

RECORD OF PROCEEDINGS

Minutes of _____

Dublin City Council

Meeting

BARRETT BROTHERS - DAYTON, OHIO

Form 6101

Held _____

August 14, 2017

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~~031Z/PDF/FDP), and Authorizing the Transfer of Certain Remnant Acreage to 6055 Avery Road Limited.~~

~~Ms. Husak stated that applicants are present to respond to any questions. There are no changes since the first reading on July 31, 2017.~~

~~Vote on the Ordinance: Vice Mayor Reiner, yes; Mr. Keenan, yes; Ms. Alutto, yes; Ms. Salay, yes; Mr. Lecklider, yes; Ms. Amorose Groomes, yes; Mayor Peterson, yes.~~

Ordinance 44-17

Rezoning 10.71 Acres, More or Less, Located on the South Side of Emerald Parkway, Approximately 600 Feet East of the Intersection with Coffman Road from PUD, Planned Unit Development District (McKitrick, Subarea 1) to PUD, Planned Unit Development District (McKitrick, Subarea 1A) for an Amendment to the Approved Development Text to Permit Additional Office and Educational Uses. (Case 17-059Z/PDP/FDP) (Applicant: Dublin City Schools)

Ms. Salay recused herself from discussion and vote on this Ordinance due to her employment with the Dublin City Schools.

Ms. Husak stated that the applicants are present to respond to any questions of Council. There are no changes since the first reading on July 31, 2017.

Ms. Amorose Groomes inquired whether the additional signage requirements for this rezoning were included in this application or if the Schools will be returning to Council for review of those.

Ms. Husak responded that the PUD as proposed includes a highway-oriented sign. They are also allowed to reface the cabinet sign that exists today. In terms of interior signs, the only additional allowance within the development text is for library and window/door signs.

Ms. Amorose Groomes clarified that the numbers and/or letters above every door and the sign directing visitors to the school office are included.

Ms. Husak responded that those are already allowed in the Code so the Schools will not need to address that in the text.

Vote on the Ordinance: Ms. Amorose Groomes, yes; Mayor Peterson, yes; Ms. Alutto, yes; Mr. Lecklider, yes; Vice Mayor Reiner, yes; Mr. Keenan, yes. (Ms. Salay abstained.)

Ordinance 45-17

~~Authorizing the City Manager to Execute Necessary Conveyance Documents to Acquire and Accept all of Franklin County Parcel Numbers 271-000018-00 and 272-000319-00, in Fee Simple, Consisting of Approximately 0.649 Acre, from Pinney 7495, LLC, Located at 7495 Plain City Road, for the Public Purpose of Constructing Roadway Improvements.~~

~~Mr. McDaniel stated that this Ordinance was introduced to Council on July 31, and it relates to the roundabout project at Post Road/SR161/Cosgray. The landowners were cooperative in the City's purchase of these properties, accommodating this construction. He thanked Pinney 7495 LLC and Brian and Corin Cunningham. Staff recommends approval of Ordinances 45-17 and 46-17.~~

~~Ms. Amorose Groomes asked about the intentions for the parcel development and whether there was a plan in place for them.~~

~~Mr. McDaniel responded that the properties that are listed as part of this project vary in size. Once construction is completed, staff can look at the adjacent property to see if there is value to them.~~

~~Mr. Lecklider stated that there has been some dialogue on social media about Dublin development and Jerome Township. This is an example of Jerome Township zoning that impacts other jurisdictions. Jerome Township has not contributed to this remedy for traffic in the area. Dublin had no input into the development that occurred.~~

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~~Ms. Husak stated that this ordinance is a request for an amendment to the approved development text of a Planned District to incorporate additional land due to the realignment of the Avery Road and Tuswell Drive intersection, and to increase the permitted daycare density from 7,500 square feet to 10,000 square feet.~~

~~Ms. Salay inquired about the color of the trim of the building as shown on the rendering. She asked if there is a shadow that impacts and makes it appear green.~~

