

RECORD OF ORDINANCES

Passed _____, 20____

AN ORDINANCE REZONING APPROXIMATELY 3.00 ACRES ON THE EAST SIDE OF AVERY ROAD APPROXIMATELY 700 FEET SOUTH OF THE INTERSECTION WITH RINGS ROAD, FROM R-1, RESTRICTED SUBURBAN RESIDENTIAL DISTRICT TO SO, SUBURBAN OFFICE AND INSTITUTIONAL DISTRICT. (CASE 17-026Z)

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Dublin, State of Ohio, 57 of its elected members concurring, that:

Section 1. The following described real estate, (see attached legal description and survey), situated in the City of Dublin, State of Ohio, is hereby rezoned SO, Suburban Office and Institutional District, and shall be subject to regulations and procedures contained in Ordinance No. 21-70 (Chapter 153 of the Codified Ordinances), the City of Dublin Zoning Code and amendments thereto.

Section 2. The application, including the list of contiguous and affected property owners, and the recommendations of the Planning and Zoning Commission, are all incorporated into and made an official part of this Ordinance and said real estate shall be developed and used in accordance there within.

Section 3. This Ordinance shall take effect upon the earliest date permitted by Law.

Passed this 31st day of July, 2017.

Mayor - Presiding Officer

ATTEST:

Anne O. Clarke
Clerk of Council

To: Members of Dublin City Council
From: Dana L. McDaniel, City Manager 
Initiated By: Vincent A. Papsidero, FAICP, Planning Director
Logan M. Stang, Planner I
Date: June 22, 2017

Re: Ordinance 41-17 – Rezoning approximately 3.00 acres on the east side of Avery Road approximately 700 feet south of the intersection with Rings Road, from R-1, Restricted Suburban Residential District to SO, Suburban Office and Institutional District. (Case 17-026Z)

Summary

This is a request by the property owner for review and approval of a standard district rezoning from R-1, Restricted Suburban Residential District to SO, Suburban Office and Institutional District for a 3.00 acre site.

Background

The property was annexed into the City of Dublin in 1990 along with most of the land located directly to the west. Upon annexation, the property retained township zoning for a number of years while operating a farmers market. In 2001, the City began sponsoring area rezonings to remove township zoning from properties within City limits. In 2007, the property was rezoned to the closest Dublin zoning classification, R-1, Restricted Suburban Residential District, and has remained this classification since.

SO, Suburban Office and Institutional District

153.026(A) Permitted Uses

Permitted Uses in the district include a number of administrative, institutional, and professional uses such as general & medical office, legal services, political organizations, libraries, and religious organizations. Child and daycare centers are permitted provided applicable Code provisions are met regarding the specific use.

153.026(B) Conditional Uses

Conditional Uses allow for auto-oriented uses; personal services such as beauty & barber shops; eating and drinking establishments; fitness centers; and animal services such as grooming, training, and veterinarians.

153.026(C) Development Standards

Development standards in the SO district are primarily based on the size of the proposed building or development. There is no minimum lot size or required lot width except that the lot must be large enough to meet all the standards listed in the SO section. Required side & rear yard setbacks are based on a calculation of the closest parallel elevation being one-fourth the

sum of the height and width of that elevation. The minimum for all side & rear yard setbacks in this district is 15 feet unless otherwise determined by the previous calculation.

Community Plan

Future Land Use

The Community Plan identifies this property as "Standard Office/Institutional," which is intended for sites located along major collectors with secondary visibility. Development will usually not exceed 12,500 square feet per acre. The proposed zoning classification, SO - Suburban Office and Institutional District, allows for a number of commercial land uses that adhere to this classification.

Southwest Area Plan

The property is located within a special area plan comprising the majority of the rural/agricultural land located along the southwest corporate line. Design recommendations focus on the creation of neighborhood centers containing commercial/retail uses that serve additional residential development. The plan promotes preserving natural features and providing a greenway along the Tuttle Crossing Boulevard extension. The plan envisions a commercial center created at Wilcox Road and Tuttle Crossing Boulevard with adjacent residential. As the plan moves west, the residential transitions to office development along Avery Road with additional open space along the greenway. The proposed rezoning is in keeping with the envisioned development pattern provided in the special area plan.

Thoroughfare Plan

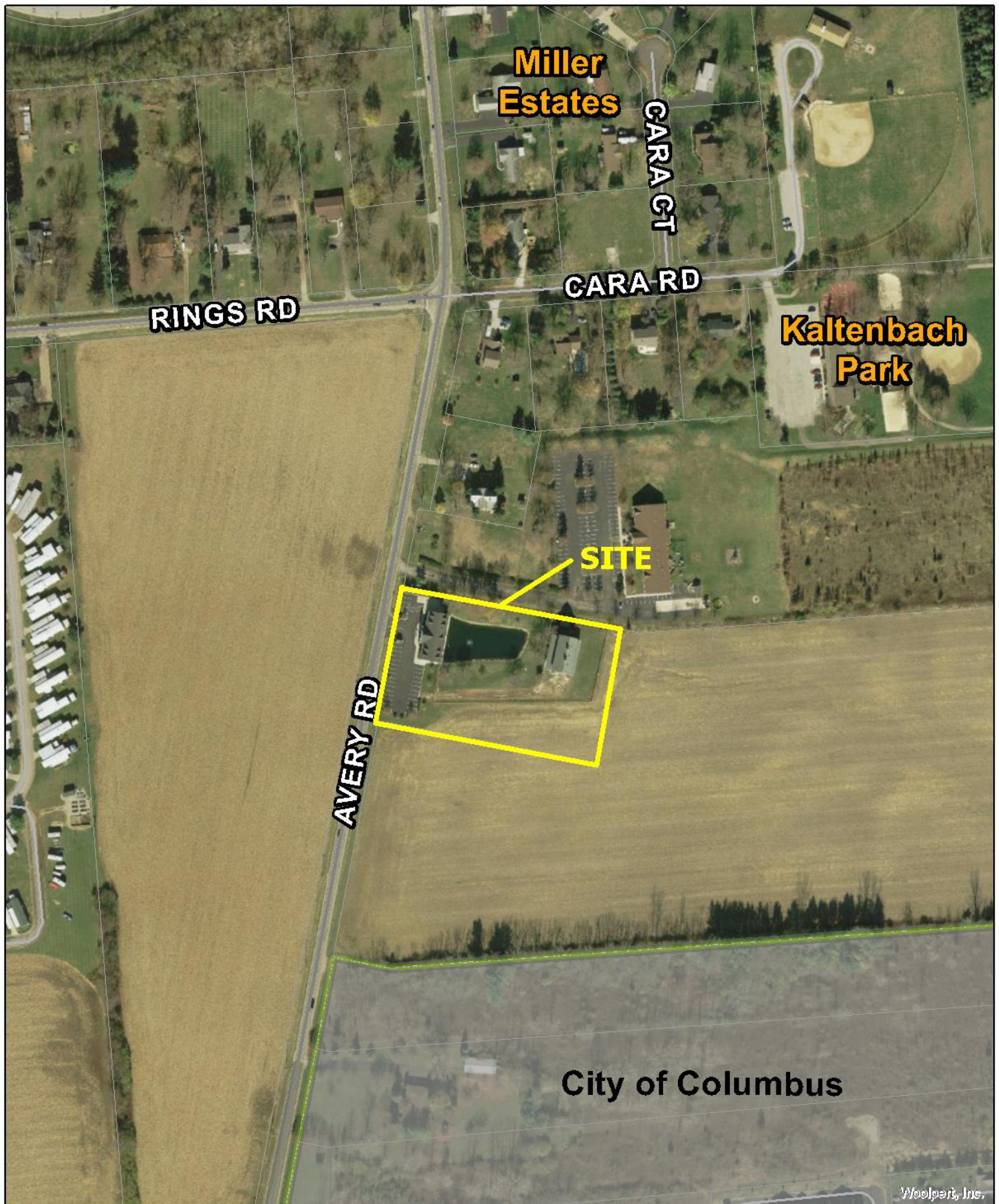
The property has frontage on one major corridor identified in the Thoroughfare Plan. Avery Road is classified as a "Major Arterial" with a potential right-of-way of 124 feet for four lanes of travel with a divided median. The City has approved in the five-year CIP the extension of Tuttle Crossing Boulevard to Avery Road with the widening of Avery Road between Rings Road and Tuttle Crossing Boulevard. Due to existing development on the east side of Avery Road, the majority of right-of-way dedication and widening will occur along the western edge. No right-of-way dedication is required from the applicant with this rezoning, and based on the design of Avery Road, the existing access point will convert to a right-in/right-out.

Recommendation of the Planning and Zoning Commission

The Commission reviewed and recommended approval to City Council of this rezoning at their May 18, 2017 meeting.

Staff Recommendation

Planning recommends City Council approval of Ordinance 41-17 at the second reading/public hearing on July 31, 2017.



Woolpert, Inc.

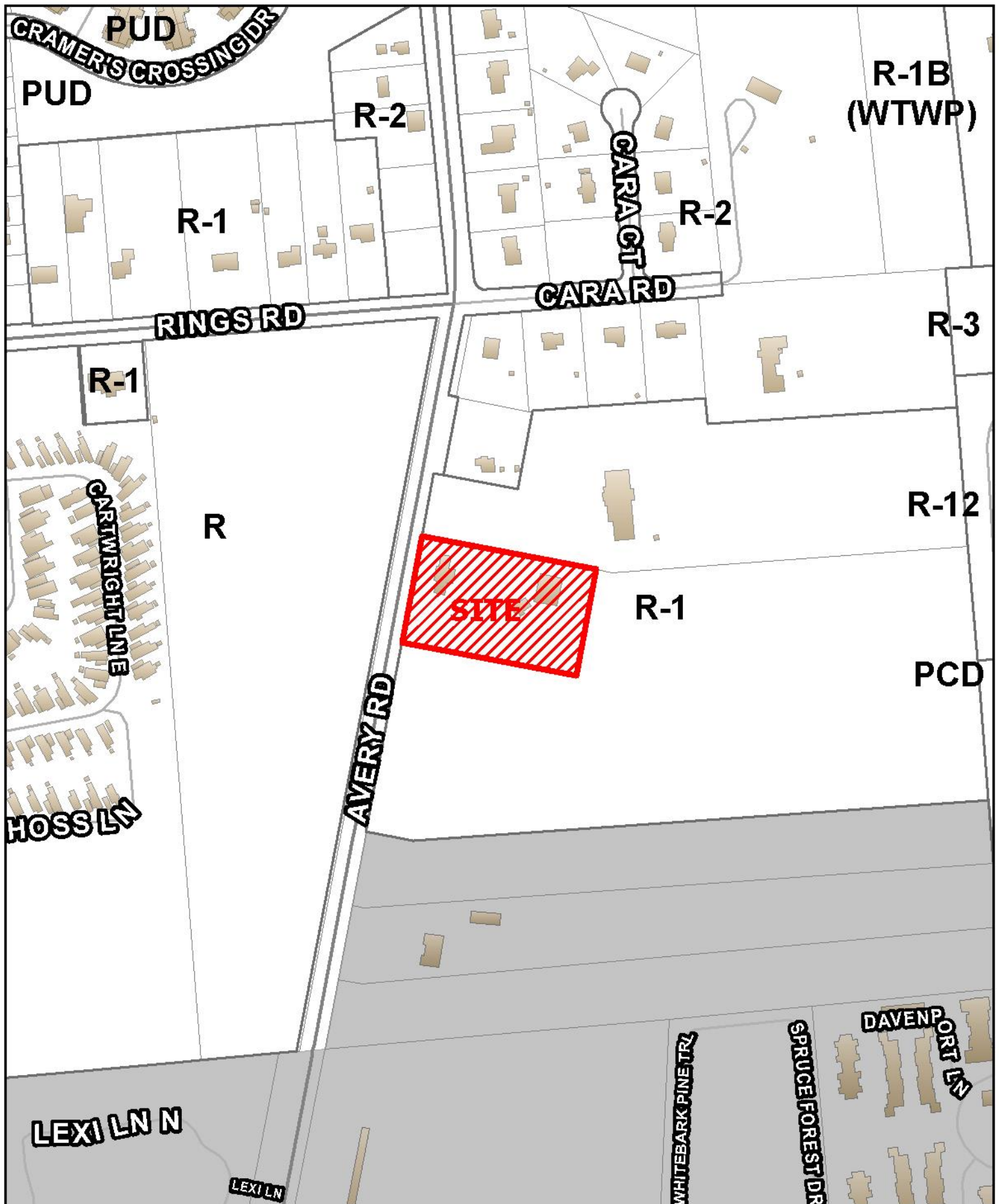


City of Dublin

17-026Z
Standard District Rezoning
Ohio Sinus Institute
5378 Avery Road

0 150 300
Feet





17-026Z
Standard District Rezoning
Ohio Sinus Institute
5378 Avery Road

0 150 300
Feet





CITY OF DUBLIN, OH

Land Use and
Long Range Planning
5800 Shier-Rings Road
Dublin, Ohio 43016-1236

Phone/ TDD: 614-410-4600
Fax: 614-410-4747
Web Site: www.dublin.oh.us

PLANNING AND ZONING COMMISSION APPLICATION

(Code Section 153.232)

I. PLEASE CHECK THE TYPE OF APPLICATION:

- | | |
|---|--|
| ☐ Informal Review | ☐ Final Plat
(Section 152.085) |
| ☐ Concept Plan
(Section 153.056(A)(1)) | ☐ Conditional Use
(Section 153.236) |
| ☐ Preliminary Development Plan / Rezoning
(Section 153.053) | ☐ Corridor Development District (CDD)
(Section 153.115) |
| ☐ Final Development Plan
(Section 153.053(E)) | ☐ Corridor Development District (CDD) Sign
(Section 153.115) |
| ☐ Amended Final Development Plan
(Section 153.053(E)) | ☐ Minor Subdivision |
| ☒ Standard District Rezoning
(Section 153.018) | ☐ Right-of-Way Encroachment |
| ☐ Preliminary Plat
(Section 152.015) | ☐ Other (Please Specify): _____ |

Please utilize the applicable *Supplemental Application Requirements* sheet for additional submittal requirements that will need to accompany this application form.

II. PROPERTY INFORMATION: This section must be completed.

Property Address(es): 5378 Avery Road, Dublin, OH 43016	
Tax ID/Parcel Number(s): 274-001523-00	Parcel Size(s) (Acres): 3.00 acres
Existing Land Use/Development: Medical Clinics and Offices (1.0 acre)	

IF APPLICABLE, PLEASE COMPLETE THE FOLLOWING:

Proposed Land Use/Development: Commercial Medical Building
Total acres affected by application: 2.00

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

Name (Individual or Organization): Ilija and Danise Karanfilov TR	
Mailing Address: 8585 Price Hilliards Road (Street, City, State, Zip Code) Plain City, OH 43064	
Daytime Telephone: 614-873-3982	Fax: 614-771-9877
Email or Alternate Contact Information: Ilija Cell- 614-736-7868	

FILE COPY



IV. APPLICANT(S): This is the person(s) who is submitting the application if different than the property owner(s) listed in part III. Please complete if applicable.

Name: Boris Karanfilov		Applicant is also property owner: yes ☐ no ☒
Organization (Owner, Developer, Contractor, etc.): Trustee		
Mailing Address: 5378 Avery Road (Street, City, State, Zip Code) Dublin, OH 43016		
Daytime Telephone: 614-598-2494	Fax: 614-771-9877	
Email or Alternate Contact Information: bk@ohiosinus.com		

V. REPRESENTATIVE(S) OF APPLICANT / PROPERTY OWNER: This is the person(s) who is submitting the application on behalf of the applicant listed in part IV or property owner listed in part III. Please complete if applicable.

