unloading and trash enclosure area, not to the front of the building as a corporate campus should be.

Mr. Park understood the reasons for the access was to minimize curb cuts and to allow for the potential of a signalized access point. The traffic along the Coffman/Sawmill connector has a traffic volume equal to that expected for Coffman Road. There are more access issues along Coffman Road than the connector. He did not think a traffic signal would ever be needed because of the opposite side will have high school and their practice fields.

Jim Gabriel, Civil Engineering Associates, said site utilities and grading on the site were standard. Water service will come from the Coffman/Sawmill connector and sanitary sewer service presently exists in a private sewer that goes north/south to serve the high school. It will become public and be extended to serve this building and the potential buildings to the east. The stormwater detention in the southwest corner of the site serves Willow Grove and the high school, and they are proposing enlarging it to make it a small regional detention basin to serve all three facilities.

Jim Burkart, James Burkart Associates, handed out a letter to the Commission regarding the corridor landscaping he proposed. He said a six-foot high berm along the corridor was not appropriate. The existing corridor on the north side undulated up and down below the current highway pavement. If a six-foot high mound was put in front of CellularOne, it would be effective because the roadway is currently approximately eight to ten feet lower and so a six-foot high mound would not be effective in terms of screening. Conversely, to the east near the Indian Run the area drops and undulates back up and so a six-foot high mound would not work for screening. Instead, he proposed that any parking areas be screened with staggered evergreen material which will ultimately become very dominant and will create a very interesting backdrop panorama when driving down the highway. He proposed a simple lawn panel that slopes up from I-270 to the building where it is dropped down. The building would be set three feet lower

than the top of the berm fitting with the higher tech image of the building. He suggested using flowering trees.

Steve Weiss, Soloman Cordwell Buenz and Associates, Inc., the architects for the project, reiterated what Mr. Park's desire that the building fit into a corporate park. The materials used along I-270 such as precast concrete with a lot of glass have been chosen for this building. About 40 to 45 percent of the building is a warm-tone precast infilled with green tinted and reflective glass. The floor plan has 30,000 square feet per floor. The four-story box look was changed by moving one part forward from the other and then connecting them with a curved glass section appearing on both sides of the building. The entrance is along one edge and one side of the building at the curved glass drum. Shading and screening of transformers, generators, and trash enclosures will be done with a single enclosure of precast concrete to match the building. The mechanical equipment on the roof will be screened so that it will look as though it is part of the building with a metal screening that is the same look and texture of the precast concrete which is a curving element on both sides of the building, completely enclosed all around the building.

Ms. Chinnici-Zuercher asked Staff to address the curbcut issues. Terry Foegler requested a short recess to discuss the curbcut issues with the applicant. He said one of the major benefits of designing a boulevard was the ability to effectively manage access onto the adjacent roadway system. Concerns of limiting the curbcuts relate to traffic safety and preserving the capacity of the roadway. It is extremely important for this roadway, given its future importance to the City. For every full left-turn cut through the boulevard, there is a associated left-turn stacking lane on the boulevard for cars stacking making a left turn which significantly reduces the width of the median and therefore the amount of landscaping. Mr. Foegler said he thought an agreement could be reached between staff and the applicant regarding curbcuts if the Commission would permit a short recess for discussion.

Mr. Peplow said there was no intention to have a wall along I-270 and that it should look like across the street at OCLC, etc. He liked the landscape proposed.

Mr. Zawaly said condition #4 should specifically say "That the landscape treatment along the west property line be subject to acceptance by the Willow Grove Civic Association as outlined in Section 1.08(10) of the zoning text."

Mr. Fishman said the landscaping along the freeway should be consistent.

Barry Hanks, representing Willow Grove Civic Association, thanked the Alter Group for their consideration and cooperation in the landscaping design. He said Willow Grove had not had the opportunity to respond to the landscaping design and supported Mr. Zawaly's suggestion to modify condition #4. He was not aware that the sanitary sewer was to be replaced and said that the landscaping should be timed correctly.

Ms. Chinnici-Zuercher called a recess at 8:05 p.m. The meeting resumed at 8:30 p.m.

Mr. Foegler said Burgess and Niple is preparing the plan for the new road which includes a full boulevard, with a landscaped median, and full turning movements at three locations. One would align the Cardinal Health site to the west of Indian Run with the proposed entrance to the single-family area, one for Cardinal to the east of the Indian Run, and one to be shared between this ten-acre site and the ten acres to its east. There is significant left turn storage for each. If curb cuts are added or relocated, the left turn storage areas will eliminate some landscaped median, and access control and roadway carrying capacity will suffer. He said access easements, etc. have been discussed with the applicant without resolution. He said there are possible solutions that meet their design needs and still preserve the integrity of this critical roadway.

Mr. Park agreed with Mr. Foegler's statement.

Ms. Chinnici-Zuercher said the applicant agreed to conditions #2-6, but not condition #1. Mr. Fishman asked if this could be approved with condition #1 intact. Mr. Banchevsky responded that this is the final review. He said their discretion was somewhat limited in the this phase, and he did not recommend imposing conditions without the applicant's acceptance.

Mr. Fishman was concerned with safety and the integrity of the road. He described it as a showplace for Dublin. He felt in Muirfield, the roadway's integrity was sacrificed when additional curbcuts were added. The boulevard will be lost without following the guidelines.

Mr. Zawaly asked if it was a matter of moving the full access curbcut eastward. Ms. Chinnici-Zuercher responded that it was. Mr. Zawaly agreed with Staff regarding the maintenance of the integrity of the boulevard in this major corporate campus. He was disappointed it could not be worked out with staff.

Mr. Sutphen said that the full access curb cut should be moved east for safety reasons. He said Blue Ash and Kettering, Ohio; Lexington, Kentucky; and Stanton and Harrisonburg, Virginia all had boulevards of various widths with appropriate plantings. He saw no problem.

Mr. Peplow liked the idea of maintaining three full access curbcuts. It would bring traffic into the campus at the loading side of the building. He preferred to minimize the number of full access curbcuts on the road. He said all the left-turn stacking lanes on Frantz Road were reducing the landscaped boulevard.

Ms. Chinnici-Zuercher said if the driveway was relocated to the east, it would not need to be extended to the service and dumpster area. She said the safety aspect should be considered, especially next door to the high school and a large group of less experienced drivers.

Mr. Banchevsky said there was no language in the Code allowing the Commission to impose a provision in the final development plan, as could be done in a conditional use case. He said if a consensus could not be met with the applicant's consent, tabling would be appropriate.

Mr. Fishman said the problem seemed to be the entrance through the parking lot. He suggested that a landscaped corridor could be brought into the parking lot to the entrance of the building.

Ms. Chinnici-Zuercher said another issue was that this applicant does not own the east property and may not ever. It may be some other company with which they would share access.

Mr. Fishman clarified that he envisioned a tree lined corridor directing traffic to the front of the CellularOne building. Mr. Sutphen said Metro Center had a tree lined corridor.

Mr. Foegler said a tabling would require a special meeting by the Commission.

Mr. Fishman asked if the applicant could agree to condition #1 with the understanding that barring an acceptable solution, they come back to the Commission. Mr. Foegler said the applicant did not agree to this condition under any circumstance.

Mr. Zawaly suggested the language: "that the full access curbcut be moved to the east, subject to agreement between the applicant and Staff".

Mr. Banchefsky said that was done often and there was no problem with it if the applicant agrees.

Ms. Chinnici-Zuercher and Mr. Park discussed possible language for this condition.
Mr. Park agreed to the amended condition #1 listed below.