~~Ms. Husak confirmed it will be beige, and that the shadow impacts the rendering.~~

~~In response to Ms. Amorose Groomes' question regarding the increase from 7,500 to 10,000 square feet, Ms. Husak stated the additional land helps accommodate the increased density. This is related to the previous zoning for the property, which allowed for 7,500 square feet. Daycare facilities now are generally 10,000 square feet.~~

~~Ms. Amorose Groomes asked for confirmation that 10,000 square feet does not result in exceeding the lot coverage restrictions.~~

~~Ms. Husak confirmed that was correct.~~

~~There will be a second reading/public hearing at the August 14 Council meeting.~~

Ordinance 44-17

Rezoning 10.71 Acres, More or Less, Located on the South Side of Emerald Parkway, Approximately 600 Feet East of the Intersection with Coffman Road from PUD, Planned Unit Development District (McKitrick, Subarea 1) to PUD, Planned Unit Development District (McKitrick, Subarea 1A) for an Amendment to the Approved Development Text to Permit Additional Office and Educational Uses. (Case 17-059Z/PDP/FDP) (Applicant: Dublin City Schools)

Mr. Lecklider introduced the ordinance.

Ms. Salay recused herself from this matter due to her employment with Dublin City Schools.

Ms. Husak noted that the approved development text for the McKitrick PUD permits office as the only use in Subarea 1. The proposal is to permit a variety of educational uses to allow for the operation of a non-traditional high school by the Dublin City School District. The proposed text also permits the office and institutional uses as listed in the SO, Suburban Office and Institutional District of the Zoning Code. No site changes are proposed. The proposal is also for the potential, temporary operation of the Columbus Metropolitan Library on the first floor of the existing office building. The remainder of the building will accommodate school administration functions and educational use. No changes to the exterior of the building, the architecture or site are proposed at this time.

The Planning and Zoning Commission reviewed and recommended approval to City Council of this rezoning at their July 13, 2017 meeting with no conditions.

Ms. Amorose Groomes asked what would need to be done to accommodate this as a multi-use building.

Ms. Husak responded that the architect for the Schools has been working with the building department on some building code issues.

In response to Mr. Keenan's question about whether any part of the building will be leased for a different purpose, Ms. Husak stated that it is strictly for the Schools' use. Ms. Amorose Groomes stated that Dr. Hoadley had stated the same. She added that student instruction is not allowed above the third floor of a building, and for this reason the students will be on the first three floors and the fourth will be designated for school administrative uses.

Vice Mayor Reiner stated that this is very exciting. It represents the dawn of our STEM school system and it will upgrade the entire program.

Mayor Peterson agreed.

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There will be a second reading/public hearing at the August 14 Council meeting.

Ordinance 49-17

~~Authorizing the Provision of Certain Incentives to T-Cetra, LLC to Induce it to Purchase a Facility to Retain and Expand an Office and its Associated Operations and Workforce, all within the City; and Authorizing the Execution of an Economic Development Agreement.~~

Mr. Lecklider introduced the ordinance.

Ms. Gilger stated that the Economic Development team has been working with T-Cetra LLC on retaining the company in Dublin as they have outgrown their current leased office space. The company desires to own its next space and has been evaluating the purchase of several buildings in Dublin and around Central Ohio. The company currently employs 87 people and plans to grow to 180. T-Cetra is a technology company and fits well with the industries that Dublin seeks to retain. This agreement proposes a retention and expansion incentive worth \$120,000. The City proposes a lump-sum Retention Grant payment of \$35,000 upon the acquisition of a minimum 25,000-square-foot facility located within the Dublin corporation limit and a four-year, 18% Performance Withholding Incentive of \$85,000 from 2018 through 2021 tied to employee and payroll growth. The City expects to net \$1,231,704 over the 10-year term of the agreement.

There will be a second reading/public hearing at the August 14 Council meeting.