Name: Boris Karanfilov	
Organization (Owner, Developer, Contractor, etc.): Trustee	
Mailing Address: 5378 Avery Road (Street, City, State, Zip Code) Dublin, OH 43016	
Daytime Telephone: 614-598-2494	Fax: 614-771-9877
Email or Alternate Contact Information: ohiosinus@gmail.com	

VI. AUTHORIZATION FOR OWNER'S APPLICANT or REPRESENTATIVE(S): If the applicant is not the property owner, this section must be completed and notarized.

I, Ilija and Danise Karanfilov, the owner, hereby authorize Boris Karanfilov to act as my applicant or representative(s) in all matters pertaining to the processing and approval of this application, including modifying the project. I agree to be bound by all representations and agreements made by the designated representative.	
Signature of Current Property Owner: <i>Ilija Karanfilov</i> <i>Danise Karanfilov</i>	Date: 3-20-17

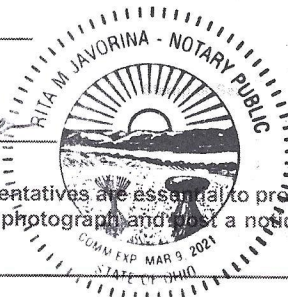
☐ Check this box if the Authorization for Owner's Applicant or Representative(s) is attached as a separate document

Subscribed and sworn before me this 20th day of March, 20 17

State of Ohio

County of Franklin

Notary Public *Rita M Javorina*



VII. AUTHORIZATION TO VISIT THE PROPERTY: Site visits to the property by City representatives are essential to process this application. The Owner/Applicant, as noted below, hereby authorizes City representatives to visit, photograph and post a notice on the property described in this application.

I, Ilija and Danise Karanfilov, the owner or authorized representative, hereby authorize City representatives to visit, photograph and post a notice on the property described in this application.	
Signature of applicant or authorized representative: <i>Ilija Karanfilov</i> <i>Danise Karanfilov</i>	Date: 3-20-17



FILE COPY

VIII. UTILITY DISCLAIMER: The Owner/Applicant acknowledges the approval of this request for review by the Dublin Planning and Zoning Commission and/or Dublin City Council does not constitute a guarantee or binding commitment that the City of Dublin will be able to provide essential services such as water and sewer facilities when needed by said Owner/Applicant.

I, <u>Ilija and Danise Karanfilov</u> , the owner or authorized representative, acknowledge that approval of this request does not constitute a guarantee or binding commitment that the City of Dublin will be able to provide essential services such as water and sewer facilities when needed by said Owner/Applicant.	
Signature of applicant or authorized representative:	Date: <u>3-20-17</u>

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

I, <u>Ilija and Danise Karanfilov</u> , the owner or authorized representative, have read and understand the contents of this application. The information contained in this application, attached exhibits and other information submitted is complete and in all respects true and correct, to the best of my knowledge and belief.	
Signature of applicant or authorized representative:	Date: <u>3-20-17</u>

Subscribed and sworn to before me this 20th day of March, 20 17

State of Ohio

County of Franklin

Notary Public Rafael M. Javorina



FOR OFFICE USE ONLY			
Amount Received: <u>4770.00</u>	Application No: <u>17-0262</u>	P&Z Date(s):	P&Z Action:
Receipt No: <u>5258</u>	Map Zone: <u>E-1</u>	Date Received: <u>3/28/17</u>	Received By: <u>MTK</u>
City Council (First Reading):		City Council (Second Reading):	
City Council Action:		Ordinance Number:	
Type of Request: <u>REZONING</u>			
N, S <u>E</u> W (Circle) Side of: <u>ATERY ROAD</u>			
N <u>S</u> E, W (Circle) Side of Nearest Intersection: <u>RINGS ROAD</u>			
Distance from Nearest Intersection: <u>650 ft.</u>			
Existing Zoning District: <u>R-1</u>		Requested Zoning District: <u>SO</u>	

FILE COPY

RECEIVED

17-0262
MAR 28 2017

CITY OF DUBLIN
PLANNING

17-026Z:
5378 AVERY ROAD
REZONING

*ILIJA AND DANISE
KARANFOLOC TR
8585 PRICE HILLIARDS RD.
PLAIN CITY, OH 43064

*BORIS KARANFILOV
5378 AVERY RD.
DUBLIN, OH 43016

PAUL C. HOY JR.
5424 AVERY RD.
DUBLIN, OH 43016

CHRISTIAN VINEYARD
5400 AVERY RD.
DUBLIN, OH 43016

ANGELO J. DALLAS
3297 SMILEY RD.
HILLIARD, OH 43026

TITLE:

**MORTGAGE LOCATION SURVEY OF 3.000 ACRE TRACT
LOCATED IN SURVEY NUMBER 3004 OF THE
VIRGINIA MILITARY DISTRICT
CITY OF DUBLIN, FRANKLIN COUNTY, OHIO**

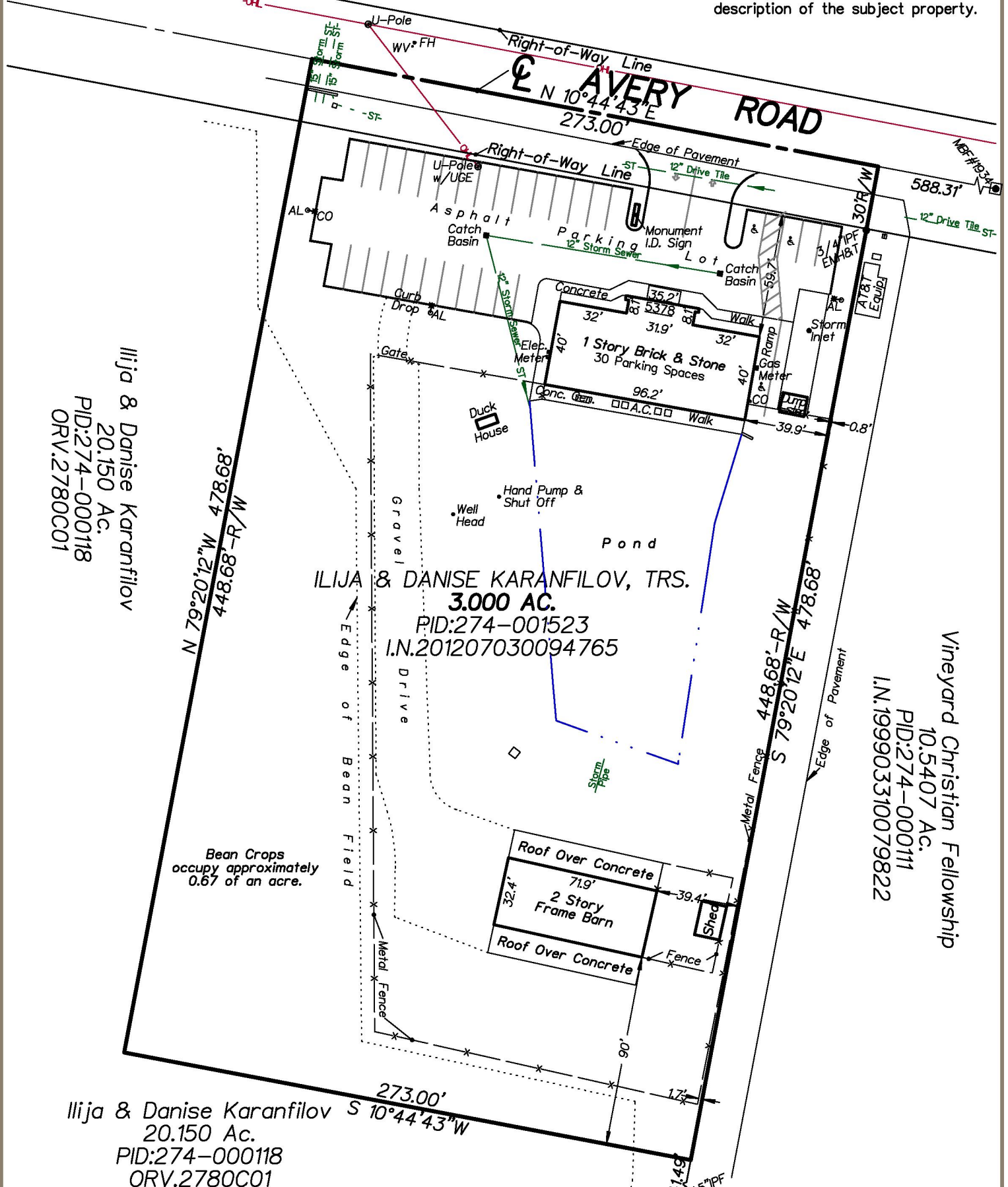
MORTGAGE LOCATION PREPARED EXCLUSIVELY FOR:
TITLE FIRST AGENCY/CHICAGO TITLE INSURANCE COMPANY
POSTED ADDRESS: 5378 AVERY RD, DUBLIN, OH 43016
F.E.M.A. Flood Designation: Flood Zone X, per
F.I.R.M. 39049C0133K, Dated: 06/17/2008.

13 AUGUST 2014

INSTRUMENT NO. 201207030094765

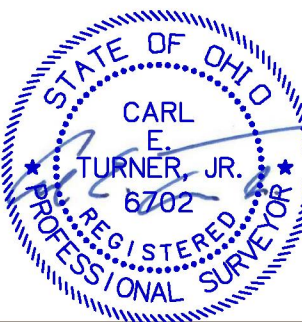
PROPOSED INSURED:
JPMORGAN CHASE BANK, NA

BASIS OF BEARINGS: Bearings are re-
ferenced to that meridian used for the
description of the subject property.



SURVEYOR'S STATEMENT: We Hereby Declare that the attached plat represents a Mortgage Location Survey, prepared from actual field measurements in accordance with Chapter 4733-38 of the Ohio Administrative Code, and is not a Boundary Survey pursuant to Chapter 4733-37 of said code. THE INFORMATION SHOWN HEREON IS NOT TO BE UTILIZED FOR THE CONSTRUCTION OR INSTALLATION OF BUILDINGS, FENCES, LANDSCAPING, OR OTHER IMPROVEMENTS.

SURVEY MONUMENTS FOUND: Iron Pipe (IPF) & Monument Box (MBF). No "set" corners called for in the deed description were found.



APPARENT ENCROACHMENTS OBSERVED: Metal fence along north property line encroaches adjoiner north by a maximum of 0.8' at the northwest corner post. Bean crops occupy 0.67 of an acre south & east. Nothing else observed from a surface inspection.



NOT AN AUTHORIZED DOCUMENT WITHOUT
EMBOSSSED OVER BLUE INK SURVEYOR'S SEAL

DESCRIPTION OF 3.000 ACRES
East side of Avery Road
South of Rings Road

Situated in the State of Ohio, County of Franklin, City of Dublin, lying in Survey Number 3004 of the Virginia Military District, being out of the 23.150 acre tract conveyed to Ilaja Karanfilov and Danise Karanfilov of record in Official Record 2780C01, and described as follows:

Beginning, for reference, at Franklin County Geodetic Survey monument 1934 found marking the centerline intersection of Rings Road (west) with Avery Road (south), being South 85° 26' 57" West, 15.75 feet from Franklin County Geodetic Survey monument 8847 found marking the centerline intersection of Rings Road (west) with Avery Road (north);

thence South 10° 44' 43" West, a distance of 588.31 feet, with the centerline of Avery Road, to a magnetic nail set at the northwest corner of said 23.150 acre tract and the southwest corner of the tract conveyed to Vineyard Christian Fellowship at Tuttle Crossing of record in Instrument Number 199903310079822, the *True Point of Beginning*;

thence South 79° 20' 12" East, a distance of 478.68 feet, with the line common to said 23.150 acre tract and said Vineyard Christian Fellowship at Tuttle Crossing tract (passing a ¾ inch iron pipe with EMHT INC cap found at 30.52 feet and a 5/8 inch iron pipe found at 40.35 feet), to an iron pin set;

thence across said 23.150 acre tract, the following courses:

South 10° 44' 43" West, a distance of 273.00 feet, to an iron pin set;

North 79° 20' 12" West, (passing an iron pin set at 448.68 feet), a distance of 478.68 feet, to a magnetic nail set on the centerline of Avery Road and the westerly line of said 23.150 acre tract, (being North 10° 44' 43" East, 4182.29 feet from Franklin County Geodetic Survey monument 8855 found marking an angle point in the centerline of Avery Road);

thence North 10° 44' 43" East, a distance of 273.00 feet, with said centerline and said westerly line, to the *True Point of Beginning*, containing 3.000 acres, more or less, from Auditor's Parcel Number 274-000118, of which 0.188 acre lies in the present roadway occupied.

Subject, however, to all legal rights-of-way and/or easements, if any, of previous record.

All references are to the records of the Recorder's Office, Franklin County, Ohio.

Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMHT INC.

Bearings are based on the Ohio State Plane Coordinate System per NAD83 (1986 adjustment), South Zone. Control for bearings was from coordinates of monuments FCGS 8876 & FCGS 2221, having a bearing of North 88° 53' 20" East, as established by the Franklin County Engineering Department.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

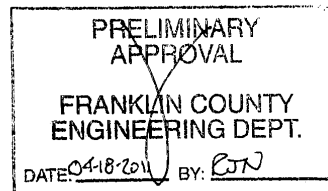


Michael O. Wanchick 4/14/11

Michael O. Wanchick
Registered Surveyor No. 7854

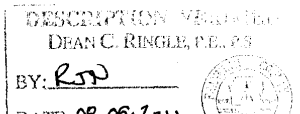
No Plat Required
City of Dublin

Gary Gunderman
Gary Gunderman
Assistant Director



*DEED ORDER

EJM:sg / 25March2011
Rev: 31Mar2011
3_000 ac Karanfilov 20110378BNDY01.doc



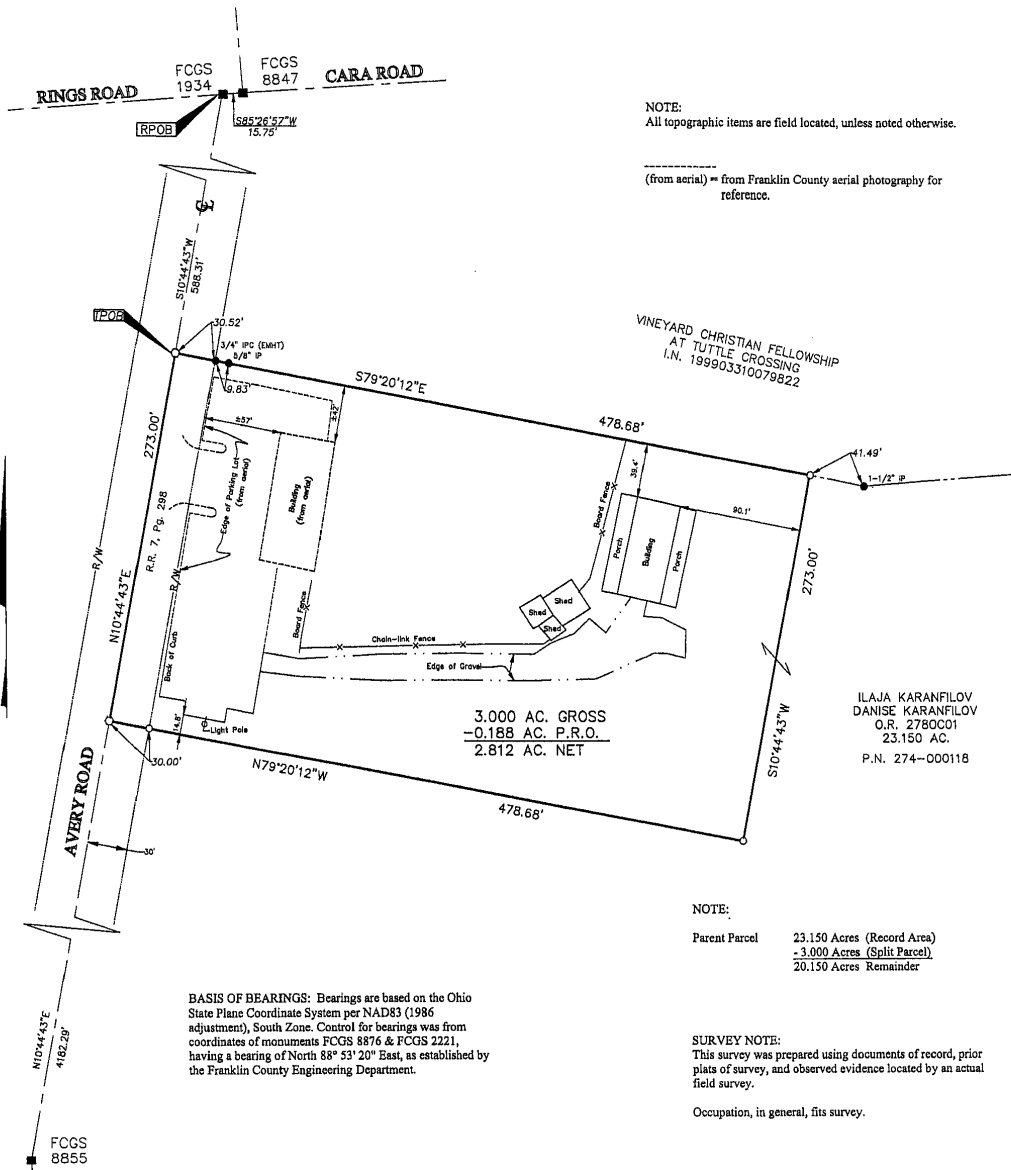
0-110-K
ON SPLIT
3.000 AC
OUT OF
(274)
000118