Mr. Zawaly made the motion to approve this final development plan because it conforms with the preliminary development plan, is consistent with the high quality office development along I-270, and exceeds the minimum setback along Willow Grove, with the following six conditions:

- 1) That the full access curb cut be relocated to the east, subject to agreement between the applicant and Staff, or that its placement be resolved by the Planning Commission at a later date if agreement is not reached;
- 2) That the stormwater plan conform with engineering requirements;
- 3) That site lighting conform with Dublin Lighting Guidelines;
- 4) That the landscape treatment along the west property line be subject to acceptance by the Willow Grove Civic Association as outlined in Section 1.08(10) of the zoning text;
- 5) That the I-270 landscape treatment be subject to approval by the Planning Commission at a later date along with connector road; and
- 6) That the landscape treatment along the north border of the subject site, adjacent to the connector road, be in conformance with the landscape plan for the entire roadway landscape/buffer treatment plan.

The motion was seconded by Mr. Sutphen and the vote was as follows: Mr. Fishman, yes; Mr. Peplow, yes; Ms. Chinnici-Zuercher, yes; Mr. Sutphen, yes; and Mr. Zawaly, yes. (Approved 5-0.)

~~Ms. Chinnici-Zuercher stated that staff should inform the Chair prior to the meeting if a recess is needed to discuss issues. She said such a case can be placed later in the agenda to avoid delays for everyone. Mr. Sutphen said the request should be in writing.~~



**DUBLIN PLANNING AND ZONING COMMISSION
RECORD OF ACTION
MAY 3 AND 4, 1995**

CITY OF DUBLIN

The Planning and Zoning Commission took the following actions at its special meeting, May 3, 1995 and regular meeting, May 4, 1995:

1. Rezoning Application Z95-004 - McKitrick Office Park - Revised Preliminary Development Plan .

Location: 149.62 acres located on the north side of I-270, from Dublin-Bellepoint Road (SR 745) on the east to Coffman Road on the west.

Existing Zoning: PUD, Planned Unit Development District (McKitrick Office Plan).

Request: Revision of Preliminary Development Plan for PUD, Planned Unit Development District.

Proposed Use: Office park with revisions including an increase in density from 10,000 square feet per acre to 15,000 square feet per acre for portions of the site.

Applicant: McKitrick Properties, Inc. and Bethel Road Investment Company c/o Ben W. Hale, Jr., Smith and Hale, 37 West Broad Street, Columbus, Ohio 43215.

MOTION #1: To approve this rezoning application with the following 22 conditions:

- 1) That the east-west road and the bridge over the Indian Run be designed with maximum sensitivity to the neighboring residential environment and with input from the neighborhood representatives;
- 2) That the east-west road and the bridge over the Indian Run be designed to mitigate noise pollution;
- 3) That the design of the east-west road and bridge over the Indian Run be subject to approval of the Planning and Zoning Commission;
- 4) That an appropriate buffer/landscaping treatment along the east-west road be submitted in conjunction with #3 above, subject to approval of the Planning and Zoning Commission;
- 5) That an innovative design standard and landscape plan be established along the new east-west road;
- 6) That a landscape plan that graphically represents the buffering standard along Willow Grove be submitted subject to staff approval;
- 7) That development standards including setbacks, utility service and placement, preservation areas, parkland, for the single-family area (Subarea 4) be established at the time of preliminary plat;
- 8) That additional development criteria be established in the text for daycare facilities;
- 9) That the architectural quality of the proposed office park reflect the standard of development for other existing signature office buildings along I-270 in Dublin, such as OCLC and Metro Center;

1. **Rezoning Application Z95-004 - McKittrick Office Park - Revised Preliminary Development Plan (Cont.)**

- 10) That the commitment to handle and detain storm water from Willow Grove continue to be honored;
- 11) That right-of way be dedicated for Dublin Road (40 feet from centerline) and the east-west road (100 feet wide) and with additional right-of-way provided at the intersections consistent with the findings of the area traffic impact study prepared by Burgess and Niple;
- 12) That adequate right-of-way or easements be dedicated to include any additional roadside mounding (designed with a mowable slope);
- 13) That a tree preservation plan and conceptual plan be submitted prior to filing a final development plan for any treed portion of the site that outlines standards for development, including utility placement, sets preservation zones and provides appropriate development standards for all phases of construction for wooded areas located along the Indian Run and existing tree rows, it being understood that the developer will be allowed to locate buildings, parking, access driveways, and related amenities within the existing treed area consistent with a tree preservation plan that preserves the natural beauty of the site, subject to staff approval;
- 14) That the ravine be properly protected by environmentally sensitive site design(s) and limitation on grading, and by utilization of appropriate construction practices during all phases of construction, in accordance with a staff approved preservation plan;
- 15) That the cemetery be established as a no-build zone and be appropriately preserved;
- 16) That parking to facilitate use of the existing public park within the development be resolved at final development plan review and should it be located south of the road, it may be established by revokable license;
- 17) That bikepaths be provided along the east-west road and Dublin Road frontages consistent with the Community Plan;
- 18) That the plan and text be modified as appropriate prior to the public hearing at City Council;
- 19) That the applicant submit a finalized legal description for the acreage to be rezoned for inclusion in the rezoning ordinance;
- 20) That the use of Subarea 4 to the west of the Indian Run be limited to playing and practice fields and parks, with any proposed lighting to be reviewed and approved by the Planning Commission;
- 21) That buildings in Subarea 2 shall be limited to a maximum five-story height (plus mechanicals) limit, that buildings shall be limited to 80 feet in height at the minimum setback lines, and that buildings exceeding 80 feet in height shall be set back an additional two feet for each additional one foot in building height; and
- 22) That buildings in Subarea 1 shall be limited to a maximum four-story height (plus mechanicals) limit, that buildings shall be limited to 56 feet in height at the minimum setback lines, and that buildings exceeding 56 feet in height shall be set back an additional two feet for each additional one foot in building height.

* Ben W. Hale, Jr. agreed to the above conditions.

1. Rezoning Application Z95-004 - McKittrick Office Park - Revised Preliminary Development Plan (Cont.)

VOTE: May 3, 1995 - Approved 7-0.

RESULT: This rezoning application will be forwarded to City Council with a favorable recommendation.

* * * * *

At the Planning Commission's regular meeting on May 4, 1995, as a follow-up to the above action, the following motion was introduced and passed:

MOTION #2: Upon consideration of the new traffic generated by the development of the McKittrick property, the Planning and Zoning Commission strongly recommends that Council place a high priority on the following five traffic network issues:

- 1) The capacity and potential for expansion of the two lane Post Road bridge over I-270 should be sufficiently studied;
- 2) The connector road through the McKittrick property should be constructed between Dublin Road and Coffman Road as one project, not in segments. This connector road should be designed and installed in its final form, preferably as a four-lane boulevarded street with a landscaped median;
- 3) The east-west road project should include adequate upgrades to the intersections created at Coffman Road and at Dublin Road;
- 4) Dublin Road should be preserved and protected as a scenic collector. This includes minimizing any necessary widening of this road to the greatest extent possible; and
- 5) That funding will be provided for the two bridges, (one over the Scioto and the other over SR 161), within the current 5-year C.I.P.

VOTE: May 4, 1995 - Approved 5-0-1.

RESULT: These traffic network issues will be forwarded to City Council for consideration in connection with the McKittrick Office Park rezoning application.

STAFF CERTIFICATION


Barbara M. Clarke
Planning Director

RECORD OF PROCEEDINGS

OPTIONAL FORM NO. 1012 REV. 11-83

Held June 5, 1995

19

the middle of lots.

Ms. Clarke confirmed that it is the developer's responsibility to resolve this by the time of preliminary plat stage. The Commission members were very clear about their expectation in this regard.

David Haid, President, Northwood Land Corporation, addressed Council, noting:

1. The cost of the bridge is estimated at \$432,000 and the extra lots are requested to help reduce the impact of the bridge cost on the developer. The extra 3 lots reduce the cost of the bridge project to about \$330,000.
2. He agrees with Mrs. King that costs for major infrastructures should be spread across a larger area in the future.
3. After the many hearings at Planning & Zoning Commission, Mr. Haid has agreed to all 12 of the conditions.