INTRODUCTION/PUBLIC HEARING/VOTE – RESOLUTIONS

Resolution 51-17

~~Authorizing the City Manager to Enter into a Right-of-Way Agreement with Concord Township, Delaware County, Ohio for the Deployment of Conduit and Associated Fiber Optics.~~

Mr. Lecklider introduced the resolution.

Mr. McDaniel stated that this resolution authorizes the execution of a right-of-way agreement that allows the City to extend conduit and associated fiber optics for the purpose of serving Eli Pinney Elementary School. As Council may recall, extending conduit and associated fiber optics for the DCSD will enable certain school facilities to access the City of Dublin's fiber optic backbone/Dublink and its 100-gigabit capability in exchange for property transferred to the City for right-of-way and the parking garage in downtown Dublin. The agreement has already been executed by Concord Township officials. Mr. McDaniel thanked them for their cooperation.

Vote on the Resolution: Vice Mayor Reiner, yes; Mr. Keenan, yes; Ms. Salay, yes; Mayor Peterson, yes; Ms. Amorose Groomes, yes; Ms. Alutto, yes; Mr. Lecklider, yes.

Mayor Peterson moved to waive the Council Rules of Order and consider Resolutions 52-17 through Resolution 57-17 together.

Vice Mayor Reiner seconded the motion.

Vote on the Motion: Mayor Peterson, yes; Ms. Amorose Groomes, yes; Mr. Keenan, yes; Ms. Salay, yes; Ms. Alutto, yes; Mr. Lecklider, yes; Vice Mayor Reiner, yes.

Resolution 52-17

~~Intent to Appropriate a 0.1270-Acre Fee Simple Right-of-Way; a 0.9139-Acre Fee Simple Right-of-Way; a 0.6520-Acre Permanent Utility Easement; and a 0.0953-Acre Temporary Construction Easement from Kevin G. Bennington, Mark A. Bryant, Larry D. Clarke and Marc A. Palmer, Successor Co-Trustees of the Duroc Trust, Located at the Southeast Corner of S.R. 161 and Cosgray Road; a 0.0299-Acre Temporary Construction Easement from the Same Property Owner, Located on Plain City Road; and a 0.0232-Acre Temporary Construction Easement from the Same Property Owner, Located at 7520 Plain City Road, for the Public Purpose of Constructing Roadway Improvements.~~



RECORD OF ACTION

Planning & Zoning Commission

Thursday, July 13, 2017 | 6:30 pm

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

- 4. PUD - McKitrick, Subarea 1A - Dublin City Schools** **5175 Emerald Parkway**
17-059Z/PDP/FDP **Rezoning/Preliminary Development Plan**
Final Development Plan

Proposal: A rezoning of 10.71 acres from PUD (McKitrick, Subarea 1) to PUD (McKitrick, Subarea 1A) to permit educational uses. The site is on the south side of Emerald Parkway, approximately 600 feet east of the intersection with Coffman Road.

Request: Review and recommendation of approval to City Council of a Rezoning with Preliminary Development Plan under the provisions of Zoning Code Section 153.050 and review and approval of a Final Development Plan under the provisions of Zoning Code Section 153.050.

Applicant: Jeff Stark, Dublin City Schools represented by Jack Reynolds, Smith and Hale.

Planning Contact: Claudia D. Husak, AICP, Senior Planner/Current Planning Manager.

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

MOTION#1: Mr. Stidhem moved, Ms. Mitchell seconded to approve this Rezoning with Preliminary Development Plan because it meets the Community Plan along with all the applicable review criteria.

VOTE: 5 – 0.

RESULT: This Rezoning with Preliminary Development Plan will be forwarded to City Council with a recommendation of approval.

RECORDED VOTES:

Victoria Newell	Recused
Amy Salay	Recused
Chris Brown	Yes
Cathy De Rosa	Yes
Robert Miller	Yes
Deborah Mitchell	Yes
Stephen Stidhem	Yes

MOTION#2: Mr. Stidhem moved, Ms. Mitchell seconded to approve this Final Development Plan because it meets all the applicable review criteria and existing development standards.

VOTE: 5 – 0.