SURVEY OF ACREAGE PARCEL

SURVEY NUMBER 3004

VIRGINIA MILITARY DISTRICT

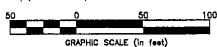
CITY OF DUBLIN, COUNTY OF FRANKLIN, STATE OF OHIO



- = STONE FND.
 - = MON. FND.
 - = I.P. FND.
 - = I.P. SET
 - = MAG. NAIL FND.
 - = MAG. NAIL SET
 - ▲ = R.R. SPK. FND.
 - △ = R.R. SPK. SET
 - = P.K. NAIL FND.
- I.P. Set are 13/16" I.D. Iron pipe with cap inscribed EMHT INC



By Michael O. Wanchick 4/11/11
Michael O. Wanchick
Professional Surveyor No. 7854



EMHT		Date: March 25, 2011
Evora, Macchioni, Hombelton & Teton, Inc. Engineers • Surveyors • Planners • Scientists 3550 New Adams Road, Columbus, OH 43264 Phone: 614.775.4800 Toll Free: 888.775.2148 emht.com		Scale: 1" = 50'
		Job No: 2011-0375
		Sheet: 1 of 1
REVISIONS		
MARK	DATE	DESCRIPTION
SG	3/31/11	Revised CL bearing



RECORD OF ACTION

Planning & Zoning Commission

Thursday, May 18, 2017 | 6:30 pm

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

**1. Ohio Sinus Institute
17-026Z**

**5378 Avery Road
Rezoning**

Proposal: A rezoning of a 3-acre parcel from R-1, Restricted Suburban Residential District to SO, Suburban Office and Institutional District to allow for the expansion of the existing commercial/medical use. The site is on the east side of Avery Road, approximately 700 feet south of the intersection with Rings Road.

Request: Review and recommendation of approval to City Council for a Standard District Rezoning under the provisions of Zoning Code Sections 153.232 and 153.234

Applicant: Boris Karanfilov, Ohio Sinus Institute.

Planning Contact: Logan M. Stang, Planner I.

Contact Information: (614) 410-4652, lstang@dublin.oh.us

MOTION: Mr. Brown motioned, Mr. Stidhem seconded, to recommend approval to City Council for the Rezoning.

VOTE: 7 – 0

RESULT: The Rezoning was recommended for approval to City Council.

RECORDED VOTES:

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

STAFF CERTIFICATION

Logan M. Stang, Planner I





MEETING MINUTES

Planning & Zoning Commission

Thursday, May 18, 2017

AGENDA

1. **Ohio Sinus Institute** **5378 Avery Road**
17-026Z **Rezoning (Recommendation of Approval 7 – 0)**
2. **Kendall Ridge Offices and Condos PUD, Kiddie Academy** **6055 Avery Road**
17-031Z/PDP/FD P **Rezoning/Preliminary and Final Development Plans**
(Tabled 7 – 0)
3. **Tree Replacement Fee Waiver**
17-041ADM **Administrative Request (Recommendation of Approval 7 – 0)**

The Chair, Victoria Newell, called the meeting to order at 6:33 p.m. and led the Pledge of Allegiance. Other Commission members present were: Chris Brown, Cathy De Rosa, Deborah Mitchell, Stephen Stidhem, Amy Salay, and Bob Miller. City representatives present were: Phil Hartmann, Vince Papsidero, Claudia Husak, Nichole Martin, Logan Stang, Shawn Krawetzki, Brian Martin, and Laurie Wright.

Administrative Business

Motion and Vote

Mr. Brown moved, Ms. Salay seconded, to accept the documents into the record. The vote was as follows: Ms. Newell, yes; De Rosa, yes; Mr. Miller, yes; Ms. Mitchell, yes; Mr. Stidhem, yes; Ms. Salay, yes; and Mr. Brown, yes. (Approved 7 - 0)

Motion and Vote

Mr. Brown moved, Mr. Miller seconded, to approve the meeting minutes from April 20, 2017, and May 4, 2017. The vote was as follows: Mr. Stidhem, yes; Ms. Mitchell, yes; Ms. De Rosa, yes; Ms. Salay, yes; Ms. Newell, yes; Mr. Miller, yes; and Mr. Brown, yes. (Approved 7 - 0)

The Chair briefly explained the rules and procedures of the Planning and Zoning Commission. She said the Ohio Sinus Institute case this evening is eligible for the Consent Agenda. She determined the Consent Case would be heard first and cases 2 and 3 would follow in order.



**1. Ohio Sinus Institute
17-026Z**

**5378 Avery Road
Rezoning**

The Chair, Victoria Newell, said the following application is a request for a rezoning of a 3-acre parcel from R-1, Restricted Suburban Residential District to SO, Suburban Office and Institutional District to allow for the expansion of the existing commercial/medical use. She noted the site is on the east side of Avery Road, approximately 700 feet south of the intersection with Rings Road. She said this is a request for a review and recommendation of approval to City Council for a Standard District Rezoning under the provisions of Zoning Code Sections 153.232 and 153.234.

The Chair said a formal presentation was not needed.

Steve Stidhem noted the site has an abnormal layout. He questioned whether it is zoned residential, currently and if so, how that was possible given the existing business. Logan Stang responded the site was part of an area-wide rezoning in 2007 so prior it was actually under township zoning. He said in the early 2000s, the City started to do a number of area rezoning's all throughout the City for properties that still had township zonings. At the time, he said, the business was operating when it was still under township zoning then the City rezoned it to give it a Dublin zoning classification and R-1 happened to be provided for this site. Mr. Stang said that the property owners also own the larger site to the south and west. He affirmed the site is zoned R-1 currently but the zoning to SO would bring the use into conformance. He reported that in 2011, the property owner split this three-acre parcel off of the larger parcel.

Mr. Stidhem said when he walked the site he found foul out by the barn and asked if this property was being actively used as a farm to which Mr. Stang said he did not believe that was the case. Mr. Stang added this may be a Code Enforcement issue and said he would look into the matter because he was under the impression that the barn was used for storage.

The Chair asked if there were any further questions or if any of the members would like a full presentation. [Hearing none.]

Motion and Vote

Mr. Brown moved, Mr. Stidhem seconded to recommend approval to City Council for the Rezoning request. The vote was as follows: Ms. Mitchell, yes; Mr. Miller, yes; Ms. De Rosa, yes; Ms. Salay, yes; Ms. Newell, yes; Mr. Stidhem, yes; and Mr. Brown, yes. (Recommended for Approval 7 – 0)



PLANNING REPORT

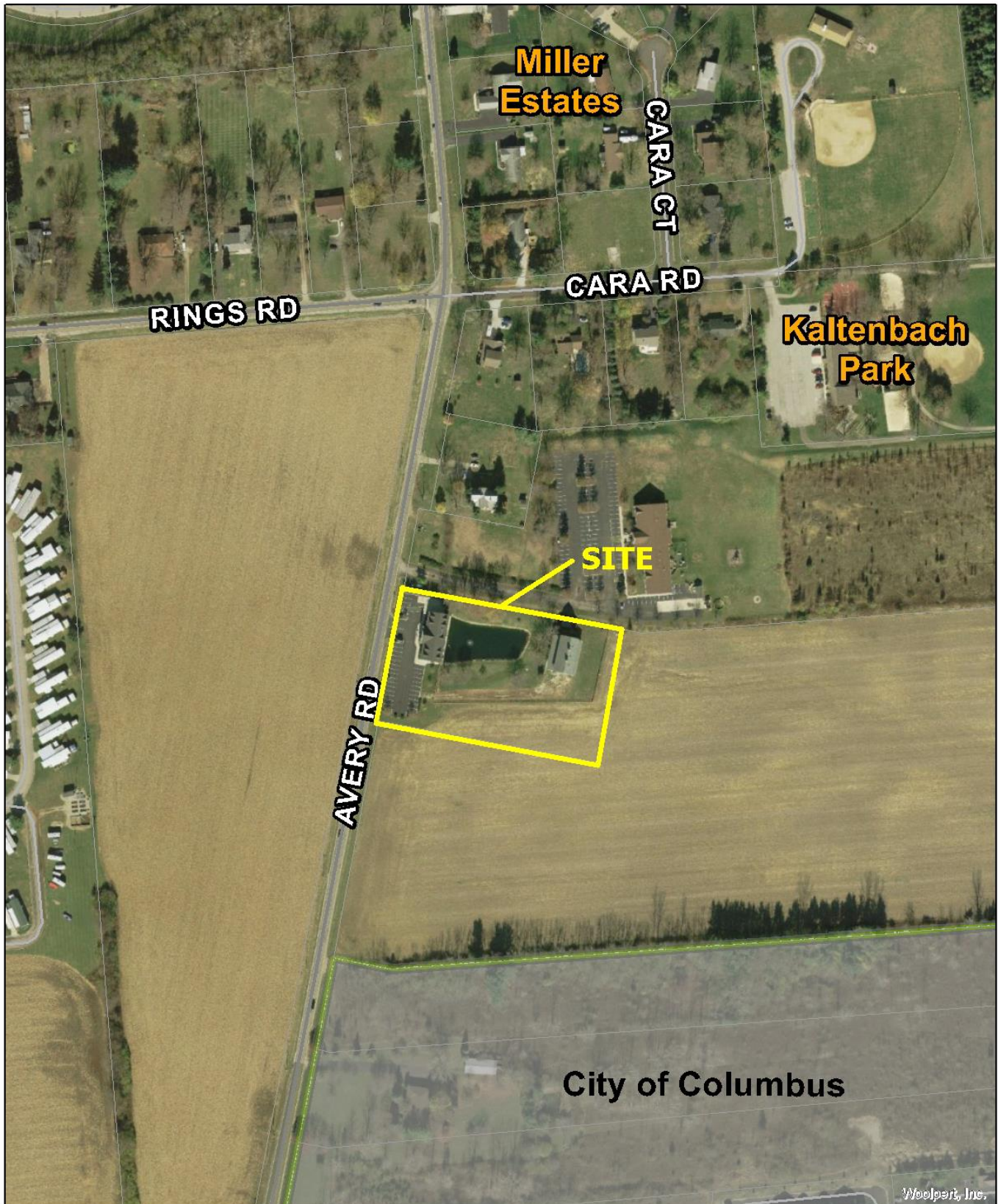
Planning & Zoning Commission

Thursday, May 18, 2017

Ohio Sinus Institute – 5378 Avery Road – STANDARD DISTRICT REZONING

Case Summary

Agenda Item	1
Case Number	17-026Z
Proposal	Rezoning a 3-acre parcel from R-1, Restricted Suburban Residential District to SO, Suburban Office and Institutional District to allow for the expansion of a commercial/medical use.
Request	Review and recommendation of approval to City Council for a Standard District Rezoning under the provisions of Zoning Code Sections 153.232 and 153.234.
Site Location	On the east side of Avery Road, approximately 700 feet south of the intersection with Rings Road.
Applicant	Boris Karanfilov, Ohio Sinus Institute.
Case Manager	Logan Stang, Planner I (614) 410-4652 or lstang@dublin.oh.us
Recommendation	<i>Recommendation of approval to City Council.</i> The proposed rezoning meets the future land use designation of the Community Plan, the thoroughfare plan, and the special area plan. Planning recommends that the Planning and Zoning Commission recommend approval of this application to City Council.



17-026Z
Standard District Rezoning
Ohio Sinus Institute
5378 Avery Road

0 150 300
Feet



Facts	
Site Area	±3.00 Acres
Zoning	R-1: Restricted Suburban Residential District
Surrounding Zoning and Uses	North: R-1: Restricted Suburban Residential District (Vineyard Church at Tuttle Crossing) South: R-1: Restricted Suburban Residential District (Undeveloped) East: R-1: Restricted Suburban Residential District (Undeveloped) West: R: Rural District (Agricultural)
Site Features	• ±274 feet of frontage on Avery Road with a single access point. • Single-story medical office building and parking lot on western edge of the property. • Stormwater management pond located behind the medical office building. • Two-story barn located in northeast corner.
Site History	In 2011, staff approved case 11-047MS for the minor subdivision of a 3-acre lot from an existing approximately 23-acre parcel. In 2007, City Council approved Ordinance #26-07 to establish Dublin zoning for approximately 262 acres (including this site) from Washington Township zoning to R-1, Restricted Suburban Residential District, RI, Restricted Industrial District, and LI, Limited Industrial District. In 1990, City Council approved Ordinance #89-90 to annex approximately 733 acres from Washington Township into the City of Dublin.

Details	Standard District Rezoning
Process	Code Section 153.232(B)(2) provides the Planning and Zoning Commission with the authority to make recommendations to City Council for amendments to the Zoning Map, which is the purpose of a rezoning. The Commission should review the proposal, provide input, and vote on the zoning change. The proposed amendment will be forwarded to City Council for its consideration. The following summarizes the major components of the proposed Zoning District.
Proposal Overview	The proposal is for the rezoning from R-1, Restricted Suburban Residential District to SO, Suburban Office and Institutional District. The applicant has been operating a medical office for a number of years and seeks to further develop the property with additional medical facilities.