Council had no further questions for Mr. Haid.

In response to Mayor Campbell, Mr. Haid stated that he is in agreement with all 12 conditions.

There will be a third reading of the ordinance at the June 19 Council meeting.

* **Ordinance No. 20-95 An Ordinance Providing for a Change in Zoning for 149.629 Acres of Land Located on the North Side of I-270, from Dublin-Bellepoint Road (State Route 745) on the East to Coffman Road on the West, from: PUD, Planned Unit Development District to: PUD, Planned Unit Development District. (Revised McKittrick I-270 Preliminary Development Plan) (Public Hearing) (Applicant: Bethel Road Investment Co. and McKittrick Properties Inc., c/o Ben W. Hale, Jr., Smith and Hale, 37 W. Broad Street, Columbus, OH 43215)**

Registered as proponents of the rezoning were Joe Harian, 7087 Coventry Woods, Drive; Ron Geese, 5964 Brand Road; Ben Hale, 37 W. Broad Street, Columbus; and Dave McKee, 7127 Coventry Woods Drive.

Registered as opponents of the rezoning were Claire Wolfe, 5521 Indian Hill Road; Jan Henderson, 5190 Willow Grove Place N.; Lee Grabill, 5242 Willow Grove Place N.; Don Burtanger, 6747 Willow Grove Place E.; Tina Eversole, 5241 Willow Grove Place N.; Jim Fox, 5177 Willow Grove Place S.; Barry Hanks, 6763 Willow Grove Place; Lynn Fox, 5177 Willow Grove Place S.; Randy Roth, 6987 Grandee Cliffs Drive; David Buzzee, 5248 Willow Grove Place S.; and Peg DaCapio, 6679 Willow Grove Lane.

Ms. Clarke gave a slide presentation on the rezoning which involves 150 acres along I-270 and is bounded on the east by Dublin Road and by Coffman Road on the west. This land has been zoned for an office park since 1985. The 1985 development text for an office park called for a net density across the site of 10,000 square feet per acre and approximately 1.5 million square feet of proposed office space. This new application increases the density for the area located to the south of the east-west road - a major road proposed from Coffman Road to Dublin Road, with an extension across the Scioto River at the Gockenbach property, and with an extension over to Sawmill Road via several road extensions called for in the Thoroughfare Plan. The road will also be extended to the south and west as the Coffman Road extension south of 33. There are several issues involved with this development:

1. Land set aside along the freeway was constricted, and several small parcels of land are proposed for trade with the school system in order to widen out the area right along the freeway and to slightly realign that proposed road. This is a PUD, and in a PUD the road alignment is actually set.
2. The 1985 plan did little in terms of providing for generalized standards of development and providing buffers. The Willow Grove buffer has been renegotiated as a part of this rezoning application. Since the application was filed, Subarea 4, the northwest block of the property will be down-zoned to either single-family or school use for practice fields.
3. This plan incorporates some, but not all of the bike paths shown on the Thoroughfare Plan. It includes a bikepath along the east-west road and one along the Dublin road right-of-way.
4. The City is in a position to facilitate development at this time by using the tax increment financing for the road construction. This roadway will be an important link for Dublin.
5. There are two major users for the development as proposed, one of which is interested in developing a major headquarters to be developed over the next five or so years.
6. In the initial 1985 rezoning, a waiver was granted of the 240 day requirement within which to file the final development plan for at least 20 percent of the property. In this application, the waiver will be requested as well.

She then proceeded with a slide presentation of the site and surrounding area, describing the road alignments as well as the five-year capital improvement projects involved with this roadway.

97-084FDP
5165 Emerald Parkway

DAYTON LEGAL BLANK CO. FORM NO. 10148

Held June 5, 1995 19

the middle of lots.

Ms. Clarke confirmed that it is the developer's responsibility to resolve this by the time of preliminary plat stage. The Commission members were very clear about their expectation in this regard.

David Haid, President, Northwood Land Corporation, addressed Council, noting:

1. The cost of the bridge is estimated at \$432,000 and the extra lots are requested to help reduce the impact of the bridge cost on the developer. The extra 3 lots reduce the cost of the bridge project to about \$330,000.
2. He agrees with Mrs. King that costs for major infrastructures should be spread across a larger area in the future.
3. After the many hearings at Planning & Zoning Commission, Mr. Haid has agreed to all 12 of the conditions.

Council had no further questions for Mr. Haid.

In response to Mayor Campbell, Mr. Haid stated that he is in agreement with all 12 conditions.

There will be a third reading of the ordinance at the June 19 Council meeting.

*

Ordinance No. 20-95 An Ordinance Providing for a Change in Zoning for 149.629 Acres of Land Located on the North Side of I-270, from Dublin-Bellepoint Road (State Route 745) on the East to Coffman Road on the West, from: PUD, Planned Unit Development District to: PUD, Planned Unit Development District. (Revised McKittrick I-270 Preliminary Development Plan) (Public Hearing) (Applicant: Bethel Road Investment Co. and McKittrick Properties Inc., c/o Ben W. Hale, Jr., Smith and Hale, 37 W. Broad Street, Columbus, OH 43215)

Registered as proponents of the rezoning were Joe Harian, 7087 Coventry Woods, Drive; Ron Geese, 5964 Brand Road; Ben Hale, 37 W. Broad Street, Columbus; and Dave McKee, 7127 Coventry Woods Drive.

Registered as opponents of the rezoning were Claire Wolfe, 5521 Indian Hill Road; Jan Henderson, 5190 Willow Grove Place N.; Lee Grabill, 5242 Willow Grove Place N.; Don Burtanger, 6747 Willow Grove Place E.; Tina Eversole, 5241 Willow Grove Place N.; Jim Fox, 5177 Willow Grove Place S.; Barry Hanks, 6763 Willow Grove Place; Lynn Fox, 5177 Willow Grove Place S.; Randy Roth, 6987 Grandee Cliffs Drive; David Buzzee, 5248 Willow Grove Place S.; and Peg DaCappio, 6679 Willow Grove Lane.

Ms. Clarke gave a slide presentation on the rezoning which involves 150 acres along I-270 and is bounded on the east by Dublin Road and by Coffman Road on the west. This land has been zoned for an office park since 1985. The 1985 development text for an office park called for a net density across the site of 10,000 square feet per acre and approximately 1.5 million square feet of proposed office space. This new application increases the density for the area located to the south of the east-west road - a major road proposed from Coffman Road to Dublin Road, with an extension across the Scioto River at the Gockenbach property, and with an extension over to Sawmill Road via several road extensions called for in the Thoroughfare Plan. The road will also be extended to the south and west as the Coffman Road extension south of 33. There are several issues involved with this development:

1. Land set aside along the freeway was constricted, and several small parcels of land are proposed for trade with the school system in order to widen out the area right along the freeway and to slightly realign that proposed road. This is a PUD, and in a PUD the road alignment is actually set.
2. The 1985 plan did little in terms of providing for generalized standards of development and providing buffers. The Willow Grove buffer has been renegotiated as a part of this rezoning application. Since the application was filed, Subarea 4, the northwest block of the property will be down-zoned to either single-family or school use for practice fields.
3. This plan incorporates some, but not all of the bike paths shown on the Thoroughfare Plan. It includes a bikepath along the east-west road and one along the Dublin road right-of-way.
4. The City is in a position to facilitate development at this time by using the tax increment financing for the road construction. This roadway will be an important link for Dublin.
5. There are two major users for the development as proposed, one of which is interested in developing a major headquarters to be developed over the next five or so years.
6. In the initial 1985 rezoning, a waiver was granted of the 240 day requirement within which to file the final development plan for at least 20 percent of the property. In this application, the waiver will be requested as well.