RESULT: This Final Development Plan was approved.

RECORDED VOTES:

Victoria Newell	Recused
Amy Salay	Recused
Chris Brown	Yes
Cathy De Rosa	Yes
Robert Miller	Yes
Deborah Mitchell	Yes
Stephen Stidhem	Yes

STAFF CERTIFICATION


 Claudia D. Husak, AICP
 Senior Planner



applicant is in the process of developing D Block, which is directly to the west of this site and there is a pool going in there. He said it just made more sense to remove the pool from Block H to provide more open space. In terms of the auto-courts, he said they had the opportunity to view them via a virtual tour and it just felt like a fortress with all the brick and it felt like a different material should be introduced. He cited that Bridge Park West has done the same thing and it appears light and feels good over there. He said the fiber cement panels would also provide options for more color that they would not have otherwise.

Mr. Brown asked if this is a condominium association or common maintenance on the outside. Mr. Hunter answered it would be common maintenance.

Mr. Brown asked if all the steel that is being shown is galvanized.

David Keyser, DKB Architects, 52 E. Lynn Street, Columbus, Ohio, said to address Mr. Brown's question, there are two different styles of railings. He said the railings that are shown with the X pattern have an aluminum finish and the horizontal railings working with the cement fiber would also be in an aluminum finish.

Mr. Brown inquired about the structure of the balcony itself. Mr. Keyser answered, in the case of the buff color units, they are creating a post and beam system out of galvanized steel. Mr. Brown indicated he hates rusty steel and is supportive of the use of galvanized steel.

The Chair invited the public to speak [Hearing none.] She moved on to the Commissioner's discussion.

Ms. Newell said she was glad to see the pool eliminated from this block and prefers the open space.

Mr. Brown said he can see the demand for larger units.

Motion and Vote

Mr. Brown moved, Mr. Miller seconded, to approve the 18 Site Plan Waivers as presented. The vote was as follows: Mr. Stidhem, yes; Ms. Newell, yes; Ms. De Rosa, yes; Ms. Salay, yes; Mr. Miller, yes; and Mr. Brown, yes. (Approved 6 – 0)

The Chair asked the applicant if they agreed with the three conditions to which Mr. Hunter answered affirmatively.

Motion and Vote

Mr. Brown moved, Mr. Stidhem seconded, to approve the Site Plan Review with three conditions as presented. The vote was as follows: Mr. Miller, yes; Ms. Salay, yes; Ms. De Rosa, yes; Ms. Newell, yes; Mr. Stidhem, yes; and Mr. Brown, yes. (Approved 6 – 0)

4. PUD - McKitrick, Subarea 1A - Dublin City Schools **17-059Z/PDP/FDP**

5175 Emerald Parkway **Rezoning/Preliminary Development Plan** **Final Development Plan**

The Vice Chair, Chris Brown, said the following application is a rezoning of 10.71 acres from PUD (McKitrick, Subarea 1) to PUD (McKitrick, Subarea 1A) to permit educational uses. He said the site is on the south side of Emerald Parkway, approximately 600 feet east of the intersection with Coffman Road. He said this is a request for a review and recommendation of approval to City Council for a Rezoning with a Preliminary Development Plan under the provisions of Zoning Code Section 153.050 and a review and approval of a Final Development Plan under the provisions of Zoning Code Section 153.050. He stated

anyone intending on addressing the Commission for the Final Development Plan portion of this application will need to be sworn in.

The Vice Chair said this case was on the Consent Agenda and asked for objections. Both Bob Miller and Cathy De Rosa asked to pull this case from the Consent Agenda so they could hear the entire case.

The Vice Chair swore in anyone intending to address the Commission with regard to this case.

Claudia Husak noted the procedural issues of this case stem from the fact that in the 90s, the McKitrick PUD was zoned and the subareas allowed office use.