Details	Standard District Rezoning
§153.026 <i>Permitted & Conditional Uses</i>	The Suburban Office and Institutional District allows numerous administrative, professional, and institutional uses such as general office, medical office, insurance companies, banking organizations, libraries, political organizations and legal services. Conditional uses permitted in this district include personal services such as beauty and barber shops, animal services such as pet grooming and training, and exercise and fitness facilities.
Community Plan <i>Future Land Use Plan</i>	The Future Land Use Map identifies this and the adjacent properties to the south and west along Avery Road as "Standard Office/Institutional". This classification is intended for sites located along major collectors with secondary visibility. Development will usually not exceed gross densities of 12,500 square feet per acre. The proposed zoning district permits uses that correspond with the future land use classification identified for this area of the City.
Community Plan <i>Thoroughfare Plan</i>	The Thoroughfare Plan classifies road types based on traffic demand and identifies future character improvements to handle the increased activity. Avery Road is identified as a "Major Arterial" with a potential 124 foot right-of-way for four lanes of travel separated by a median. Avery Road currently has approximately 60 feet of right-of-way along the property. The City has approved in the five-year CIP the extension of Tuttle Crossing Boulevard to Avery Road along with the widening of Avery Road between Rings Road and Tuttle Crossing Boulevard. The project will include the modification of both intersections, Rings/Avery and Avery/Tuttle Crossing, to roundabouts with Avery Road becoming a four lane divided arterial as outlined in the Community Plan. Construction is currently scheduled to begin in 2019 into 2020. Due to the existing development of properties located on the east side of Avery Road the majority of right-of-way dedication and widening will occur along the western edge of the existing roadway. No right-of-way dedication is required from the applicant with this rezoning. Based on the current design of Avery Road the existing access point will convert to a right-in/right-out due to a full median being installed between the Rings/Avery and Avery/Tuttle Crossing roundabouts.
Community Plan <i>Southwest Special Area Plan</i>	The Southwest Special Area Plan comprises the majority of the rural/agricultural land located along the southwest corporate line of the City of Dublin. The design recommendations focus on the creation of neighborhood centers containing commercial/retail uses that serve additional residential development. The plan promotes preserving

Details

Standard District Rezoning

natural features and providing a greenway along the entire length of the Tuttle Crossing Boulevard extension. The eastern plan located along the existing section of Tuttle Crossing Boulevard proposes a mixed-use neighborhood center supplemented by mixed residential and office uses. As Tuttle Crossing Boulevard moves west the plan shifts towards lower density residential developments and agricultural uses to transition to areas outside the City.



The property, outlined in yellow, conceptualizes part of a larger office complex employing shared-access points on a local street by-passing the roundabout. The area plan utilizes the existing stormwater pond and maintains an open space buffer between the roadway and office buildings. The majority of the area just north of the site will retain the existing character to aid in the transitional element. Upon approval of this rezoning, future development proposals would be permitted to file directly to Building Standards for building permits and would not require additional zoning approval.

Analysis

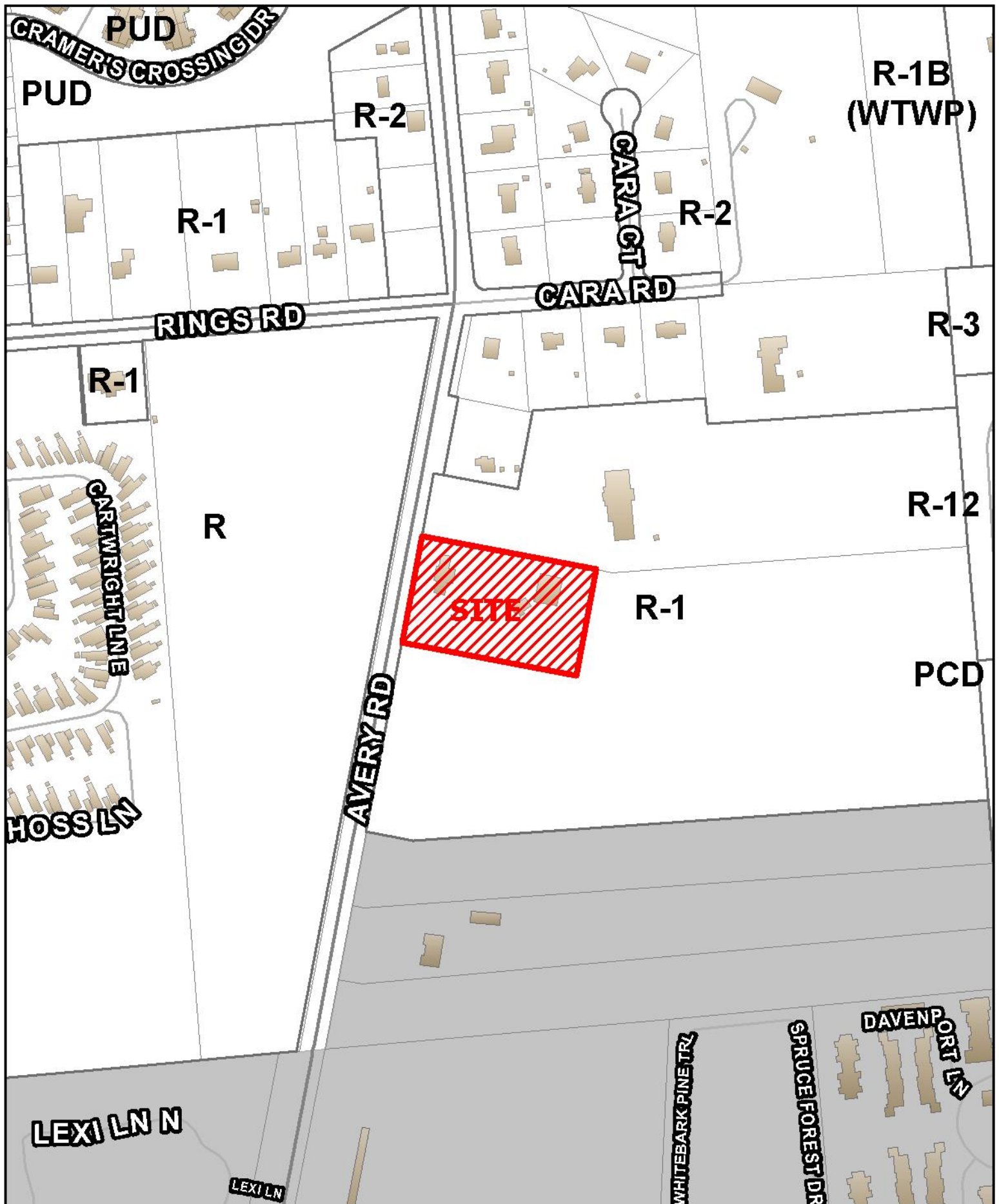
Standard District Rezoning

Process

The Zoning Code requires the Planning and Zoning Commission to determine whether the proposed rezoning will generally conform to the Dublin Community Plan and other applicable area plans, integrates in an

Analysis	Standard District Rezoning
	appropriate and compatible manner with surrounding land uses, and generally adheres to other accepted planning policies and practices. After recommendation by the Planning and Zoning Commission, the rezoning application will be forwarded to City Council for public hearing and final vote. This analysis is separate from any consideration of a specific use.
1. <i>Evaluation based on the future land use designation.</i>	Future Land Use Met: The site was zoned R-1, Restricted Suburban Residential District as part of an area wide rezoning in 2007 to establish Dublin zoning on annexed properties. Prior to this rezoning these properties were regulated by township zoning despite having been previously annexed into the City. With the adoption of the 2007 Community Plan the future land use classification for this, and the adjacent properties, was identified as Standard Office/Institutional. The proposed zoning designation, SO, Suburban Office and Institutional meets the intended land use and provides for a wide array of permitted commercial and institutional uses.
2. <i>Evaluation based on the thoroughfare plan.</i>	Thoroughfare Plan Met: The thoroughfare plan identifies Avery Road as key corridor to regulate transportation demand. With the potential for future development in this and the surrounding area roadway improvements are expected to meet the needs of future demand. The five-year CIP contains the approval for the Tuttle Crossing Boulevard extension and Avery Road widening which has been carefully designed to minimize impacts on the existing properties. The applicant will not be required to dedicate right-of-way as impacts to this site are minimal and therefore this proposal meets the thoroughfare plan.
3. <i>Evaluation based on area plan.</i>	Special Area Plan Met: The Southwest area plan envisions a large transitional area containing small mixed-use neighborhood centers and supplemental office and residential developments. The conceptual office development and subsequent recommendations are synonymous of a larger scale development consisting of multiple properties. While the current proposal only encompasses a small portion of this intended development the zoning classification is in keeping with the future land use and development potential of the area.

Recommendation	Standard District Rezoning
Approval	In Planning's analysis, the proposed modification to the Zoning Map to rezone from R-1, Restricted Suburban Residential District to SO, Suburban Office and Institutional District meets the Community Plan. Planning recommends that the Planning and Zoning Commission recommend approval of this application to City Council.





CITY OF DUBLIN

Land Use and
Long Range Planning
5800 Shier-Rings Road
Dublin, Ohio 43016-1236

Phone/ TDD: 614-410-4600
Fax: 614-410-4747
Web Site: www.dublin.oh.us

MINOR SUBDIVISION APPLICATION

NOTE: All applications are reviewed by Land Use and Long Range Planning for completeness prior to being processed. Applications that are incomplete will **not** be accepted. Applicants are encouraged to contact Land Use and Long Range Planning for assistance and to discuss the Minor Subdivision process, and if needed, to make an appointment for a pre-submittal review prior to submitting an application. All applicants are responsible for submitting an approved minor subdivision application to the respective county recorder's office for finalization and recording. Once the approved application is recorded by the county, the applicant must submit a copy of the lot split for lot adjustment to the City of Dublin, Land Use and Long Range Planning.

I. PLEASE CHECK THE TYPE OF APPLICATION:

- ☒ Lot Split Request
- ☐ Lot Adjustment Request
- ☐ Other (Please Describe) _____

II. PROPERTY INFORMATION: This section must be completed.

Property Address: 5378 AVERY ROAD	
Tax ID/Parcel Number(s): 274-000118	Parcel Size (Acres): 23.150
N, S, <u>E</u> W (Circle) Side of: AVERY ROAD	
Nearest Intersection: <u>AVERY ROAD</u> and <u>RINGS ROAD</u>	
Distance from Nearest Intersection: <u>588</u> FEET	N, <u>S</u> E, W (Circle) from Nearest Intersection

III. PLEASE ANSWER THE FOLLOWING:

Indicate if Engineering approval has been granted from the county prior to applying to the City of Dublin?	☒ YES	☐ NO
Has the parcel been previously split or subdivided since annexation to the City of Dublin?	☐ YES	☒ NO
Are the proposed water and sanitary services for the lot split from a public source? EXISTING MEDICAL BUILDING SITE.	☒ YES	☐ NO
Is there a scheduled land transfer or closing associated with this transaction?	☐ YES	☒ NO
If so, please list the scheduled date: _____		

IV. PLEASE SUBMIT THE FOLLOWING:

☒	ONE (1) ORIGINAL SIGNED AND NOTARIZED APPLICATION
☒	ONE (1) LEGAL DESCRIPTION OF THE PROPERTY in the form of an original Quit Claim Deed or original General Warranty Deed (contact respective county) (Please note number of pages _____)
☒	ONE (1) SEALED/STAMPED 8.5" X 14" (LEGAL SIZE) DRAWING OF THE ORIGINAL PROPERTY produced by a Land Surveyor certified by the State of Ohio (similar to a "Minimum Standards for Mortgage Location Survey") that includes the following: a. North arrow and bar scale. b. Location, size and dimensions of all existing and proposed conditions and structures (significant natural features, landscaping, structures, additions, decks, access ways, parking). c. Property lines and dimensions of the lot. d. Size of the site in acres/square feet. e. All setbacks, street centerlines, rights-of-way (including existing and proposed to be dedicated according to the adopted Thoroughfare Plan), easements, and other information related to the site. f. Location of all existing utilities, including public water and sewer or private well and aeration systems. g. Proposed property line where the original parcel is to be split. h. Distances to the original property lines and proposed property split from all buildings and structures.
☒	DEDICATION OF RIGHT(S)-OF-WAY IN ACCORDANCE WITH THE MOST RECENTLY ADOPTED CITY OF DUBLIN THOROUGHFARE PLAN. <i>not required per 3/10/10 letter, & 3/12/10 letter.</i>

V. CURRENT PROPERTY OWNER(S): This section must be completed. Please attach additional sheets if needed.

Name (Individual or Organization): ILIJA AND DANISE KARANFILOV	
Mailing Address: 8585 PRICE HILLIARDS ROAD, PLAIN CITY, OH 43064 (Street, City, State, Zip Code)	
Daytime Telephone:	Fax:
Email or Alternate Contact Information: mbraunstein@cbjlawyers.com (Michael Braunstein, Esq.)	

VI. APPLICANT: Please complete if applicable. This is the person(s) who is requesting the Minor Subdivision if different than the property owner(s). Please attach additional sheets if necessary.

Name:	
Organization (Owner, Developer, Contractor, etc.):	
Mailing Address: (Street, City, State, Zip Code)	
Daytime Telephone:	Fax:
Email or Alternate Contact Information:	

VII. REPRESENTATIVE(S) OF OWNER/APPLICANT: Please complete if applicable. This is the primary contact person who will receive correspondence regarding this application. If needed, attach additional sheets for multiple representatives.

Name: MICHAEL BRAUNSTEIN, ESQ.	
Organization: GOLDMAN & BRAUNSTEIN, LLP	
Mailing Address: 500 S. FRONT STREET, SUITE 1200, COLUMBUS, OH 43215 (Street, City, State, Zip Code)	
Daytime Telephone: 614.229.4540	Fax: 614.229.4568
Email or Alternate Contact Information: mbraunstein@cbjlawyers.com	

VIII. AUTHORIZATION FOR OWNER'S APPLICANT/REPRESENTATIVE(S): If the applicant is not the property owner, this section must be completed and notarized.

I, <u>ILIJA KARANFILOV</u> , the owner, hereby authorize <u>MICHAEL BRAUNSTEIN, GOLDMAN & BRAUNSTEIN, LLP</u> to act as my applicant/representative(s) in all matters pertaining to the processing and approval of this application, including modifying the project. I agree to be bound by all representations and agreements made by the designated representative.	
Signature of Current Property Owner: <u>Ilja Karanfilov</u>	Date: <u>MAY 31 11</u>

Subscribed and sworn to before me this 31st day of May, 20 11

State of OHIO

County of FRANKLIN

Notary Public

Rita M Javorina

RITA M JAVORINA
NOTARY PUBLIC STATE OF OHIO
MY COMMISSION EXPIRES

IX. AUTHORIZATION TO VISIT THE PROPERTY: Site visits to the property by City representatives are essential to process this application. The Owner/Applicant, as notarized below, hereby authorizes City representatives to visit, photograph and post a notice on the property described in this application.

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

I, <u>ILIJA KARANFILOV</u> , the owner or authorized representative, have read and understand the contents of this application. The information contained in this application, attached exhibits and other information submitted is complete and in all respects true and correct, to the best of my knowledge and belief.	
Signature of applicant or authorized representative: <u>Ilja Karanfilov</u>	Date: <u>May 31 11</u>

Subscribed and sworn to before me this 31st day of May, 20 11

State of OHIO

County of FRANKLIN

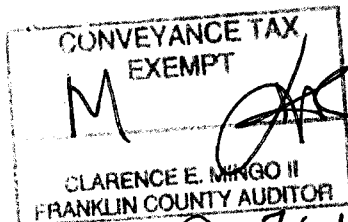
Notary Public

Rita M Javorina

RITA M JAVORINA
NOTARY PUBLIC STATE OF OHIO
MY COMMISSION EXPIRES

NOTE: THE OWNER, OR NOTED REPRESENTATIVE IF APPLICABLE, WILL RECEIVE A FACSIMILE CONFIRMING RECEIPT OF THIS APPLICATION

FOR OFFICE USE ONLY			
Amount Received: <u>635.00</u>	Application No: <u>11-047MS</u>	P&Z Date(s):	P&Z Action: <u>Approved 7/12/11</u>
Receipt No:	MIS Fee No:	Date Received: <u>7/12/11</u>	Received By: <u>GPB</u>
Type of Request: <u>Medical Bldg Site for Split</u>			
N, S, E, W (Circle) Side of:			
Nearest Intersection:			
Distance from Nearest Intersection:			



907611



201108090098632

Pgs: 4 \$44.00 T20110049418
08/09/2011 9:25AM MLGOLDMAN & B
Daphne Hawk
Franklin County Recorder

TRANSFERRED

AUG 09 2011

CLARENCE E. MINGO II
AUDITOR
FRANKLIN COUNTY, OHIO

QUIT-CLAIM DEED

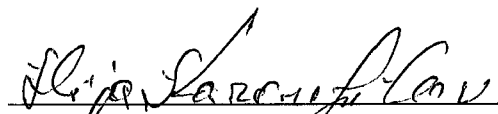
KNOW ALL MEN BY THESE PRESENTS THAT Ilija Karanfilov and Danise Karanfilov, husband and wife, hereinafter referred to as Grantors, whose mailing address is 8585 Price Hilliards Road, Plain City, Ohio 43064, for valuable consideration paid grants to Sherry L. Evanichko, hereinafter referred to as Grantee, whose mailing address is 4540 Windrow Drive, Grove City, Ohio 43123, all right, title and interest of Grantors to Grantee in the following described real estate:

Situated in the State of Ohio, County of Franklin, City of Dublin: **See Exhibit A attached hereto and incorporated herein by reference as if fully rewritten.**

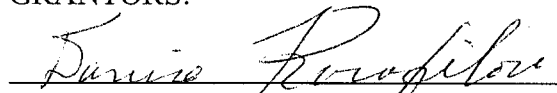
Prior Instrument Reference: Official Record 2780C01, Recorder's Office, Franklin County, Ohio.