She then proceeded with a slide presentation of the site and surrounding area, describing the road alignments as well as the five-year capital improvement projects involved with this roadway.

RECORD OF PROCEEDINGS

DAYTON LEGAL BLANK CO. FORM NO. 1074B

Held June 5, 1995

19

She noted that Planning Commission held several work sessions to provide all of the neighbors with a fair hearing of their issues. Planning Commission recommended approval on May 3, 1995 with 22 conditions:

1. That the east-west road and the bridge over the Indian Run be designed with maximum sensitivity to the neighboring residential environment and with input from the neighborhood representatives;
2. That the east-west road and the bridge over the Indian Run be designed to mitigate noise pollution;
3. That the design of the east-west road and bridge over the Indian Run be subject to the approval of the Planning and Zoning Commission;
She noted that in this case, the city is in fact the developer of the road and thus will be subject to the same criteria as any other developer.
4. That an appropriate buffer/landscaping treatment along the east-west road be submitted in conjunction with #3 above, subject to approval of the Planning and Zoning Commission;
5. That an innovative design standard and landscape plan be established along the new east-west road;
6. That a landscape plan that graphically represents the buffering standard along Willow Grove be submitted subject to staff approval;
7. That development standards, including setbacks, utility service and placement, preservation areas, and parkland for the single-family area (Subarea 4) be established at the time of preliminary plat;
8. That additional development criteria be established in the text for daycare facilities;
9. That the architectural quality of the proposed office park reflect the standard of development for other existing signature office buildings along I-270 in Dublin, such as OCLC and Metro Center;
10. That the commitment to handle and detain storm water from Willow Grove continue to be honored;
11. That right-of-way be dedicated for Dublin Road (40 feet from centerline) and the east-west road (100 feet wide) with additional right-of-way provided at the intersections consistent with the findings of the area traffic impact study prepared by Burgess and Niple;
12. That adequate right-of-way for easements be dedicated to include any additional roadside mounding (designed with a mowable slope);
13. That a tree preservation plan and conceptual plan be submitted prior to filing a final development plan for any treed portion of the site that outlines standards for development, including utility placement, sets preservation zones and provides appropriate development standards for all phases of construction for wooded areas located along the Indian Run and existing tree rows, it being understood that the developer will be allowed to locate buildings, parking, access driveways, and related amenities within the existing treed area consistent with a tree preservation plan that preserves the natural beauty of the site, subject to staff approval;
14. That the ravine be properly protected by environmentally sensitive site design(s) and limitation on grading, and by utilization of appropriate construction practices during all phases of construction, in accordance with a staff approved preservation plan;
15. That the cemetery be established as a no-build zone and be appropriately preserved;
16. That parking to facilitate use of the existing public park within the development be resolved at final development plan review and should it be located south of the road, it may be established by revokable license;
17. That bikepaths be provided along the east-west road and Dublin Road frontages consistent with the Community Plan;
18. That the plan and text be modified as appropriate prior to the public hearing at City Council;
19. That the applicant submit a finalized legal description for the acreage to be rezoned for inclusion in the rezoning ordinance;
20. That the use of Subarea 4 to the west of the Indian Run be limited to playing and practice fields and parks, with any proposed lighting to be reviewed and approved by the Planning Commission;
21. That buildings in Subarea 2 shall be limited to a maximum five-story height (plus mechanicals) limit, that buildings shall be limited to 80 feet in height at the minimum setback lines, and that buildings exceeding 80 feet in height shall be set back an additional two feet for each additional one foot in building height; and
22. That buildings in Subarea 1 shall be limited to a maximum four-story height (plus mechanicals) limit, that buildings shall be limited to 56 feet in height at the minimum setback lines, and that buildings exceeding 56 feet in height shall be set back an additional two feet for each additional one foot in building height.

RECORD OF PROCEEDINGS

DAYTON LEGAL BLANK CO. FORM NO. 10148

Held June 5, 1995

19

Regarding conditions 21 and 22, Ms. Clarke noted that the neighbors of areas to the north and south were concerned about the heights of buildings in comparison to their own residences. The Willow Grove neighbors are still dissatisfied with Condition 22 as drafted.

The Planning Commission felt that the City must take an extremely aggressive role in terms of providing an adequate network of roads to support this development scheduled to begin this year. At their May 4 meeting, a second motion was made as follows:

Upon consideration of the new traffic generated by the development of the McKitrick property, the Planning and Zoning Commission strongly recommends that Council place a high priority on the following five traffic network issues:

1. The capacity and potential for expansion of the two lane Post Road bridge over I-270 should be sufficiently studied;
2. The connector road through the McKitrick property should be constructed between Dublin Road and Coffman Road as one project, not in segments. This connector road should be designed and installed in its final form, preferably as a four-lane boulevard street with a landscaped median;
3. The east-west road project should include adequate upgrades to the intersections created at Coffman Road and at Dublin Road;
4. Dublin Road should be preserved and protected as a scenic collector. This includes minimizing any necessary widening of this road to the greatest extent possible; and
5. That funding will be provided for the two bridges (one over the Scioto and the other over SR 161) within the current five-year C.I.P.

The Planning Commission approved that motion with a vote of 5-0-1.

Ms. Clarke also noted that a consistent look for the streetscape all the way from Dublin Road to Coffman can be achieved with this development, setting the standard for future development on the road as it extends both to the east and to the southwest. In consideration of this, staff believes that improvement of the landscaping along 270 over the basic Code requirements would be desirable. She noted that a couple of pieces of property are being traded with the school system to align the roadway. There is still concern by school officials about the need for a substantial barrier between sports fields and the new road.

Mrs. King asked whether information is available about the estimated traffic counts for this 6,000 foot roadway expanse at five and ten year intervals and about differences in traffic generated from single-family development versus office development in Subarea 4.

Ms. Clarke responded that the 2020 figure is in the low 20,000 car per day range. The single-family zoning for Subarea 4 will generate about 750 cars per day versus 6,000 per day for office use at 10,000 square ft. per acre density.

Mrs. Boring expressed concern about the intersection of 745 and the new connector and taking additional traffic to an already "gridlocked" area. She also has concerns about the residents of Shannon Park and their ability to access Coffman Road.

Mr. Kindra then introduced Jim Dippel, Project Engineer from Burgess & Niple who showed diagrams of the alignment of the east-west road and provided background information on the development of the present alignment. The roadway was tied into the municipal building entrance due to the Community Center entranceway at this location and to avoid encouraging through traffic into the existing local residential area of Shannon Park. He described the road cut which benefits Coventry Woods in terms of noise abatement. He showed the typical cross-section for the four-lane boulevard, with two 12-foot lanes on each side, an 18-foot median, curbed, with an 8-foot bikepath on one side and a 5-foot sidewalk on the other.

Phillip L. Hall, Project Engineer, Burgess & Niple presented the McKitrick Site Area Traffic Impact Study to Council. The traffic figures in the report are based on a MORPC traffic network analysis made on April 14, 1995. The report shows figures in the 20,000 range average daily traffic for the connector road for year 2020. For the Post Road bridge, traffic in the year 2020 is not estimated to increase substantially due to the alternative routes which will be available at that time. Generally speaking, in 2020 there will be five lanes at the intersections with left turn lanes and two through lanes. At 745 and Dublin Road, there will be 5 lanes in every direction, but it will require an additional turning lane on the bridge west bound.

Mr. Foegler noted that the 5 lanes north and south on 745 at the intersection would be consistent with the graphics presented to Council with the Scioto bridge analysis in 1990.

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Joe Ginocchi, Burgess & Niple gave a brief presentation regarding the Noise Predicted Model for the McKittrick site between Coffman Road and SR 745. This was based on the design year 2020 noise levels and traffic produced according to MORPC predictions. Based on the noise abatement criteria designed by the Federal Highway Administration which states that a decibel level exceeding 67 will be an excessive traffic noise impact, all of the receivers studied for this area do not exceed the 67 decibels. The highest level was at the high school at 62.5 decibels and the lowest reading was south of Lytfield Drive at 50.7 decibels. The study was strictly based on the alignment shown, with depression cuts into the earth, and a noise conscientious bridge. The traffic noise impact can be lessened with mounds or small noise walls.