Ms. Husak presented an aerial view of the site and noted it consists of two parcels totaling 10.7 acres. She said Dublin City Schools has purchased this property for the use of an Alternative High School, primarily. She said the proposal is to open this up to allow uses within the Zoning Code that includes: premium office and institutional uses; schools, libraries, vocational training, and a lot of different uses that are currently within the Code but were not contemplated at the time when this area was originally zoned.

Ms. Husak presented the proposed zoning and noted the existing McKitrick PUD in Subarea 1 - known as Verizon and Subarea 2 as Cardinal Health. She said the name McKitrick stems from the landowner at the time of the zoning. She explained the City wants to amend the site as Subarea 1A and include the uses mentioned above – educational uses primarily for the Alternative High School but also allow for the potential of the library to locate there temporarily while the library site is under construction.

Ms. Husak presented the Future Land Use Map included in the Community Plan. She said the site is within the Premium Office/Institutional District, which includes sites along the highway that have a lot of visibility that serve as employment centers and are intended for large-scale facilities such as hospitals and universities. Within the school's vision for this Alternative High School, she indicated, there is a collaboration and vision with universities with large businesses within the City that would provide education that is not currently available within the school system, as it exists today.

Ms. Husak presented the proposed site plan. Within the development text, she said nothing is intended to change with this site. One of the things staff asked the school to address, she stated, as part of this rezoning, is the ODOT Acquisition of the Right-of-Way piece that had to deal with interchange US 33 and I-270. She said the application today includes reduced setbacks for pavement, which is impacted by the shrinkage of the site on the south side due to ODOT's acquisition.

Ms. Husak said the schools have provided staff with operational details, which essentially help in terms of traffic flow and busing required for the two schools that are farther away from this area. She indicated the intent is to have students attend half a day and be home-schooled the other half the day for students that qualify for this service. She reported there was a lot of discussion about how the students would be transported and how traffic would be impacted. She indicated the schools feel they can make it work with the current infrastructure.

Ms. Husak noted other changes for zoning allowances that have occurred: a sign on the highway would be permitted for a school; and a sign for the library would be permitted so there is way-finding within the site. She said there is an existing sign on Emerald Parkway and it could be used however the applicants see fit, based on what is in the Zoning Code and Development Text.

Ms. Husak reported the City asked the schools to include a Final Development Plan that would not be in effect until City Council approves the Rezoning but the FDP is basically to accept what is on the site today.

Ms. Husak reported there were 16 criteria this were weighed against from a staff recommendation perspective. She stated all the criteria have been met, therefore, approval is recommended to City Council. She said the intent is for this to be forwarded to City Council for their meeting on July 31 and then their first meeting in August.

Ms. Husak reiterated that since nothing is changing on the site, approval is recommended for the Final Development Plan.

The Vice Chair invited the applicant to come forward.

Steve Stidhem asked how the busses plan to maneuver around that little circle. Ms. Husak answered the City asked the schools to do an Auto-turn to ensure the busses could maneuver within the site.

Mr. Miller inquired about pedestrian safety. He said he does not see this as a problem but asked if the City considered the fact that Coffman High School has a substantial parking issue and this could be seen as a natural overflow for students and that would allow for students to be crossing Emerald Parkway. Ms. Husak said this was discussed and the safest pedestrian crossing is at Emerald Parkway and Coffman where students are intended to cross. She said there is no traffic lights anywhere in front of the site to provide egress/ingress and engineering determined it is not a safe place to add a crossing.

Mr. Miller asked if the building in its current state, can handle educational uses – vocational on all floors. Ms. Husak answered it is not permitted on all floors. From a Building Code standpoint, she said the fourth floor is exempt from educational uses and from a zoning standpoint, staff does not want to limit uses to floors because it would be difficult to enforce. She said the school is fully aware of those issues and intend to use the fourth floor for offices, conference rooms, and meeting rooms.