Each of the Grantors releases all rights of dower herein.

COPY


ILIJA KARANFILOV

GRANTORS:


DANISE KARANFILOV

[Notary Clause on the Following Page]

STATE OF OHIO
COUNTY OF FRANKLIN, SS:

The foregoing instrument was executed before me this 8th day of August, 2011, by Ilija Karanfilov and Danise Karanfilov, husband and wife, who acknowledged their signing to be their voluntary act and deed.

Sherry L. McNamer
NOTARY PUBLIC

My Commission Expires: 12-19-2015

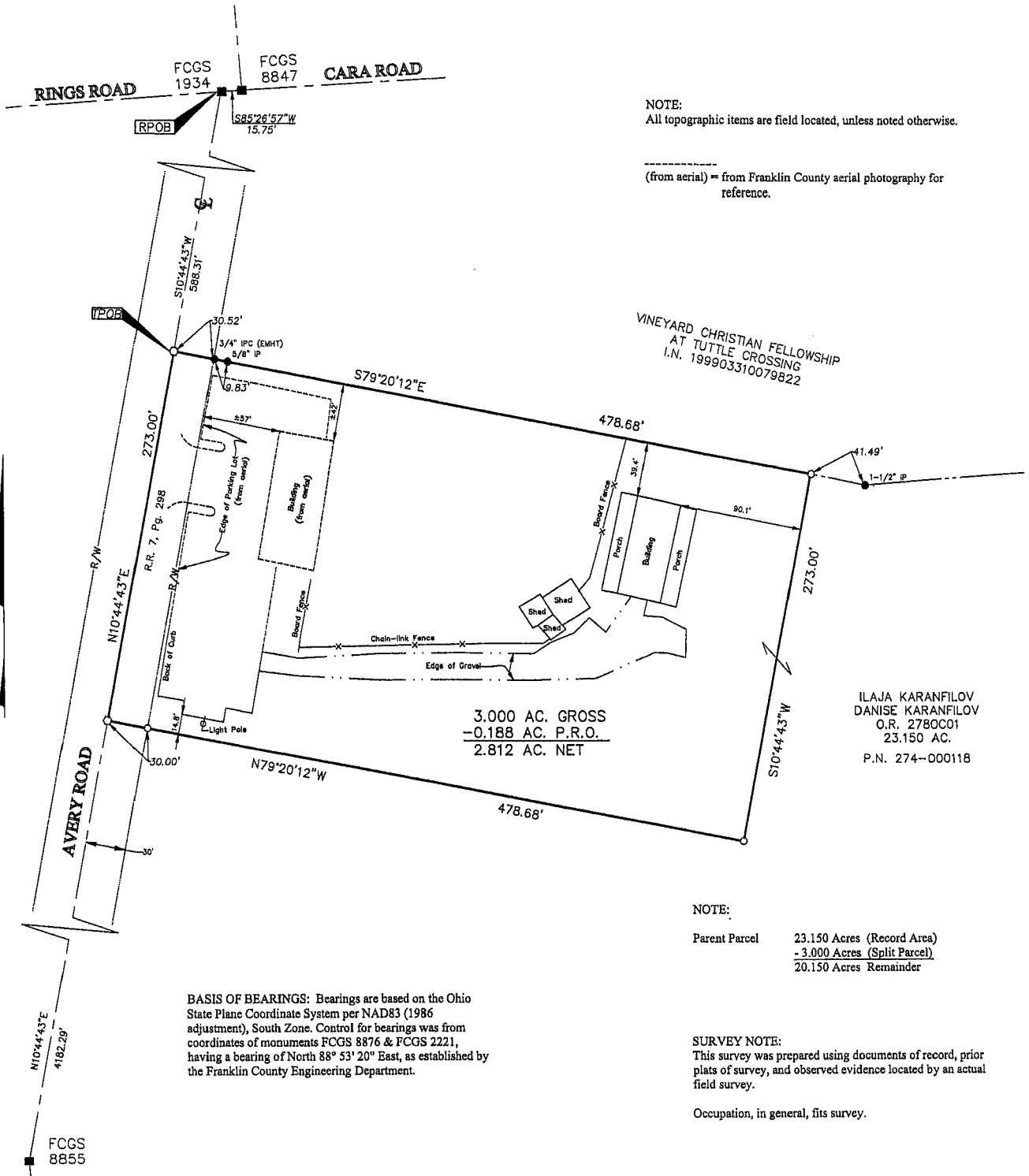
This Instrument Prepared By:

Michael Braunstein, Esq.
Goldman & Braunstein, LLP
500 South Front Street, Suite 1200
Columbus, Ohio 43215
(614) 229-4540
(614) 229-4568/fax
mbraunstein@cbjlawyers.com



SHERRY L. McNAMER
Notary Public, State of Ohio
My Commission Expires
December 19, 2015

SURVEY OF ACREAGE PARCEL
SURVEY NUMBER 3004
VIRGINIA MILITARY DISTRICT
CITY OF DUBLIN, COUNTY OF FRANKLIN, STATE OF OHIO



NOTE:
All topographic items are field located, unless noted otherwise.

(from aerial) = from Franklin County aerial photography for reference.

ILAJA KARANFILOV
DANISE KARANFILOV
O.R. 2780C01
23.150 AC.
P.N. 274-000118

NOTE:
Parent Parcel 23.150 Acres (Record Area)
- 3.000 Acres (Split Parcel)
20.150 Acres Remainder

BASIS OF BEARINGS: Bearings are based on the Ohio State Plane Coordinate System per NAD83 (1986 adjustment), South Zone. Control for bearings was from coordinates of monuments FCGS 8876 & FCGS 2221, having a bearing of North 88° 53' 20" East, as established by the Franklin County Engineering Department.

SURVEY NOTE:
This survey was prepared using documents of record, prior plats of survey, and observed evidence located by an actual field survey.

Occupation, in general, fits survey.

- STONE FND.
- MON. FND.
- I.P. FND.
- I.P. SET
- MAG. NAIL FND.
- MAG. NAIL SET
- R.R. SPK. FND.
- R.R. SPK. SET
- P.K. NAIL FND.
- I.P. Set are 1 3/4" I.D. iron pipe with cap inscribed EMHT INC



By *Michael O. Wanchick*
Michael O. Wanchick
Professional Surveyor No. 7854

4/4/11
Date



EMHT		Date: March 25, 2011
Evans, Machwart, Hamblen & Tilton, Inc. Engineers - Surveyors - Planners - Scientists 5500 New Albany Road, Columbus, OH 43054 Phone: 614.275.4500 Toll Free: 888.775.3648 emht.com		Scale: 1" = 50'
		Job no: 2011-0378
		Sheet: 1 of 1
REVISIONS		
MARK	DATE	DESCRIPTION
SG	3/31/11	Revised CL bearing

DESCRIPTION OF 3.000 ACRES

East side of Avery Road
South of Rings Road

Situated in the State of Ohio, County of Franklin, City of Dublin, lying in Survey Number 3004 of the Virginia Military District, being out of the 23.150 acre tract conveyed to Ilaja Karanfilov and Danise Karanfilov of record in Official Record 2780C01, and described as follows:

Beginning, for reference, at Franklin County Geodetic Survey monument 1934 found marking the centerline intersection of Rings Road (west) with Avery Road (south), being South 85° 26' 57" West, 15.75 feet from Franklin County Geodetic Survey monument 8847 found marking the centerline intersection of Rings Road (west) with Avery Road (north);

thence South 10° 44' 43" West, a distance of 588.31 feet, with the centerline of Avery Road, to a magnetic nail set at the northwest corner of said 23.150 acre tract and the southwest corner of the tract conveyed to Vineyard Christian Fellowship at Tuttle Crossing of record in Instrument Number 199903310079822, the *True Point of Beginning*;

thence South 79° 20' 12" East, a distance of 478.68 feet, with the line common to said 23.150 acre tract and said Vineyard Christian Fellowship at Tuttle Crossing tract (passing a ¾ inch iron pipe with EMHT INC cap found at 30.52 feet and a 5/8 inch iron pipe found at 40.35 feet), to an iron pin set;

thence across said 23.150 acre tract, the following courses:

South 10° 44' 43" West, a distance of 273.00 feet, to an iron pin set;

North 79° 20' 12" West, (passing an iron pin set at 448.68 feet), a distance of 478.68 feet, to a magnetic nail set on the centerline of Avery Road and the westerly line of said 23.150 acre tract, (being North 10° 44' 43" East, 4182.29 feet from Franklin County Geodetic Survey monument 8855 found marking an angle point in the centerline of Avery Road);

thence North 10° 44' 43" East, a distance of 273.00 feet, with said centerline and said westerly line, to the *True Point of Beginning*, containing 3.000 acres, more or less, from Auditor's Parcel Number 274-000118, of which 0.188 acre lies in the present roadway occupied.

Subject, however, to all legal rights-of-way and/or easements, if any, of previous record.

All references are to the records of the Recorder's Office, Franklin County, Ohio.

Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMHT INC.

Bearings are based on the Ohio State Plane Coordinate System per NAD83 (1986 adjustment), South Zone. Control for bearings was from coordinates of monuments FCGS 8876 & FCGS 2221, having a bearing of North 88° 53' 20" East, as established by the Franklin County Engineering Department.

EVANS, MECHWART, HAMBLETON & TILTON, INC.



Michael O. Wanchick

Michael O. Wanchick
Registered Surveyor No. 7854

4/14/11

EJM:sg / 25March2011
Rev: 31Mar2011
3_000 ac Karanfilov 20110378BNDY01.doc

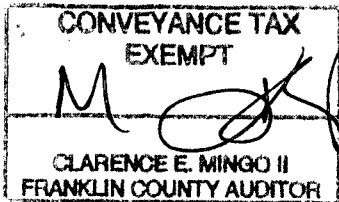
No Plat Required
City of Dublin

Gary Gunderman
Gary Gunderman
Assistant Director

PRELIMINARY APPROVAL	
FRANKLIN COUNTY ENGINEERING DEPT.	
DATE: 04-18-2011	BY: RJN
*DEED ORDER	

0-110-K
ON SP. IT
3.000 AC
OUT OF
(274)
000118

DESCRIPTION: V.B. 3004
DEAN C. RINGLE, P.E., P.S.
BY: RJN
DATE: 04-18-2011



907612



201108090098634
Pgs: 4 \$44.00 T20110049418
08/09/2011 9:26AM MLGOLDMAN & B
Daphne Hawk
Franklin County Recorder

TRANSFERRED

AUG 09 2011

CLARENCE E. MINGO II
AUDITOR
FRANKLIN COUNTY, OHIO

QUIT-CLAIM DEED

KNOW ALL MEN BY THESE PRESENTS THAT Sherry L. Evanichko, married, hereinafter referred to as Grantor, whose mailing address is 4540 Windrow Drive, Grove City, Ohio 43123, for valuable consideration paid grants to Ilija Karanfilov and Danise Karanfilov, husband and wife, as joint tenants with rights of survivorship, hereinafter referred to as Grantees, whose mailing address is 8585 Price Hilliards Road, Plain City, Ohio 43064, all right, title and interest of Grantor to Grantees in the following described real estate:

Situated in the State of Ohio, County of Franklin, City of Dublin: **See Exhibit A attached hereto and incorporated herein by reference as if fully rewritten.**

Prior Instrument Reference: Official Record 2780C01, Recorder's Office, Franklin County, Ohio.

Grantor releases all rights of dower herein.

GRANTOR:

SHERRY L. EVANICHKO

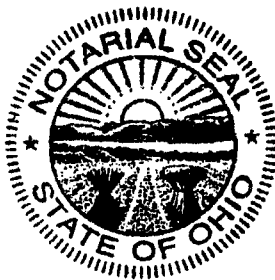
[Notary Clause on the Following Page]

STATE OF OHIO
COUNTY OF FRANKLIN, SS:

The foregoing instrument was executed before me this 8th day of August 2011, by Sherry L. Evanichko, who acknowledged her signing to be her voluntary act and deed.

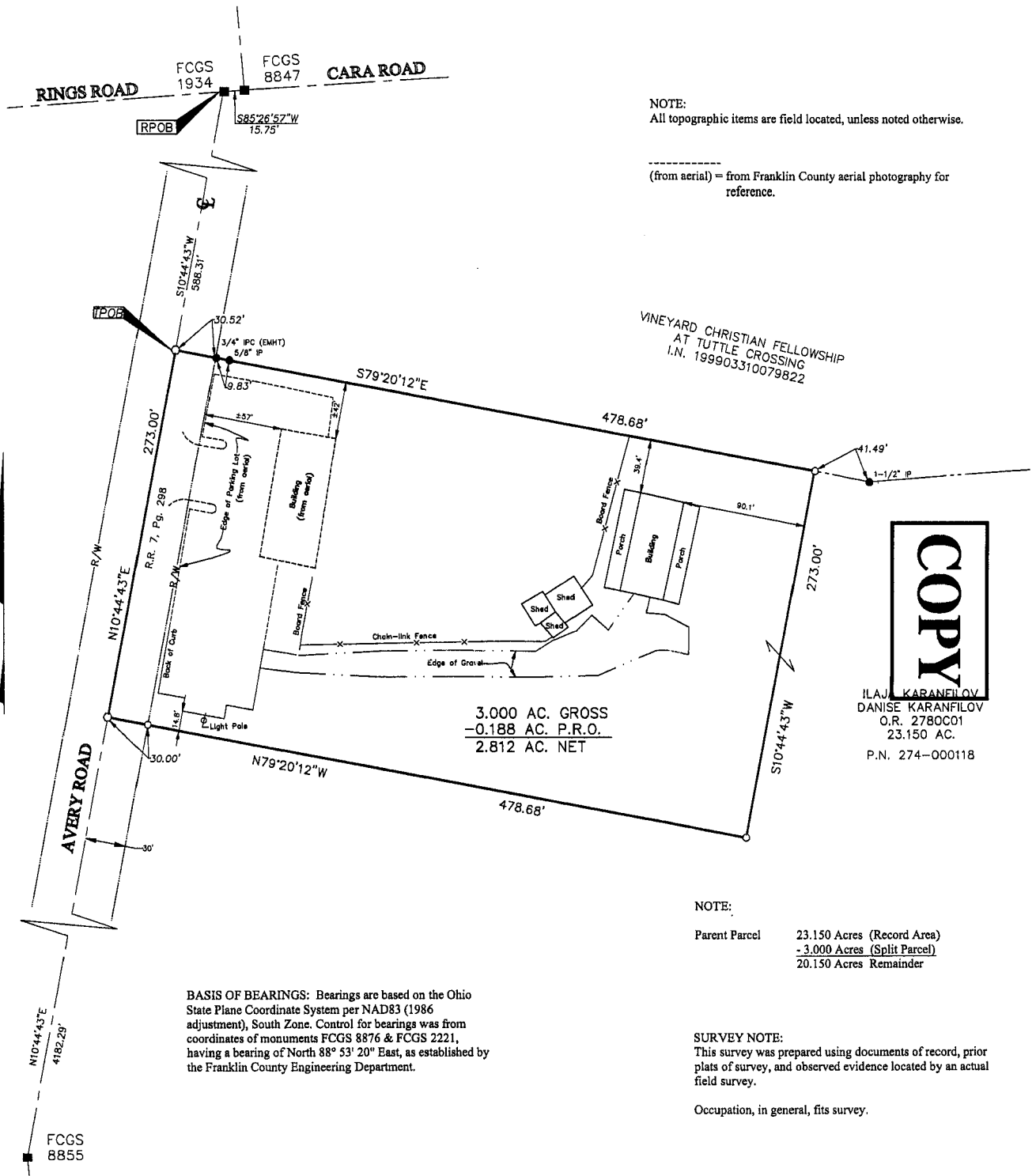
Sherry L. McNamer
NOTARY PUBLIC
My Commission Expires: 12-19-2015

This Instrument Prepared By:
Michael Braunstein, Esq.
Goldman & Braunstein, LLP
500 South Front Street, Suite 1200
Columbus, Ohio 43215
(614) 229-4540
(614) 229-4568/fax
mbraunstein@cbjlawyers.com



SHERRY L. McNAMER
Notary Public, State of Ohio
My Commission Expires
December 19, 2015

SURVEY OF ACREAGE PARCEL
SURVEY NUMBER 3004
VIRGINIA MILITARY DISTRICT
CITY OF DUBLIN, COUNTY OF FRANKLIN, STATE OF OHIO



NOTE:
All topographic items are field located, unless noted otherwise.