Mayor Campbell asked about the sound impact from I-270.
Mr. Ginocchi responded that they did no study on the existing noise, but only on future noise levels.

In response to Mrs. Boring, Mr. Ginocchi stated that moving the road north 100 to 120 feet from the Willow Grove area could lessen the noise impact by approximately 3 to 5 decibels.

In response to Mr. Strip, Mr. Ginocchi commented that mounding would lessen noise impact, but only lengthy lots of trees would have the same lessening impact.

Mrs. Boring commented that the noise impact study is not totally accurate since it does not take into consideration the existing noise at 270.

Mayor Campbell stated that the testimony from those in favor of and those opposed to the rezoning would now be taken. He offered to allow the applicant 10 minutes to summarize and a representative of the opposition to summarize. All of the others who testify would have five minutes to speak and the clerk will keep the time.

Joe Harian, 7087 Coventry Woods Drive stated that David McKee has yielded his time to Mr. Harian to speak. Mr. Harian stated that he is co-chair of the committee representing Coventry Woods. He read a statement into the record describing the requests of the residents. A copy is attached as Exhibit A and incorporated herein by reference.

Ron Geese, 5964 Brand Road stated that he supports this application. He has observed through the Planning & Zoning process that the developer has made many changes in the plan to accommodate the residents. He was a member of Planning Commission at the time the Coventry Woods zoning was approved, and it was understood by the future residents at the time that the property to the south would be developed as office use. He also noted that his family has a long history in Dublin, yet is willing to accept change in the future for Dublin. This development represents a great financial opportunity for the City. As a businessman, he believes Cardinal Health is a high quality company and that any suburban City would welcome the corporate headquarters to their community. There will be benefits to the City in terms of income tax, in terms of retention of an \$8 billion corporation for many years to come, and because of the high quality level of this development without bringing the additional burden to the schools as would residential development. He urges Council to vote in favor of this ordinance which is very important for the future of Dublin.

Ben Hale, 37 W. Broad Street, representing the applicant, gave a brief history of the zoning of this property. The site is located across the freeway from the corporate park of OCLC, and it was always their dream that a major user would come to the City to purchase this property. When this was rezoned in 1984, they were hopeful that a user would be found within two to three years. Until the Alter group and Cardinal Health came along, there was no prospective user for the site. Dublin has a great opportunity with this proposed development. It will provide an aesthetically pleasing entry to Dublin along 270. When the original rezoning was approved in 1984 with a cul-de-sac entry, a requirement was that if Dublin made a decision to take a road through the site, the developer would have to comply. Also since 1984, Coventry Woods was developed north of this site. They have worked with both the Coventry Woods and Willow Grove neighbors to address their concerns. He emphasized that they do not control the road, the City of Dublin controls it. He believes that they have come to a reasonable compromise with the neighbors. This development is the result of a 10-year cooperative effort with the school system and the community to preserve this site as an economic development opportunity for the City.

Dave McKee, Coventry Woods Drive was called but did not testify.

Mayor Campbell then called forward those who signed in to testify in opposition to the rezoning.
Claire Wolfe, 5521 Indian Hill Road, River Forest stated that she has lived at this location for over

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22 years. She has written letters to Council expressing her concerns with this rezoning. Her concerns are as follows:

1. She has concerns about taking the east-west connector road into 745, a scenic two-lane road. Her definition of "scenic road" does not include a five lane intersection. The traffic congestion on Dublin Road will continue to increase with the development north on 745 and by bringing the Sawmill Road traffic over to 745 in this location. She believes that traffic studies are needed to determine the impact on 745.
2. Every Council for the past 22 years has committed to no commercial access on 745, and this plan will empty commercial development onto 745. The cul-de-sac in the previous office plan for this site was designed so that the park did not empty onto 745.
3. She is asking that the east-west bridge be extended over 745 to continue onto the connector. This avoids building 5 lanes, avoids blasting 25 feet through bedrock, and does not add traffic onto 745.

Mr. Zawaly noted that the letter Ms. Wolfe had sent to Council was faxed to Mr. Foegler for response, and he is prepared to do so this evening.

Mr. Foegler commented that the bridge issue was analyzed as part of the 1988 plan as well as the bridge alignment studies undertaken by the City in 1990. One of the primary purposes of this roadway connector is to provide inner connections to major existing collectors. If the connector does not tie in to Dublin Road, a major traffic benefit will be defeated. The 161/Dublin Road intersection is congested because all of the current east-west movement is funneled to that point. Increasing the bridge span as Ms. Wolfe is suggesting would multiply the cost of the bridge three, four or even five-fold. It would also provide far less traffic benefit in the long term.

Jan Henderson, 5190 Willow Grove Place N. stated that Willow Grove residents will have to live with the results of this rezoning. The residents are asking that the road be moved north toward the school. This road will be used as a shortcut between Sawmill and the new mall (at Tuttle Crossing), and no one cares that the road will be within 50 feet of the Willow Grove residents' property lines. The residents will have to live with this situation 365 days a year. The school board is going to recoup some additional land in this transaction and the land could easily be used for a band practice area. The residents of Willow Grove do not want to halt development in Dublin, they want it to be done fairly.

Lee Grabill, 5242 Willow Grove Place N. and Don Burtanger, 6747 Willow Grove Place E. stated that they yield their time to their counsel, Mr. Dunbar.

Frank Dunbar, representing Willow Grove residents stated that Council members were faxed a memorandum from the Association on Friday. The memo contains the primary concerns of the Willow Grove residents. He summarized the concerns as follows:

1. The location of the Coffman-Sawmill connector road.
2. Mounding, screening and buffering along the northern property lines of the Willow Grove condominium property.
3. Buffering and screening along the parking areas and building on Subarea 1. He noted that agreement has been reached with the Alter group and McKitrick interests in this regard, although it is not yet reflected in the text. Hopefully, changes can be made in the text between now and the third reading which will be incorporated into the final version which Council approves.
4. There is still uncertainty about the type of buffering, screening and mounding in the Blankenship property area if the roadway is moved to align with Shannon Park as Willow Grove is suggesting. The City of Dublin has control over the outcome of this issue.
5. The big issue is that the developers wanted to move the setback for the parking area 100 feet back from the existing zoning. Willow Grove agreed to a 50 feet setback as a compromise.
6. He believes that the school board can find somewhere else on the 17-1/2 plus acres for the band practice field.
7. Willow Grove residents are not opposed to the development, but are opposed to the road alignment, the noise and the fumes.

Mayor Campbell commented that the school board is a separate entity from the City and the City has no control over the school board decisions about the use of their property. If the road were relocated to the north, the City would not have the justification for taking the Blankenship property for the roadway location.

Discussion continued about the effects of moving the road alignment to the north.

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Tina Eversole, 5241 Willow Grove Place N., was not present and therefore did not testify.

Jim Fox, 5177 Willow Grove Place S., thanked Council and City staff members for attending their recent meetings. He noted that residents have worked out their issues with the developers. The remaining issues must be worked out with the City of Dublin and the school administration. He noted that the City has the right of eminent domain over the school board as the school board has the same right over the city in an issue of higher use for land such as with the band practice field. He noted that Willow Grove is now becoming an island, although the City allowed the Willow Grove rezoning some 15 years ago. They are asking that the City ensure that the connector road is aligned properly and that the stacking lanes are built correctly, and that no one ends up located only 50 feet from that type of road.