Jeffrey L. Brown said he is an attorney with the firm of Smith and Hale, representing the Dublin School System. He said this location, in terms of being across the street from Coffman High School is a good place to have a new Alternative High School. He said they have worked diligently with staff to address traffic issues and engineers have run a computer simulation on both driveways that showed buses can come in either driveway, make the turn around the circle, and come back out. He said they also did a traffic study in terms of their use, which the City reviewed and accepted the findings that require no improvements. He said they anticipate the traffic generated by this school will be less than if the building was occupied with all office uses. In terms of the Building Code and limiting student uses to the first three floors, he reiterated the top floor will be used for Administrative Offices and the library will be on the first floor during the construction period of the library.

Ms. De Rosa asked if the building has been named yet.

Jeff Stark, Dublin City Schools, said there is a whole naming process including public participation, anticipated to begin next month.

Ms. De Rosa if there will be any outdoor activity planned. Mr. Stark said no outdoor activity is being planned. He added the school will not allow for this parking lot to be used for overflow parking from Coffman High School until there is a thorough plan in place.

Ms. De Rosa asked if there will be a book drop available or traffic flow for the library when it occupies the space. Mr. Stark indicated it is going to be a bare-bones site for the library's use.

Ms. De Rosa inquired further about permitted uses, specifically about research, development, and testing laboratories. Ms. Husak explained the City encouraged the applicant to add those uses because in terms of an Alternative High School, and in terms of the types of education that might happen there, the City

thought this particular language within the Code might actually catch something that the SO District would not.

Mr. Miller asked if the use of this building is intended primarily for gifted or advanced students. Mr. Stark said the demographics of the types of students that will use this facility has not been fully decided yet. He explained that for an Alternative High School, there are two factors for it: 1) something cutting edge and different; and 2) save taxpayers' money by not building a fourth high school.

Mr. Miller asked if this site's PUD is only being opened up to a zoning change, asking if any other site along that corridor will have to come to the Commission. Ms. Husak answered affirmatively. She restated the 10 acres that this application pertains to is for creating the Subarea 1A.

The Vice Chair asked if there was anyone from the public that would like to address the Commission with regard to this application. [Hearing none.]

Ms. Husak said there are no conditions requested for either motion.

Motion and Vote

Mr. Stidhem moved, Ms. Mitchell seconded, to recommend approval to City Council for Rezoning. The vote was as follows: Ms. De Rosa, yes; Mr. Brown, yes; Mr. Miller, yes; Ms. Mitchell, yes; and Mr. Stidhem, yes. (Recommended for Approval 5 – 0)

Motion and Vote

Mr. Stidhem moved, Ms. Mitchell seconded, to approve the Final Development Plan with no conditions. The vote was as follows: Mr. Miller, yes; Ms. De Rosa, yes; Mr. Brown, yes; Ms. Mitchell, yes; and Mr. Stidhem, yes. (Approved 5 – 0)

5. ~~BSD P – Downtown Dublin Parking Garage Plat~~ ~~17-068PP/FP~~

~~75 North High Street~~ ~~Preliminary Plat/Final Plat~~

~~The Chair, Victoria Newell, said the following application is for the subdivision of two lots and the dedication of right-of-way for the Downtown Dublin Parking Garage Plat. She said the site is on the west side of North High Street, north of the intersection with North Street. She said this is a request for a review and recommendation of approval to City Council for a Preliminary and Final Plat under the provisions of the Subdivision Regulations.~~

~~The Chair asked if anyone needed a presentation or if this case could be left on the Consent Agenda [Hearing none.] She called for a motion.~~

~~Chris Brown said there was one condition of approval and asked if the applicant was in agreement with that condition as follows:~~

- ~~1) That the applicant ensures that any minor technical adjustments to the plat are made prior to City Council submittal.~~

~~Paula Miller agreed to the above condition.~~

Motion and Vote

~~Mr. Brown moved, Mr. Miller seconded, to recommend approval to City Council for the Preliminary Plat/Final Plat with one condition. The vote was as follows: Ms. De Rosa, yes; Mr. Stidhem, yes; Ms. Newell, yes; Ms. Salay, yes; Mr. Miller, yes; and Mr. Brown, yes. (Recommended for Approval 6 – 0)~~