(from aerial) = from Franklin County aerial photography for reference.

COPY
ILAJ. KARANFILOV
DANISE KARANFILOV
O.R. 2780C01
23.150 AC.
P.N. 274-000118

NOTE:
Parent Parcel 23.150 Acres (Record Area)
 - 3.000 Acres (Split Parcel)
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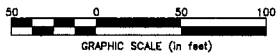
SURVEY NOTE:
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Occupation, in general, fits survey.

- = STONE FND.
 - = MON. FND.
 - = I.P. FND.
 - = I.P. SET
 - = MAG. NAIL FND.
 - = MAG. NAIL SET
 - ▲ = R.R. SPK. FND.
 - △ = R.R. SPK. SET
 - = P.K. NAIL FND.
 - = P.K. NAIL SET
- I.P. Set are 13/16" I.D. iron pipe with cap inscribed EMHT INC



By *Michael O. Wanchick* 4/1/11
Michael O. Wanchick Date
Professional Surveyor No. 7854



EMHT Evans, Mechwart, Hambleton & Tilton, Inc. Engineers • Surveyors • Planners • Scientists 5500 New Albany Road, Columbus, OH 43254 Phone: 614.775.4500 Toll Free: 888.775.3448 emht.com		Date: March 25, 2011
Scale: 1" = 50'		Job No: 2011-0378
Sheet: 1 of 1		
REVISIONS		
MARK	DATE	DESCRIPTION
SG	3/31/11	Revised CL bearing

Ilja Karanfilov / Avery Road Lot Split / 2011-0378 / 20110378BNDY01

DESCRIPTION OF 3.000 ACRES

East side of Avery Road
South of Rings Road

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South $10^{\circ} 44' 43''$ West, a distance of 273.00 feet, to an iron pin set;

North $79^{\circ} 20' 12''$ West, (passing an iron pin set at 448.68 feet), a distance of 478.68 feet, to a magnetic nail set on the centerline of Avery Road and the westerly line of said 23.150 acre tract, (being North $10^{\circ} 44' 43''$ East, 4182.29 feet from Franklin County Geodetic Survey monument 8855 found marking an angle point in the centerline of Avery Road);

thence North $10^{\circ} 44' 43''$ East, a distance of 273.00 feet, with said centerline and said westerly line, to the *True Point of Beginning*, containing 3.000 acres, more or less, from Auditor's Parcel Number 274-000118, of which 0.188 acre lies in the present roadway occupied.

Subject, however, to all legal rights-of-way and/or easements, if any, of previous record.

All references are to the records of the Recorder's Office, Franklin County, Ohio.

Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMHT INC.

Bearings are based on the Ohio State Plane Coordinate System per NAD83 (1986 adjustment), South Zone. Control for bearings was from coordinates of monuments FCGS 8876 & FCGS 2221, having a bearing of North $88^{\circ} 53' 20''$ East, as established by the Franklin County Engineering Department.

EVANS, MECHWART, HAMBLETON & TILTON, INC.



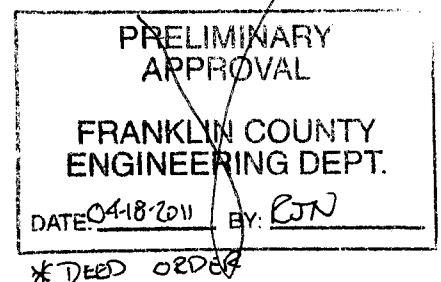
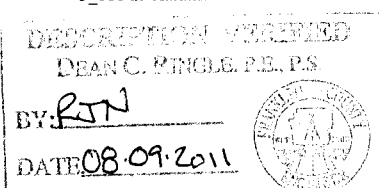
Michael O. Wanchick

Michael O. Wanchick
Registered Surveyor No. 7854

No Plat Required
City of Dublin

Gary Gunderman
Gary Gunderman
Assistant Director

EJM:sg / 25March2011
Rev: 31Mar2011
3_000 ac Karanfilov 20110378BNDY01.doc



0-110-K
SPLIT
3.000 AC
OUT OF
(274)
000118

SURVIVORSHIP DEED

Ilija Karanfilov and Danise Karanfilov, husband and wife, ("Grantors") of Plain City, Madison County, Ohio, for valuable consideration paid, grants to **Ilija Karanfilov and Danise Karanfilov**, husband and wife, for their joint lives, remainder to the survivor of them, whose tax mailing address is 8585 Price Hilliards Road, Plain City, Ohio 43064, the following described Real Property:

Situated in the State of Ohio, County of Franklin, City of Dublin:

See "**Exhibit A**" attached hereto and incorporated herein.

Prior instrument reference: Official Record 2780C01, Recorder's Office, Franklin County, Ohio.

Each of the Grantors releases all rights of dower therein.

IN WITNESS WHEREOF, we **Ilija Karanfilov and Danise Karanfilov**, hereunto have set our hands this 8th day of June, 2011.

Signed and acknowledged in the presence of:

Wendy Phelps
(Witness)
Wendy Phelps
(Print Name)
Boris Karanfilov
(Witness)
BORIS KARANFILOV
(Print Name)

GRANTOR:

Ilija Karanfilov
Ilija Karanfilov
Danise Karanfilov
Danise Karanfilov

STATE OF OHIO :
COUNTY OF Franklin :SS

The foregoing instrument was acknowledged before me this 8th day of June, 2011 by Ilija Karanfilov and Danise Karanfilov, husband and wife.

Witness my official signature and seal on the day last above mentioned.

Rita M Javorina
Notary Public
My Commission Expires: _____

This Instrument Prepared by:
Goldman & Braunstein, LLP
A Limited Liability Partnership
500 South Front Street, Suite 1200
Columbus, Ohio 43215

RITA M JAVORINA
NOTARY PUBLIC STATE OF OHIO
MY COMMISSION EXPIRES 1/30/16

DESCRIPTION OF 3.000 ACRES
East side of Avery Road
South of Rings Road

Situated in the State of Ohio, County of Franklin, City of Dublin, lying in Survey Number 3004 of the Virginia Military District, being out of the 23.150 acre tract conveyed to Ilaja Karanfilov and Danise Karanfilov of record in Official Record 2780C01, and described as follows:

Beginning, for reference, at Franklin County Geodetic Survey monument 1934 found marking the centerline intersection of Rings Road (west) with Avery Road (south), being South 85° 26' 57" West, 15.75 feet from Franklin County Geodetic Survey monument 8847 found marking the centerline intersection of Rings Road (west) with Avery Road (north);

thence South 10° 44' 43" West, a distance of 588.31 feet, with the centerline of Avery Road, to a magnetic nail set at the northwest corner of said 23.150 acre tract and the southwest corner of the tract conveyed to Vineyard Christian Fellowship at Tuttle Crossing of record in Instrument Number 199903310079822, the *True Point of Beginning*;

thence South 79° 20' 12" East, a distance of 478.68 feet, with the line common to said 23.150 acre tract and said Vineyard Christian Fellowship at Tuttle Crossing tract (passing a 3/4 inch iron pipe with EMHT INC cap found at 30.52 feet and a 5/8 inch iron pipe found at 40.35 feet), to an iron pin set;

thence across said 23.150 acre tract, the following courses:

South 10° 44' 43" West, a distance of 273.00 feet, to an iron pin set;

North 79° 20' 12" West, (passing an iron pin set at 448.68 feet), a distance of 478.68 feet, to a magnetic nail set on the centerline of Avery Road and the westerly line of said 23.150 acre tract, (being North 10° 44' 43" East, 4182.29 feet from Franklin County Geodetic Survey monument 8855 found marking an angle point in the centerline of Avery Road);

thence North 10° 44' 43" East, a distance of 273.00 feet, with said centerline and said westerly line, to the *True Point of Beginning*, containing 3.000 acres, more or less, from Auditor's Parcel Number 274-000118, of which 0.188 acre lies in the present roadway occupied.

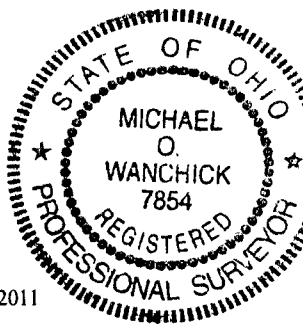
Subject, however, to all legal rights-of-way and/or easements, if any, of previous record.

All references are to the records of the Recorder's Office, Franklin County, Ohio.

Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMHT INC.

Bearings are based on the Ohio State Plane Coordinate System per NAD83 (1986 adjustment), South Zone. Control for bearings was from coordinates of monuments FCGS 8876 & FCGS 2221, having a bearing of North 88° 53' 20" East, as established by the Franklin County Engineering Department.

EVANS, MECHWART, HAMBLETON & TILTON, INC.



EJM:sg / 25March2011
Rev: 31Mar2011
3_000 ac Karanfilov 20110378BNDY01.doc

No Plat Required
City of Dublin

Gary Gunderman
Assistant Director

Michael O. Wanchick

Michael O. Wanchick
Registered Surveyor No. 7854

4/14/11

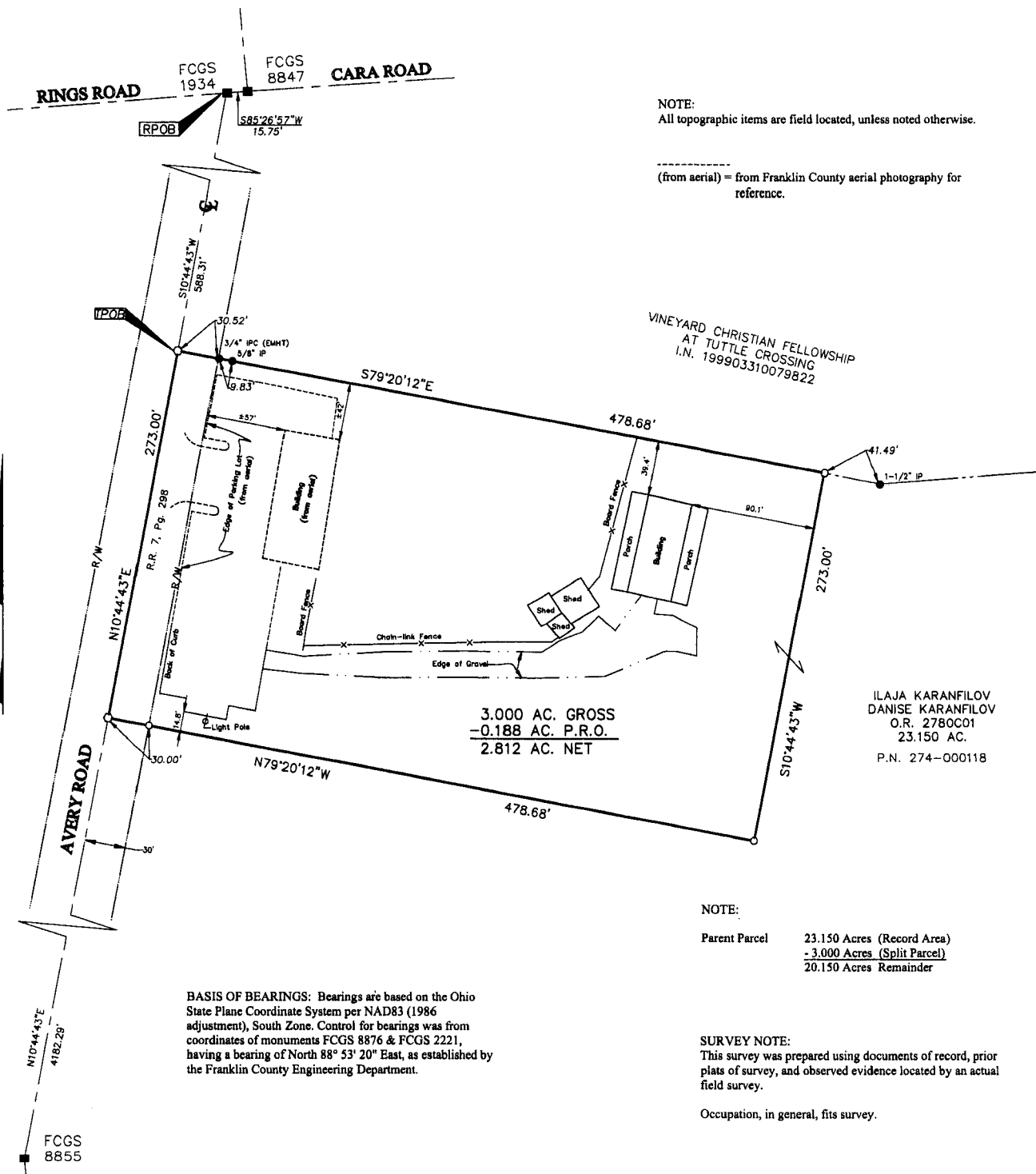
PRELIMINARY
APPROVAL

FRANKLIN COUNTY
ENGINEERING DEPT.

DATE: 04-18-2011 BY: *BJN*

*DEED ORDER

SURVEY OF ACREAGE PARCEL
SURVEY NUMBER 3004
VIRGINIA MILITARY DISTRICT
CITY OF DUBLIN, COUNTY OF FRANKLIN, STATE OF OHIO



NOTE:
Parent Parcel 23.150 Acres (Record Area)
- 3.000 Acres (Split Parcel)
20.150 Acres Remainder

SURVEY NOTE:
This survey was prepared using documents of record, prior
plats of survey, and observed evidence located by an actual
field survey.

Occupation, in general, fits survey.

BASIS OF BEARINGS: Bearings are based on the Ohio
State Plane Coordinate System per NAD83 (1986
adjustment), South Zone. Control for bearings was from
coordinates of monuments FCGS 8876 & FCGS 2221,
having a bearing of North 88° 53' 20" East, as established by
the Franklin County Engineering Department.

- = STONE FND.
- = MON. FND.
- = I.P. FND.
- = I.P. SET
- = MAG. NAIL FND.
- = MAG. NAIL SET
- △ = R.R. SPK. FND.
- △ = R.R. SPK. SET
- = P.K. NAIL FND.