Barry Hanks, 6763 Willow Grove Place E., read a brief statement regarding his observations about the process. He noted that the concerns of the residents of Coventry Woods have been responded to by the developer. The residents of Willow Grove are well educated business professionals who have chosen to live in multi-unit complexes because it is compatible with their busy lifestyles. He cannot believe that the City of Dublin is unwilling to compromise on the vital issue of the roadway alignment at Coffman Road. They have been told that the high school band must practice in the existing field abutting the road to the north and therefore the roadway cannot be moved to the north. This is unreasonable since the Willow Grove residents will live with the noise pollution and safety problems all year long. The Willow Grove residents ask for more adequate buffering during the first phase of the construction project, and a greater highway offset to their northern border. Everyone needs to compromise in this situation - the school board, the City, the developer and the residents.

Frank Dunbar spoke again, stating that the residents are also requesting that a liaison person from the City of Dublin be established to work with Willow Grove. He summarized the concerns again: 1) the roadway alignment adjustment of 120 feet to connect to Shannon Park; 2) noise and pollution; and 3) adequate buffering and screening from the noise and activity of the connector road with a commitment in the text.

Lynn Fox, 5177 Willow Grove Place S., was called but did not testify.

Randy Roth, 6987 Grandee Cliffs Drive stated that engineer Allen Kundtz is out of town and therefore unable to address Council tonight. His concern is a change in the thoroughfare plan from the way it was understood in 1989-90. Mr. Roth read a statement (Exhibit B) regarding the importance of maintaining the option of extending Frantz Road north from Bridge Street under I-270 at its bridge over Indian Run to the new cross-Dublin connector. His statement is attached as Exhibit B and incorporated herein by reference.

David Buzzee, 5248 Willow Grove Place S., noted that Willow Grove will derive no benefit from the placement of the road but will bear several costs: environmental costs such as noise, exhaust, summer heat; financial cost in terms of property value loss. He added that Willow Grove is a "high profit, low cost" neighborhood to the City of Dublin. He appeals to Council not to fence in their area by four five or six-lane highways.

Peg DaCapió, 6679 Willow Grove Lane was called but did not testify.

Mayor Campbell announced that the public hearing is now closed, and there will be a third reading at the June 19, 1995 Council meeting.

Mrs. King stated that she senses other Council members would like some opportunity to question those who testified this evening.

Mr. Kranstuber asked how the agreements reached by Willow Grove can be incorporated into the text prior to the third reading. Could this be drafted at staff level for Council consideration at third reading?

Mr. Foegler responded that this could be done by motion of Council calling for incorporation of changes at the time of third reading. If Council desires, staff could be directed this evening to incorporate some of the changes into the text for vote by Council at third reading. He will defer to Ms. Clarke on the position of staff about each of the proposed changes.

Mr. Dunbar agreed to provide staff with an outline of the agreements reached with the developer for staff's review and recommendation to Council at the third reading.

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Mr. Kranstuber cautioned that there are three parties involved here - the developer, residents and the City. Staff will have to analyze carefully the proposed changes.

Mrs. King noted that she several concerns:

1. She does not want Mr. Harian to leave tonight with the expectation that all points raised in his testimony are acceptable to Council. At this point, they are testimony for consideration. She suggested that the Coventry Woods residents utilize the same process as Willow Grove in providing copies to staff for review.
2. She could support moving the roadway north if it is technically feasible, economically reasonable and if it accomplishes the objectives of ingress and egress for Willow Grove, as well as noise abatement and pollution abatement. Buying the Blankenship property is no guarantee that it would remain green space or buffer.
3. Council needs to hear from the residents of Shannon Park about the road alignment issue.
4. In terms of Mr. Roth's idea about connecting the road underneath 270, there would be environmental problems with placement of a road up a stream valley.
5. There needs to be a commitment in the text to buffering of the road on the north side of Willow Grove.

Mrs. Boring stated:

1. She is interested in having the road moved north.
2. She believes there is a mutually agreeable solution regarding Shannon Park which will avoid cut-through traffic.
3. Shannon Park residents should be involved in this process.
4. She would support moving the road to the north and wonders if there is enough Council support to do so.

Mrs. Stillwell commented:

1. She, too, would be interested in exploring the feasibility of moving the road to the north and explore whether this would be feasible.
2. The Shannon Park residents should also be involved in the discussion.

Mayor Campbell noted:

1. This new east-west roadway will resolve traffic problems by increasing the opportunity for traffic to flow through alternate roads, bridges and intersections.
2. He has no preconceived notion about the option of moving the road to the north. If the schools and engineers agree, he would have no objection. He acknowledged that the school district must protect their interests as well.
3. In terms of the "taking" process with the schools, he is not sure this is feasible or even something that the City would want to be involved in. It would be preferable to resolve this with compromise.
4. He thanked everyone who has made presentations this evening for their professionalism and courtesy throughout the process.

Joe Riedel, Planner for Dublin City Schools stated that he has been instructed by the schools to convey a message. This matter has been carefully considered by the Board of Education, by the Athletic Department, the Music Department, the Physical Education Department and by himself. The schools feel obligated to protect the right to have all of the activities take place on their property that are desired by the community at large. This area is not just a band practice field. The schools had been encroaching on Mr. McKitrick's property and using 2 fields which never belonged to the school. As the road is constructed, the schools must give up the use of these fields. Moving the roadway to the north would result in a loss of two more fields. The school board was polled today, and stand unanimous on the earlier commitment to support the design of the road as presented tonight. He added that the residents may wish to address this issue further with the school board.

Mr. Strip commented:

1. From Council's standpoint, the road location 100 feet to the north or as proposed is not a major issue, although Council certainly hopes to satisfy as many people as possible with the location chosen.
2. The important consideration is that this proposal is an outstanding development opportunity for the City of Dublin and one that the City must have. Council is committed to making the best deal possible for the City in the negotiations with these users.
3. The City of Dublin has no control over school district issues - only the Board of Education can make those decisions.
4. This development proposal with its income tax contributions will help to lower property

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- 5. taxes in the future by providing funding sources for new schools, etc. Council and staff will continue to negotiate for the best possible deal for the City and residents.

Mayor Campbell noted that there will be a third reading of the ordinance at the June 19 Council meeting.

~~Ordinance No. 17-94 - An Ordinance Granting a Franchise to Columbus Southern Power Company to Construct, Maintain and Operate Lines, Appurtenances and Appliances for Conducting Electricity In, Over, Under and Through the Streets, Avenues, Alleys and Public Places of the City of Dublin. (Tabled Indefinitely)~~

~~There was no further information on this item. The ordinance remained tabled.~~

~~Ordinance No. 33-95 - An Ordinance Amending Ordinance No. 122-94 to Establish a Fee Schedule for Special Event Services Provided by the City of Dublin. (Third Reading Tabled until June 19, 1995)~~

~~Mr. Hansley stated that staff will provide the additional information as requested prior to the third reading scheduled for June 19.~~

~~Ordinance No. 21-95 (Amended) - An Ordinance Amending Ordinance No. 62-88 (Amended) to Update the Arterial Traffic Plan for the City of Dublin. (Third Reading)~~

~~Mayor Campbell stated that staff has requested that this item be tabled until the July 17 meeting.~~

~~Mr. Foegler commented that staff is seeking input from Council members regarding their comments about particular roads where they have specific issues.~~

~~Mr. Zawaly moved to table the ordinance until July 17, 1995.~~

~~Mrs. Stillwell seconded the motion.~~

~~Vote on the motion - Mayor Campbell, yes; Mrs. King, yes; Mr. Strip, yes; Mr. Zawaly, yes; Mrs. Stillwell, yes.~~

~~Mr. Zawaly asked for clarification regarding the title of the ordinance - are the Arterial Traffic Plan and the Thoroughfare Plan one and the same document?~~

~~Mr. Foegler responded that the title on the ordinance is consistent with the language in the Community Plan. In all other cases, it is referred to as the Thoroughfare Plan. In order to be consistent with the Community Plan, the ordinance has been titled as such.~~

~~Ordinance No. 34-95 (Amended) - An Ordinance Amending Sections 305.04(j) and 311.03 of the Dublin Codified Ordinances to Eliminate References to Quiet Zones and Play Streets. (Third Reading)~~

~~Mayor Campbell noted that a slight amendment to the language is needed in the third paragraph where it should state "Public Services Committee of Dublin City Council" and also to delete the language at the end of paragraph 4, "for citizens who use the roadways".~~

~~Mrs. Stillwell moved to amend the ordinance as stated.~~

~~Mr. Strip seconded the motion.~~

~~Vote on the motion - Mr. Zawaly, yes; Mrs. King, yes; Mrs. Stillwell, yes; Mayor Campbell, yes; Mr. Strip, yes.~~

~~Vote on the ordinance - Mrs. King, yes; Mayor Campbell, yes; Mrs. Stillwell, yes; Mr. Strip, yes; Mr. Zawaly, yes.~~

~~Ordinance No. 35-95 - An Ordinance Declaring Certain City Owned Property as Surplus and Authorizing the City Manager to Dispose of Said Property in Accordance with the Ohio Revised Code Section 721.15. (Second Reading)~~

~~Ordinance No. 37-95 - An Ordinance to Amend Chapter 1305 of the Codified Ordinances of the City of Dublin, Ohio Relating to the One, Two and Three Family Dwelling Code. (Second Reading)~~

~~Ordinance No. 38-95 - An Ordinance to Amend Section 160.05 of the Codified Ordinances of the City of Dublin, Ohio Relating to the Building Construction Appeals Board. (Second Reading)~~

~~Mayor Campbell noted that Ordinance No. 35-95 is listed as a consent item.~~

~~Mrs. Stillwell commented that she sees no reason not to treat each of the second r items.~~

~~There was no objection from Council members.~~

~~Mrs. Stillwell moved that the second reading of Ordinance Nos. 35-95, 37-95 and that they be held over for a third reading.~~

~~Mrs. King seconded the motion, adding that there are no citizens present~~

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* Ordinance No. 20-95 (Amended) - An Ordinance Providing for a Change in Zoning for 152.4071 Acres of Land Located on the North Side of I-270, from Dublin-Bellepoint Road (State Route 745) on the East to Coffman Road on the West, from: PUD, Planned Unit Development District to: PUD, Planned Unit Development District. (Revised McKittrick I-270 Preliminary Development Plan) (Third Reading) (Applicant: Bethel Road Investment Co. and McKittrick Properties Inc., c/o Ben W. Hale, Jr., Smith and Hale, 37 W. Broad Street, Columbus, OH 43215)

Ms. Clarke noted that an amended ordinance has been submitted to Council this evening containing the revised acreage and legal description for the 152.4071 acres as well as the revised text dated June 15, 1995 which reflects the conditions recommended by the Planning Commission.

She reported that the document provided by Mr. Harian of Coventry Woods has been reviewed by staff and notations added regarding the status of the various items.

Mayor Campbell stated that it is important that the commitments made to the residents be reflected in the text in order that they are binding.

Following brief discussion, Mr. Foegler offered that if Council wants to strengthen the commitments made by adding them as conditions, that would be within Council's discretion.

Ms. Clarke noted that most of the remaining issues would be addressed at the time of preliminary plat, but Council has the option of adding them as conditions at this time.

She added that a condition of the rezoning is that the design of the road is to be reviewed by Planning Commission to assure that it is designed in a manner compatible with the residential neighbors. The burden is on the City as the developer of the road to prove to the Commission that all reasonable efforts have been taken to mitigate the noise and to make it aesthetically pleasing.

Ms. Clarke also reported that an outstanding issue remains with Willow Grove regarding buffering. The residents have requested some type of a six-foot high buffer between their property and the roadway. The difficulty is that this zoning application applies to 152 acres, and the Blankenship property is not part of the rezoning document. The City has hired a consultant to design this buffer and the schematic is before Council this evening. The residents have responded positively to the proposal. Mrs. King has an amendment to propose regarding the buffering requirement. Staff is willing to work through the issues involved with acquisition of additional property currently held by Blankenship and design of an appropriate buffer acceptable to the Willow Grove residents.

Mrs. King stated that she has drafted a memo to Council regarding a proposed amendment addressing the concerns of Willow Grove residents. Mr. Dunbar has suggested that rather than amending condition number 4, he would suggest that Council adopt his proposal for an amendment to Section 1.08, item 9 in the June 12 text which was contained in his memo to Council dated June 13, 1995. Mrs. King's amendment reads as follows:

That the text be amended so that Section 1.08, item 9 of the text be revised to read as follows:

After consultation with the Willow Grove neighborhood representatives, the City of Dublin agrees to construct as a part of the construction of the Coffman Sawmill connector road noise mitigating, earth mounding or other landscape buffer treatments north of the property line of Willow Grove and south of the roadway pavement. This buffer treatment shall be not less than 6 feet in elevation above the roadway pavement adjacent to it.

She emphasized that approval from Willow Grove would not be required as this is a staff function.

Mr. Zawaly seconded the motion and suggested that the attorney representing Willow Grove respond.

Ruth Reiss, Tree and Landscape Commission commented that she has provided a memo to Council alerting them to the fact that there is a landmark tree on this property. The Commission would favor buffering, but not so that it would damage the landmark tree.

Frank Dunbar, attorney representing Willow Grove residents stated that he agrees with all elements of Mrs. King's motion. He believes that more precise language has been proposed, however, in his June memo to Council. He suggests adding an additional sentence: "If an acceptable landscape buffering plan cannot be agreed to by Willow Grove and the City of Dublin, the Planning and Zoning Commission shall then determine the final and acceptable landscape buffering treatment."

Mayor Campbell expressed concern that this action would effectively authorize the Planning

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Commission to expend City funds, and only Council can do this.

Mr. Dunbar suggested that the language be changed to City Council instead of Planning Commission.

Mayor Campbell proposed that language be added to include, "subject to review by Council if necessary." This would resolve any dispute between staff and Willow Grove residents.

Mrs. King then revised her motion to reads as follows:

That the following language be substituted for Section 1.08 item 9 of the text of the McKittrick rezoning.

That after consultation with Willow Grove neighborhood representatives and subject to review by City Council if necessary, the City of Dublin agrees to construct as a part of the construction of the Coffman-Sawmill connector road noise mitigating, earth mounding or other landscaping buffering treatment north of the property line of Willow Grove and Willow Grove Condominium Association and between the Willow Grove condominium and the pavement of the east-west connector road. This buffer treatment shall be not less than 6 feet in elevation above the roadway pavement adjacent to it.

Mr. Zawaly accepted the revisions.

Vote on the revised motion - Mr. Strip, yes; Mrs. Boring, yes; Mrs. Stillwell, yes; Mr. Zawaly, yes; Mayor Campbell, yes; Mrs. King, yes.

Ms. Clarke requested that Council amend the legislation to include the revisions submitted with the ordinance in Thursday's packet.

Mr. Zawaly so moved.

Mrs. Stillwell seconded the motion.

Vote on the motion - Mr. Strip, yes; Mrs. Boring, yes; Mrs. Stillwell, yes; Mayor Campbell, yes; Mrs. King, yes; Mr. Zawaly, yes.

Mrs. Boring thanked the residents for their input in the process. She has concerns about the Thoroughfare Plan in terms of adopting this zoning and the assumptions for the future made within the rezoning. She asked about the status of the previously proposed connector road to the south and whether any right-of-way is being set aside for this purpose.