I.P. Set are 13/16" I.D. iron
pipe with cap inscribed EMHT INC



By *Michael O. Wanchick*
Michael O. Wanchick
Professional Surveyor No. 7854

4/14/11
Date

EMHT		Date: March 25, 2011
Evans, Mechwart, Hambleton & Tilton, Inc. Engineers • Surveyors • Planners • Scientists 6500 New Albany Road, Columbus, OH 43254 Phone: 614.775.4500 Toll free: 888.775.3448 emht.com		Scale: 1" = 50'
		Job No: 2011-0378
		Sheet: 1 of 1
REVISIONS		
MARK	DATE	DESCRIPTION
SG	3/31/11	Revised CL bearing

Ilja Karanfilov / Avery Road Lot Split / 2011-0378 / 20110378BNDY01



CITY OF DUBLIN

**Land Use and
Long Range Planning**
5800 Shier-Rings Road
Dublin, Ohio 43016-1236

Phone: 614-410-4600
Fax: 614-410-4747
Web Site: www.dublin.oh.us

March 12, 2010

Ilija Karanfilov
8585 Price Hillards Rd
Plain City Ohio 43064

Re: Potential lot split on South Avery Road

As a result of our meeting on January 28, 2010 we have reviewed your proposal with several members of the City staff including our legal department. We have concluded that we can approve an administrative split of one lot of approximately three acres from the balance of the property that you own on Avery Road. This split will not require any Right of Way dedication for Avery Road at this time. Should you be in a position to undertake further development on the reminder of the site in the future the dedication of Avery Road will likely be a requirement of that development.

You will be able to proceed with this land division by having a private surveying company prepare a drawing of the entire tract with one lot separated and preparing a legal description for the separated parcel. These documents can be submitted to the City of Dublin, Land Use and Long Range Planning on the forms provided for this purpose and an appropriate filing fee. Normally the surveyor does this submission and completes the City process. Once approved, you will be able to file these documents with a deed at Franklin County. If you have any questions on this matter, please contact me at your convenience.

Gary P. Gunderman
Planning Manager
City of Dublin
614-410-4682

cc. Dana McDaniel Deputy City Manager/Director of Economic Development

live, learn, work, create in dublin, ohio

March 10, 2010

Ilija Karanfilov
8585 Price Hillards Rd
Plain City Ohio 43064

Re: Potential lot split on South Avery Road

As a result of our meeting on January 28, 2010 we have reviewed your proposal with several members of the City staff including our legal department. We have concluded that we can approve an administrative split of one lot of approximately three acres from the balance of the property that you own on Avery Road. This split will not require any Right of Way dedication for Avery Road at this time. However, should you or someone else pursue changes in the future, such as further development on the remainder of the site or major change to the existing office building, the City may be in a position to require dedication of right of way.

You will be able to proceed with this land division by having a private surveying company prepare a drawing of the entire tract with one lot separated and preparing a legal description for the separated parcel. These documents can be submitted to the City of Dublin, Land Use and Long Range Planning on the forms provided for this purpose and an appropriate filing fee. Once approved, you will be able to file these documents with a deed at Franklin County. If you have any questions on this matter, please contact Gary Gunderman at 410-4682 or myself at 410-4618.

Thank you.

Sincerely,


Dana McDaniel

Deputy City Manager/Director of Economic Development
City of Dublin
5800 Shier Rings Road
Dublin, OH 43016-1236

C: Terry Foegler, City Manager
Stephen Smith, City Attorney
Steve Langworthy, Director of Land Use &
Long Range Planning
Gary Gunderman, Planning Manager

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Crabbe, Brown & James LLP

500 SOUTH FRONT STREET
SUITE 1200
COLUMBUS, OHIO 43215

TELEPHONE 614.228.5511
FAX 614.229.4559

Email: sevanichko@cbjlawyers.com

www.CBJLawyers.com

WRITER'S DIRECT DIAL NUMBER

229.4566

June 30, 2011

J. ROTH CRABBE (1906-1989)
CHARLES E. BROWN (1927-2004)

VINCENT J. LODICO
STEVEN B. AYERS
JEFFREY M. BROWN
LARRY H. JAMES
JOHN P. KENNEDY
BRIAN E. HURLEY
RICHARD D. WETZEL, JR.
JOHN C. ALBERT
GEORGE R. McCUE, III
MICHAEL R. HENRY
ROBERT C. BUCHBINDER
STEVEN A. DAVIS
MICHAEL T. SHANNON
ROBERT J. GEHRING+
CHRISTINA L. CORL*
DANIEL J. HURLEY
LAURA MacGREGOR COMEK
STEVEN E. MILLER

PHILLIP A. TEMPLETON
MATTHEW R. PLANEY
JEFFREY D. HOUSER~
EILEEN R. BOWER
ERIC J. ZARTMAN

OF COUNSEL
ANDY DOUGLAS
JANET A. GRUBB
DAVID L. LANDEFELD
BRIAN R. McGRAW

GOLDMAN & BRAUNSTEIN, LLP
William A. Goldman
Michael Braunstein^

CINCINNATI OFFICE
30 GARFIELD PLACE, STE. 740
CINCINNATI, OHIO 45202
TELEPHONE 513.784.1525
FAX 513.784.1250

CLEVELAND OFFICE
1370 ONTARIO STREET
CLEVELAND, OHIO 44113
TELEPHONE 216.574.2516

LANCASTER OFFICE
111 S. BROAD STREET, STE. 209
LANCASTER, OHIO 43130
TELEPHONE 740.689.1743
FAX 740.689.1746

~Also Admitted in Indiana
+Also Admitted in Kentucky
*Also Admitted in Michigan & Georgia
^Also Admitted in California & Louisiana

Via Federal Express Delivery

Edward J. Miller, PE

EMH&T

5500 New Albany Road

Columbus, Ohio 43054

Re: **Minor Subdivision Application: 5378 Avery Road, City of Dublin**
Owners/Clients: Ilija and Danise Karanfilov

Dear Mr. Miller:

Pursuant to your conversation with Michael Braunstein, enclosed please find the original, completed and signed Minor Subdivision Application including the original, signed Survivorship Deed by Mr. and Mrs. Karanfilov.

Please do not hesitate to contact me if I can be of any assistance in the filing of the application. Thank you.

Sincerely,

GOLDMAN & BRAUNSTEIN, LLP



Sherry L. Evanichko

Paralegal to William A. Goldman, Esq., and
Michael Braunstein, Esq.

WAG/sle

Enclosures

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Mr. McDaniel stated that this agreement differs from the one previously presented to Council in that an incubator is not proposed to be pursued at this time. Instead, staff desires to pursue a proof of concept model. If success is demonstrated, staff will pursue the incubator at a later date. In addition, there is a termination clause now included. The services required by TechColumbus are essentially the same as previously presented, and Legal staff has reviewed the agreement and approved it as to form. Steve Clark is present from TechColumbus to respond to questions.

Ms. Salay noted that she had to leave the study session early and Mr. McDaniel met with her last week to review the matters presented at the study session. Her question relates to the employee provided for Dublin by TechColumbus, staff's level of comfort with the employee, and how that employee will function with City staff.

Mr. McDaniel responded that staff views this employee to be hired by TechColumbus and servicing predominantly the City of Dublin as an extension of City staff. He has discussed with Mr. Clark how they will work together in terms of communications, etc. Mr. Clark has offered Mr. McDaniel the opportunity to review the posting for the position, and he will be involved in the selection of the employee. The hiring decision will be made by TechColumbus as well as any salary costs and performance review matters. He believes there will be a close working relationship between their employee and with Dublin staff.

Mr. Keenan congratulated Mr. McDaniel on this revised agreement which is significantly improved over the first version. He asked about the implementation date following Council's action tonight.

Mr. McDaniel responded that the implementation will begin immediately upon execution of the agreement after Council's action tonight. TechColumbus is very anxious to proceed.

Mr. Keenan asked about the quasi-public review body that was to be comprised of various entities. Has that been eliminated?

Mr. McDaniel responded that this item was removed from the agreement.

Mayor Chinnici-Zuercher stated that she agrees with Mr. Keenan, adding that this is a better way of approaching the issue. Having TechColumbus hire the employee and oversee them is desirable. It will provide a more entrepreneurial way of looking at things, which is the intention of this project. She is also pleased to see that Dublin will have representation on the Entrepreneurial Advisory Committee, as it will provide a means of learning from others as well as contributing to that group.

Wallace Maurer, 7451 Dublin Road noted that he had previously expressed his enthusiasm for this undertaking. Was the data regarding experience with incubators a factor in eliminating this portion of the agreement?

Mr. McDaniel responded it was not. It was felt to be in Dublin's best interest to generate potential businesses first and then move toward the establishment of an incubator at a later date.

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

LEGISLATION

SECOND READING/PUBLIC HEARING - ORDINANCES

Ordinance 26-07

Providing for a Change in Zoning for 262 Acres Located South of SR 33/US 161, West of I-270, North of the Municipal Boundary, and East of Avery Road Retaining Washington Township Zoning To: R-1, Restricted Suburban Residential, RI, Restricted Industrial, and LI, Limited Industrial Zoning under the Provisions of Code Section 153.004(D). (Southwest Quadrant Rezoning (Area 1) Case No. 01-110Z)

Ordinance 27-07

Providing for a Change in Zoning for Approximately 62.72 Acres Located South of Dublin-Granville Road, West of the Scioto River, North of Rings Road, and East of Frantz Road Retaining Washington Township Zoning To: R-2, Limited Suburban Residential and R-4, Suburban Residential Zoning, under the Provisions of Code Section 153.004(D). (Inner I-270 Residential Rezoning - Case No. 03-098Z).

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Ordinance 28-07
Providing for a Change in Zoning for Approximately 510 Acres Located South of Shier-Rings Road, West of Avery Road, North of the Municipal Boundary, and East of Cosgray Road Retaining Washington Township Zoning To: R, Rural and R-1, Restricted Suburban Residential Zoning, under the Provisions of Code Section 153.004(D). (Southwest Shier-Rings and Avery Roads Residential Rezoning - Case No. 03-121Z)

Ordinance 29-07
Providing for a Change in Zoning for Approximately 40 Acres Located South of Shier-Rings Road, West of Avery Road and East of Cosgray Road Retaining Washington Township Zoning To: RI, Restricted Industrial and PUD, Planned Unit Development Zoning, under the Provisions of Code Section 153.004(D). (Southwest Shier-Rings and Avery Roads Commercial Rezoning - Case No. 03-122Z)

Ordinance 30-07
Providing for a Change in Zoning for Approximately 342 Acres Located South of Post Road, North of Shier-Rings Road, West of Avery Road and East of Cosgray Road Retaining Washington Township Zoning To: R, Rural, R-1, Restricted Suburban Residential, RI, Restricted Industrial, LI, Limited Industrial, and GI, General Industrial Zoning, under the Provisions of Code Section 153.004(D). (US 33/SR 161 Corridor Rezoning - Case No. 03-123Z)

Ms. Brautigam stated that these five ordinances are a series of area rezoning ordinances that will be presented by Tammy Noble, Senior Planner.

Ms. Noble stated that the project was originally proposed and introduced to City Council on May 21, 2007. It involves five cases. She reviewed maps of the areas proposed for rezoning. This area rezoning effort was first initiated by the City in 2001 with the purpose of rezoning all properties that continue to retain township zoning classifications and/or did not have sufficient zoning documentation to justify a Dublin zoning classification. The purpose was to establish comparable Dublin zoning classifications for these properties. Written notification was provided to all of the affected property owners, and meetings were held throughout the City with the landowners and surrounding property owners. The Planning Division is supportive of this process, as it provides regulatory development standards for all properties within the City of Dublin, and ensures the preservation of private property rights to the extent possible, based on the fact that it is assigning equivalent zoning classifications for the properties. She outlined the particular zoning classifications proposed for each of the area rezonings.

She added that this will aid in zoning code enforcement issues, based on the fact that it will establish zoning classifications consistent with the zoning maps and consistent within the zoning districts in the City. It will not particularly involve any type of redevelopment of parcels and will sustain land uses that currently exist on the properties.

These were reviewed by Planning & Zoning Commission on April 12, 2007 where recommendations for approval were made for all five cases. This was presented to Council for first reading on May 21, 2007. Staff requests approval for these area rezonings.

She noted that Council had asked questions about the Inner I-270 rezoning and staff provided documentation in the packet for review.

Mayor Chinnici-Zuercher noted that most narratives indicate that while there had been objections raised by some residents, staff was recommending Council move forward with the area-wide rezonings except in one where staff was recommending an exception for four properties. She asked for clarification about this inconsistency.

Ms. Noble responded that staff is handling four properties under a different process – as an individual application. Within the R-2 district in Ordinance 27-07, there are four parcels delineated in white. Those parcels contain duplexes. Staff is processing them under the same guidelines, but as a separate application because they have land uses different from the surrounding area. They will proceed in the same pattern, but as a separate application.

Mayor Chinnici-Zuercher asked when the separate application will be brought forward to Council.

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Ms. Noble responded that this application will be reviewed by the Planning & Zoning Commission on June 7, and therefore Council will likely review the application in late June or early July.

Mayor Chinnici-Zuercher invited public testimony from those who had signed in on one of the area rezonings.

Stephen R. Smith, 331 Longbranch Drive noted that his concerns have been addressed in e-mails with staff. He has no testimony to provide tonight.

Vote on Ordinance 26-07: Mr. Reiner, yes; Mr. Keenan, yes; Mrs. Boring, yes; Vice Mayor Lecklider, yes; Ms. Salay, yes; Mayor Chinnici-Zuercher, yes.

Vote on Ordinance 27-07: Mrs. Boring, yes; Mr. Keenan, yes; Mr. Reiner, yes; Ms. Salay, yes; Mayor Chinnici-Zuercher, yes; Vice Mayor Lecklider, yes.

Vote on Ordinance 28-07: Mrs. Boring, yes; Mr. Reiner, yes; Vice Mayor Lecklider, yes; Mayor Chinnici-Zuercher, yes; Ms. Salay, yes; Mr. Keenan, yes.

Vote on Ordinance 29-07: Mayor Chinnici-Zuercher, yes; Mr. Keenan, yes; Mr. Reiner, yes; Ms. Salay, yes; Vice Mayor Lecklider, yes; Mrs. Boring, yes.

Vote on Ordinance 30-07: Mayor Chinnici-Zuercher, yes; Ms. Salay, yes; Mr. Reiner, yes; Mr. Keenan, yes; Mrs. Boring, yes; Vice Mayor Lecklider, yes.

INTRODUCTION/FIRST READING – ORDINANCES

Ordinance 32-07

Authorizing the Provision of Economic Development Incentives to BMI Federal Credit Union to Induce the Relocation and Expansion of Its Operations and Workforce within the City of Dublin, and Authorizing the Execution of an Economic Development Agreement.

~~Ms. Salay introduced the ordinance.~~

~~Mr. McDaniel noted that staff has been working with this company since early 2005. BMI serves the employees of Battelle in Central Ohio and 26 Battelle offices across the country, plus 200 companies throughout the United States. BMI intends to build a new facility on Emerald Parkway to house its branch office and approximately 60 full-time employees that comprise their staff at headquarters. They have an approximate payroll of \$2.6 million/year. The City is offering a \$10,000 facility acquisition grant and a 20 percent performance incentive. Over four years, approximately \$44,734 could be paid in the form of a performance incentive. It would not exceed \$65,000. Over the course of the four-year term, about \$273,000 in new payroll withholdings would be paid to the City. As they will build and own their own facility, staff is looking at this long term and not only over the four-year period. Representatives from BMI will be in attendance at the next Council meeting.~~

~~Ms. Salay asked approximately how many new employees will result.~~

~~Mr. McDaniel stated there is an existing branch in Dublin at this time, near the Giant Eagle complex. There are approximately seven existing employees in that location. That branch will move and co-locate with this facility on Emerald Parkway. There will be an additional 60 employees who comprise the headquarters staff who will be new employees to the City. Those numbers can certainly grow as they go forward.~~

~~Ms. Salay asked when they plan to construct the building.~~

~~Mr. McDaniel stated they have been through Dublin's process and are close to obtaining a foundation permit.~~

~~Ms. Brautigam added that they will be contacting the City Council regarding a groundbreaking ceremony in early July.~~

~~Vice Mayor Lecklider asked for confirmation that BMI contacted the City regarding this economic development project.~~

~~Mr. McDaniel responded affirmatively that the initial contact came from BMI.~~

~~There will be a second reading/public hearing at the June 18 Council meeting.~~

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DAYTON LEGAL BLANK, INC., FORM NO. 10148

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Held _____ 20 _____

Expansion of its Operations and Workforce within the City of Dublin and Authorizing the Execution of an Economic Development Agreement.