Mr. Foegler responded that he and the City Engineer met with Doyle Clear regarding the history of this issue and the analysis which had been done. Mr. Clear indicated that this had been previously explored in an effort to provide access to the site prior to the bridge proposal, the Coffman Road widening, and Perimeter extension. ODOT was receptive to the notion that physically, this three-lane structure could fit under the 270 bridge over the north fork of the Indian Run. But no detailed feasibility work was ever performed for this project. There are also considerations, as Mrs. King has noted, regarding the environmental impact of construction through this scenic corridor. A full traffic analysis of its impacts was never done, and it was not incorporated into the adopted Thoroughfare Plan in 1988. Staff therefore believes that it would be inappropriate to incorporate this as a condition of this rezoning.

Discussion followed about the impacts of this roadway on the location and alignment of roadways to the east and west.

Mr. Foegler emphasized that the storage lanes required at the intersection with Dublin Road are consistent with the policies of Council to preserve the carrying capacity of the roadway. He doesn't believe this is inconsistent with Council's goal of preserving the scenic collector character of Dublin Road. He added that Burgess & Niple had done preliminary work in response to the proposal of a bridge overpass on Dublin Road. Given the length of the span, it would effectively double the cost of the Scioto bridge which is currently estimated at \$6 million. This overpass would also compound the traffic problems at the 161 bridge.

Mrs. Boring summarized that her concerns are with the roadway system established with this rezoning and how it will impact the entire city. She would have preferred taking more time with these issues via the Thoroughfare Plan update.

Mayor Campbell commented that:

1. The bridge location was determined five years ago after months of study and was based upon expert testimony regarding the benefits of the location.

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2. The road for this particular site opens up valuable, income-producing land, provides attractive freeway frontage, and allows the residents to the north a significant buffer from the business use. Council is also committed to mitigating the impact to the Willow Grove residents.
3. There has been some implication that Council believes the Dublin schools are not cooperating in resolving some of the issues of this rezoning. This is false. The schools have agreed to land trades while looking out for their interests as well.
4. The City and the schools have worked together on this project which will benefit the citizens of Dublin and the Dublin Schools.

Mr. Strip added that the Dublin Schools have worked hard to resolve the issues and met late today to see if an option was viable to move the roadway to the north while not compromising the safety of their playing fields.

Mrs. King noted that:

1. Coventry Woods residents are now comfortable with the fact that most all of their issues have been addressed within the text or conditions, or will be dealt with at an appropriate point in the plat approval process. The only issue not addressed which is also of concern to Willow Grove residents is the noise pollution issue. She noted that a number of Council members have expressed an interest in a noise control ordinance and she pledges to Council and the public that a noise control ordinance will be proposed for public discussion before the end of the year.
2. She thanked the staff, the applicants and the residents for their hard work in this consensus building effort.
3. She believes a commitment is still needed that the City will acquire the Blankenship property which she believes is essential for construction of the road.

Mr. Smith suggested that this be done by separate motion and not as a condition of the rezoning. A separate motion directing staff to take action to acquire this property would be appropriate.

4. She suggests that Council reaffirm as a part of this process the commitment to keep 745 as a scenic collector and minimize any necessary widening to no more than four lanes at the intersection of 745 and the connector road.

Mrs. Boring suggested that State Route 257 be included in this reaffirmation.

Mrs. King stated that she is not willing to restrict S.R. 257 to four lanes.

Mr. Foegler noted that Riverside Drive is at least a minor arterial and not designated as a scenic collector.

5. Mrs. King added that this rezoning represents a tremendous asset being brought to the City and is important economically as well as from a transportation standpoint.

Mr. Zawaly commented as follows:

1. Congratulations to the staff, to the residents who participated in the process, to the applicant, and to the Planning Commission members who have worked very hard in extra sessions on this particular rezoning.
2. This rezoning brings quality economic development to Dublin to help ensure a balanced tax base in the future, and paves the way for Cardinal Health to build their corporate headquarters in Dublin.

Mrs. Boring noted that economic development does not come without a cost - it brings children into the school system and a greater demand on City services. Many long-time residents are concerned about losing the sense of community as it presently exists.

Mrs. Stillwell commented that consensus requires compromise and communication, and it is a tribute to all involved that they have come to this point this evening.

Mayor Campbell noted that approval of this rezoning which will allow the opportunity for high quality office development will help to assure the economic health of the City of Dublin for decades into the future. It also allows the City the opportunity to retain Cardinal Health and at the same time help traffic flow in the City via the road improvements.

Mr. Zawaly moved to approve the ordinance with the 22 conditions from the Planning Commission. Mr. Strip seconded the motion.

Mrs. Stillwell clarified that their motion includes the revised ordinance and text submitted to Council in the June 15 packet.

They concurred.

DAYTON LEGAL BLANK CO. FORM NO. 1074B

Held June 19, 1995

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Vote on the ordinance - Mayor Campbell, yes; Mrs. King, yes; Mrs. Stillwell, yes; Mrs. Boring, yes (*); Mr. Strip, yes; Mr. Zawaly, yes.

(* Important note: Later in the meeting, Mrs. Boring stated that her "yes" vote was for the revisions to the ordinance submitted in the June 15 packet. She was not aware that the motion included approval of the ordinance as well as the revisions of June 15, 1995. She requested that the record be changed to reflect that she voted against Ordinance No. 20-95.

Mr. Foegler stated that Steve Park of the Alter Group would like to address Council.

Steve Park, Alter Group thanked everyone involved in this rezoning process and noted that CellularOne will break ground shortly for their new headquarters on this site. The initial building will consist of 120,000 square feet and they hope to build a second phase in the future of another 120,000 square feet. CellularOne is a growth industry, as is Cardinal Health, and one they believe will be an excellent corporate neighbor.

Mrs. King moved that the City staff take steps to acquire the Blankenship property to the north of the Willow Grove condominiums and south of the Dublin-Coffman High School as a part of the east-west connector road construction.

Mrs. Stillwell seconded the motion.

Vote on the motion - Mr. Strip, yes; Mr. Zawaly, yes; Mrs. King, yes; Mrs. Boring, yes; Mrs. Stillwell, yes; Mayor Campbell, yes.

Mrs. King moved that Council reaffirm their intent to preserve Dublin Road as a scenic collector and minimize any unnecessary widening of this road to the greatest extent possible.

Mr. Strip seconded the motion.

Mrs. Boring moved to amend this motion to include State Route 257 as well.

Mr. Strip seconded the motion to amend.

Mrs. King accepted the amendment with the clarification that S.R. 257 is not classified as a scenic collector at this time.

Mr. Foegler suggested language such as "preserve the scenic character of Riverside Drive".

Mrs. King then clarified that she would accept an amendment to her motion that Dublin Road should be preserved and protected as a scenic collector, and that the scenic character of State Route 257 should be protected and preserved, including minimizing any necessary widening to the greatest extent possible.

Mrs. Boring agreed with this clarification.

Mr. Strip seconded the amended motion.

Vote on the motion - Mr. Zawaly, yes; Mrs. Stillwell, yes; Mrs. Boring, yes; Mr. Strip, yes; Mayor Campbell, yes; Mrs. King, yes.

Mrs. Stillwell noted that Planning Commission also approved a second motion regarding five traffic network issues to be addressed.

Mr. Zawaly indicated that, for the record, Council is aware of this motion and will take it into consideration during the upcoming capital budget discussions.

Mayor Campbell asked that Mr. Zawaly convey to Planning Commission Council's appreciation for the tremendous amount of time spent on this application.

He further stated that Council will report back to the Commission regarding their second motion following the capital budget discussions.

Mr. Foegler noted that during the next 60 days as part of the commitments relative to development agreements for these projects, Council will be addressing many of Planning Commission's traffic network concerns.

Mrs. King requested that staff investigate the landmark tree location noted by Ms. Reiss so that this does not delay the project later in the process.

Ms. Reiss commented that the tree is located in the wooded area north of Willow Grove, approximately 20 feet south of where the wooded area ends on the north side. She added that the Commission's concern would be with berming which could kill the root system for this landmark tree.