Ms. Gilger stated that the proposed agreement would offer a \$32,000 grant to FLG. In return, the company is agreeing to acquire a Dublin facility in which to relocate its 22 employees to Dublin and to create approximately 16 new jobs by 2011. Buck Rinehart, FLG's legal advisor and the company's representatives are present this evening.

Mr. Rinehart introduced two members of the Aimo partnership, Pete Cartola and Matt Studer and suggested that they can respond to questions.

Mr. Studer thanked Council for their consideration of this economic development incentive. They are currently located in Columbus and want to purchase the building at 545 Metro Place South. This grant will offset much of the moving expense. They currently have 18 employees and are growing rapidly. They are in the hotel management business and own and manage 15 hotels located around the country, with an additional five hotels under contract. At this pace, they hope to fill the new building within five years.

Mr. Keenan stated that this proposal is responsive to the direction given by Council to the economic development team to bring in some smaller companies in addition to larger ones.

Ms. Gilger noted that staff is impressed with this company's growth projections.

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

Mayor Chinnici-Zuercher noted that this is Ms. Gilger's last Council meeting in Dublin. She congratulated Ms. Gilger on her new job and thanked her for her excellent work, particularly in the past year during Mr. McDaniel's military service. She wishes her the best of luck in the future.

Ms. Gilger thanked Council for the opportunity provided to her.

INTRODUCTION/FIRST READING – ORDINANCES

Ordinance 26-07

Providing for a Change in Zoning for 262 Acres Located South of SR 33/US 161, West of I-270, North of the Municipal Boundary, and East of Avery Road Retaining Washington Township Zoning To: R-1, Restricted Suburban Residential, RI, Restricted Industrial, and LI, Limited Industrial Zoning under the Provisions of Code Section 153.004(D). (Southwest Quadrant Rezoning (Area 1) Case No. 01-110Z)
Vice Mayor Lecklider introduced the ordinance.

Ms. Noble stated that she would be presenting several area rezonings in a collaborative manner. Staff is proposing five area rezonings, a project that staff has been working on for several years. She shared a PowerPoint presentation, noting the first map depicts the various areas subject to the rezoning process. The first case is in the central portion of Dublin identified as the southwest quadrant rezoning containing a mixture of land uses, commercial and residential. The second case is primarily along SR 33 and SR 161. This is primarily commercial rezoning on the western edge of Dublin. The third case is residential rezoning in the southwest quadrant of Dublin. This is composed primarily of large pieces of land that have development potential within the City. The fourth area rezoning consists of a smaller piece in the central portion of Dublin along Avery Road that is commercial. The fifth rezoning piece is a residential piece just east of I-270, and is the only application for land east of I-270. A brief description of the process and the purpose of the area rezonings follows. This comprehensive rezoning process was initiated in early 2001.

The purpose of area rezonings was to establish zoning classifications on properties that retained a township zoning classification, primarily Washington township, and/or have documentation issues that make it desirable to establish clear documentation of a Dublin zoning classification. The intent is to establish a City zoning classification that is comparable to what the zoning was when the land was in the township, regardless of future land use recommendations or development potential. All the property owners have received written notifications and several meetings with property owners have been held to make them aware of the process. Staff is supportive of this process because it is

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Minutes of

Dublin City Council

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

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consistent with the intent to establish consistent regulatory standards for all the property within the City of Dublin. It ensures private property rights to the extent possible while establishing equivalent zoning classifications for all properties. Much of this problem was addressed in 2002, when the City adopted an annexation policy that would allow properties when they are annexed to the City of Dublin to annex as a rural zoning. She described the land involved in each area rezoning. The Planning Commission hearing of the cases was on April 12, 2007 and they voted to recommend approval to City Council.

Mr. Reiner inquired if the second area rezoning to R-4 is an existing R-4 with R-4 development, such as apartments.

Ms. Noble stated that the density would be similar to the township zoning.

Mr. Reiner inquired if there are existing structures on the property.

Ms. Noble responded that she could provide information, but could not say at this time if they are developed properties.

Mayor Chinnici-Zuercher responded that this is a critical question. What level of density is R-4?

Ms. Noble responded that R-4 is multi-family residential.

Mayor Chinnici-Zuercher stated that is the reason Mr. Reiner is asking the question. If it exists, it is understandable why a rezoning to R-4 is requested. If it does not exist -- and there are no apartments on the land at this time -- why is that zoning classification being requested?

Ms. Noble responded that the primary reason would be because there was an equivalent zoning classification and most of the properties involved in this process have been developed. If Council is inquiring about a specific parcel of land, however, she would need to verify that.

Mr. Keenan inquired if this includes the properties off of Marion Road.

Ms. Noble responded that it does not include those properties. Staff has spoken with the owners and those properties are being rezoned at a different time.

Mr. Keenan inquired if, similarly, the Hoge property is near these properties but not included in the area rezoning?

Ms. Noble stated that the Hoge property is included. There are some duplexes in the southwest quadrant that were removed from this group and will be rezoned later.

Mayor Chinnici-Zuercher inquired which case Mr. Reiner was inquiring about?

Mr. Reiner responded that it is Ordinance 27-07.

Ms. Brautigam indicated that the property is on South Franklin Street.

Mr. Keenan inquired if R-2 is single-family only.

Ms. Noble responded that is correct.

Mr. Keenan inquired if R-4 allows from two to eight units.

Ms. Noble confirmed that is correct. She noted that this is a highly developed area, so the likelihood is that there are existing structures on the property. She will verify that prior to the second reading.

There will be a second reading/public hearing at the June 4 Council meeting.

Ordinance 27-07

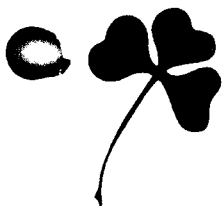
Providing for a Change in Zoning for Approximately 62.72 Acres Located South of Dublin-Granville Road, West of the Scioto River, North of Rings Road, and East of Erantz Road Retaining Washington Township Zoning To: R-2, Limited Suburban Residential and R-4, Suburban Residential Zoning, under the Provisions of Code Section 153.004(D) (Inner I-270 Residential Rezoning - Case No. 03-0987).

Mr. Keenan introduced the ordinance.

There will be a second reading/public hearing at the June 4 Council meeting.

Ordinance 28-07

Providing for a Change in Zoning for Approximately 510 Acres Located South of Shier-Rings Road, West of Avery Road, North of the Municipal Boundary, and East of Cosgray Road Retaining Washington Township Zoning To: R, Rural and R-1.



PLANNING AND ZONING COMMISSION

RECORD OF ACTION

FEBRUARY 19, 2004

CITY OF DUBLIN

Division of Planning
5800 Shier-Rings Road
Dublin, Ohio 43016-1236

Phone/TDD: 614-410-4600

Fax: 614-410-4747

Web Site: www.dublin.oh.us

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

1. **Rezoning 01-110Z - Southwest Quadrant Rezoning (Area 1)**

Location: Approximately 85 parcels comprising an area of approximately 264 acres, as annexed from Washington Township prior to 1990, bounded on the north by Columbus-Marysville Road (SR 33/US 161), to the east by I-270, to the south by the corporate boundary line, and to the west by Avery Road.

Existing Zoning: R-1B, Limited Suburban Residential, RI, Restricted Industrial, LI, Limited Industrial, and NC, Neighborhood Commercial Districts (All Washington Township Categories).

Request: Review and approval of an ordinance to establish Dublin R, Rural R-1, Restricted Suburban Residential, RI, Restricted Industrial, LI, Limited Industrial and NC, Neighborhood Commercial Districts zoning under the provisions of Section 153.004(D).

Property Owners: *All addresses are located within Dublin Ohio 43016 or 43017 unless otherwise noted.* Guy Investment Co Ltd, 5810 Shier-Rings Rd; John Sanders, 5820 Shier-Rings Rd; Diocesan Publications, 6161 Wilcox Road; Consolidated Biomedical Laboratories Inc (Labcorp), 6380 Wilcox Rd; Ohio State University Bd Of Trs, 6370 Wilcox Rd; Ballantyne Family LP, 5750 Shier-Rings Rd; Roche Biomedical Laboratories Inc., 6380 Wilcox Rd; Bates Property Management Ltd Afdt, 5500 Stanley Steamer Pkwy; Medex Inc., 6252 Avery Rd.; City Of Dublin, c/o Jane Brautigam, City Manager, 5200 Emerald Parkway; Washington Township Bd Of Trustees, 6255 Shier-Rings Rd; John & Betty Scheuerman, 6190 Wilcox Rd; John Hoge & Amarilys Guernica-Hoge, 6200 Wilcox Rd; Washington Township Bd. of Trustees, 6279 Shier-Rings Rd; Kinetics Properties LLP, 6300 Irelan Place Po Box 655; Ignatius & Margaret Dostal, 6363 Wilcox Rd; Donald Rose, 195 Stonefence Lane; Mary Benson, 6275 Wilcox Rd; Mark Wise, 6301 Wilcox Rd; Joseph Achtner, 6345 Wilcox Rd; St Johns Lutheran Church, 6135 Rings Road, Dublin, Ohio; Washington Township Bd Of Trustees, 6279 Shier-Rings Rd; James Connolly & Donald Delewese, 6100 Avery Rd; Lenhart & Frauenberg c/o Danielle Overmeyer, 5720 Avery Road; State Of Ohio, 6317 Irelan Pl; Alice Young, 6324 Irelan Pl; Farm & Power Equipment Retailers, 6124 Avery Rd; Ohio Seed Improvement Association, 6150 Avery Rd; Dolan Investments II, 6145 Scherers Pl, Kinetics Properties L P, 6300 Irelan Place P.O. Box 655; Timothy Mansberry, 5781 Wilcox Rd; Scott & Cheryl Shafer, 5867 Wilcox Rd; Roger & Joyce Cramer, 5700

**PLANNING AND ZONING COMMISSION
RECORD OF ACTION
FEBRUARY 19, 2004**

1. Rezoning 01-110Z - Southwest Quadrant Rezoning (Area 1) (Continued)

Wilcox Rd; Faith Evangelical Free Church Of Central Ohio, 5756 Wilcox Rd; John & Norma Mock, 5732 Wilcox Rd; Steven Martin, 5685 Rings Rd; David & Marlene Simmerman, 5695 Rings Rd; Luther Shrader, 5750 Avery Rd; Charles & Lisa Adams, 5781 Wilcox Rd; Dennis Hoffer, 5704 Avery Rd; Vineyard Christian Fellowship at Tuttle Crossing, 5400 Avery Rd; Ilija & Danise Karanfilov, 5378 Avery Rd; Thomas Sr. & Susan Watkins, 5488 Old Wilcox Rd; Duane & Judy Corbett, 5539 Tuttle Rd; Russell & Carol Duemmel, 5529 Tuttle Rd; Thomas McDowell, 5742 Dublin Road; Donald & Dianne Lowery, 5625 Tuttle Rd; George & Ruth Sherman Co-Trs, 5609 Tuttle Rd; David & Robert & Jane Eickholt, P.O. Box 21142 Columbus, Ohio; Donald & Dianne Lowery, 5625 Tuttle Crossing Blvd; Judy & Duane Corbett, 5539 Tuttle Crossing Blvd; Diedre Bainbridge, 5374 Old Wilcox Rd; Katherine Tatterson, 5472 Old Wilcox Rd; Charles & Mary Holliday, 5450 Old Wilcox Rd; Samuel & Susan Stille, 5590 Tuttle Rd.

Applicant: City of Dublin, c/o Jane Brautigam, City Manager, 5200 Emerald Parkway, Dublin, Ohio 43017.

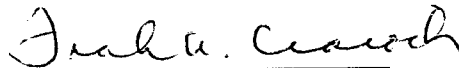
Staff Contact: Anne Wanner, Senior Planner.

MOTION: To approve this area rezoning because it will provide an appropriate Dublin zoning classification for land within the City limits to provide for the effective administration of development standards, procedures, etc., it will maintain the established development pattern that has been in place for many years, and it reflects land uses consistent with those listed in the Community Plan.

VOTE: 5-0.

RESULT: This area rezoning was approved. It will be forwarded to City Council with a positive recommendation.

STAFF CERTIFICATION



Frank A. Ciarochi
Acting Planning Director

1. Rezoning 01-110Z – Southwest Quadrant Rezoning (Area 1)

Anne Wanner said during the first reading of this case in April 2002, City Council directed staff to hold a property owner informational meeting. Since that date, staff has held meetings in a property owner's home, at the recreational center, and for the industrial property owners at the Washington Township Fire Department Administration Building. She said based on Wilcox Road and Rings Road homeowner input, staff began the process of a PUD, Planned Unit Development district rezoning. On February 2, 2004, City Council suggested that the PUD property owners be separated from this application. This application tonight does not include the PUD property owners. They will have a separate application that will be brought to the Commission at another time.

Ms. Wanner showed a aerial slide of the site bounded by SR 161 on the north, Avery Road on the west, the Corporate Boundary Line on the south, and I-270 on the east side. She said there were three groupings of properties, mostly divided by residential developments, Heather Glen, Sandy Corners, Trinity Park. There are 84 parcels included in this rezoning which amounts to approximately 274 acres. All of the properties were annexed between 1965 and 1990. The majority were annexed in 1990.

Many of these zonings have shown up on Dublin's historical zoning maps for a number of years. There are RI, Restricted Industrial Districts along the north. A small property is proposed for the LI, Limited Industrial District. The St. John's Lutheran Cemetery is proposed for R, Rural District. The R-1, Restricted Suburban Residential District is proposed for properties through Woerner-Temple (including the Woerner-Temple Park). She said the property owners of the Avery Road Farm Market (5378 Avery Road) provided evidence that they were zoned Neighborhood Commercial just prior to being annexed into Dublin. Therefore, their zoning district will be designated as Neighborhood Commercial. Buildings in this rezoning along Shier-Rings Road are Medex, Stanley Steemer, and some businesses along Ireland Place. She said 5704 Avery Road was proposed Restricted Industrial. The south side of Tuttle Road single-family homes on it proposed for the R-1 District.

Ms. Wanner said as in all area rezonings, staff considers this as a house keeping item and recommends approval of this area rezoning.

Mr. Gerber reminded the Commissioners that they are to consider this case and make recommendations to City Council who will take final action. The purpose of this case is to reaffirm the zoning classification on the properties that were in control by Washington Township zoning prior to being annexed into the City. It is not appropriate to consider rezoning these properties at this time to zoning classifications that may be consistent with the Future Land Use Map.

Mr. Zimmerman made a motion to approve this area rezoning because it will provide an appropriate Dublin zoning classification for land within the City limits to provide for the effective administration of development standards, procedures, etc., it will maintain the established development pattern that has been in place for many years, and it reflects land uses consistent with those listed in the Community Plan. Mr. Gerber seconded the motion, and the vote was as follows: Ms. Boring, yes; Mr. Sprague, yes; Mr. Messineo, yes; Mr. Gerber, yes; and Mr. Zimmerman, yes. (Approved 5-0.) Mr. Gerber thanked Ms. Wanner for all her hard work on this application.