



To: Members of Dublin City Council

From: Dana L. McDaniel, City Manager

Date: July 21, 2020

Initiated By: Jennifer M. Rauch, AICP, Planning Director
Claudia D. Husak, AICP, Senior Planner/Current Planning Manager

Re: A resolution approving and accepting the plat for University boulevard phase 2 and lot size variances to re-subdivide certain lots to address county requirements for parcels crossing school district boundaries and to create a parcel for the preservation of a historic cemetery

Summary

This is a request, as recommended by the Planning and Zoning Commission, to accept the subdivision of ±64.3 acres for six lots currently zoned ID-1, Research Office District and PUD, Planned Unit Development District (OSU Wexner Medical Center) to address requirements by Franklin County for parcels crossing School District boundaries and to create a separate parcel for a historic cemetery. Two lots will require a variance to the lot size requirements.

Process

As provided by the Law Director's Office, when City Council approves Preliminary and Final Plats, the platting process is solely for the subdivision of the properties to identify property lines, establish easements, provide open space dedication, and create public rights-of-way. The site layout, architectural character, and open space design for the development are approved separately by the required reviewing bodies.

Background

The site consists of six parcels with approximately 2,000 feet of frontage along US 33 and approximately 3,500 feet of frontage along the University Boulevard, Phase 2 right-of-way. The parcels were annexed to the City in 2004 (Ord. 47-04) and 1996 (Ord. 64-96) and the City of Dublin purchased the parcels for economic development purposes in 2016 and 2018 and The Ohio State University purchased parcels 2C and 2D for the future OSU Wexner Medical Center.

All of the parcels were rezoned in 2011 from R, Rural District and R-1, Restricted Suburban Residential District to ID-1, Research/Office District as part of an on-going effort to aid in the implementation of the long-term vision of this area as an important Economic Advancement Zone and Innovation District. In 2019, City Council approved the rezoning of parcels 2C and 2D to PUD, Planned Unit Development (Ordinance 53-19) and the preliminary plat was accepted by City Council at the same time (Resolution 59-19). The final plat was recommended for approval by the Planning and Zoning Commission on March 5, 2020 and accepted by City Council on April 13,

2020. The Commission also approved a final development plan for the OSU Wexner Medical Center on April 30, 2020.

Upon recording of the plat with Franklin County, the Recorder's Office noted a recently instituted requirement to split lots along School District boundaries. Lots 1 and 2 from the originally accepted plat are impacted by this requirement. Lot 1 includes 0.566-acre in the southeast portion located in the Hilliard City School District; the remaining 13.551 acres are located in the Dublin City School District. Lot 2 is diagonally split northeast to southwest, with the southern 23.225 acres in the Hilliard City School District and the northern 10.494 acres in the Dublin City School District. The requirement to create separate lots along the School District boundaries creates a need for a variance approval for the lot size of the 0.566-acre portion of Lot 1 (shown as Lot 1D), where a minimum of 3 acres is required.

Staff has been working with The Ohio State University staff to coordinate and implement the projects included in the Economic Development Agreement including the Wexner Medical Center, Cosgray Ditch Relocation, University Boulevard, Phase 2 and the Shier Rings Road and Avery Road Intersection Improvements & Old Avery Road Relocation. During the cultural resources work, staff became aware of the likely existence of an unknown cemetery within the project limits defined in the permit application submitted to the U.S. Army Corp of Engineers (USACE). Further research was performed which confirmed the likely existence of the cemetery known as the Brown-Harris Cemetery.

Based upon various accounts originating from the Rings family, the Ohio History Connection required a geophysical survey of the northeastern portion of the project area to attempt to locate the cemetery. The results of the survey identified several areas of anomalies. A total of 20 likely grave shafts and two possible grave shafts were identified during excavation. It appears from historic property records that the cemetery is located in the northwest corner of property that was owned by the Browns, an African-American family that owned the property from the mid-1800s to 1915. Based on the number of graves, it seems likely that several families may have family members in the cemetery, including the neighboring Harris family.

The cemetery was determined to be eligible for inclusion to the National Register of Historic Places, as it is likely to contain information that would be critical to our understanding of early burial traditions of African-American settlers to the region. The City of Dublin has committed to avoid the cemetery and preserving it in place with a number of stipulations, including providing public access and maintaining the cemetery, installing a wall or fence around the cemetery, erecting a memorial or historical marker, installing an educational public information sign, and conducting additional research to identify descendant communities. This plat subdivides Lot 3A to create a separate Lot 6) for the cemetery to ensure continued ownership by the City and aid in preservation. Lot 6 is 0.127-acre and will also require the approval of a variance for lot size.

Zoning and Lot Details

The final plat includes no streets and the following lots (lots with letters added were previously approved and are lettered to distinguish previous versions):

- Lot 1C (13.551 acres in the Dublin City School District) and Lot 1D (0.566-acre in the Hilliard City School District) are in the northwestern portion of the site, north of proposed

University Boulevard and south of the Sutphen site. As the West Innovation District requires a minimum lot size of 3 acres, this lot will require a variance to be approved by City Council. However, the plat includes a note, Note "E", requiring the unified conveyance of both and stipulate any partitioning to require City approval.

- Lot 2C (10.494 acres in the Dublin City School District) and Lot 2D (23.225 acres in the Hilliard City School District) are located south of U.S. 33 and north of University Boulevard. Both lots were reviewed as one site and received approval of a final development plan from the Planning and Zoning Commission. The approved developments text permits construction across internal lot lines.
- Lot 3A is 16.313 acres and located south of U.S. 33 and north of where University Boulevard extends west off Shier Rings Road.
- Lot 6 is 0.127-acre and creates the separate lot for the preservation of the historic Brown-Harris Cemetery. As the West Innovation District requires a minimum lot size of 3 acres, this lot will require a variance to be approved by City Council.

All lots meet all Zoning Code requirements except Lots 1D and 6. Both lots are required to be created either by the County or to preserve the historic cemetery.

Recommendation of the Planning and Zoning Commission

On July 9, 2020, the Commission recommended approval to City Council of the following two variances:

- 1) To permit the creation of Lot 1D at 0.566-acre instead of meeting the Zoning Code required 3-acre minimum.
- 2) To permit the creation of Lot 6 at 0.127-acre instead of meeting the Zoning Code required 3-acre minimum.

At the same meeting, the Commission also recommended approval to City Council of the final plat with the below condition:

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

The applicant has met the condition for the plat.

Recommendation

Staff recommends approval of the Resolution for the Final Plat for University Boulevard Phase 2 at the July 27, 2020 City Council meeting.

RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc., Form No. 30045

43-20

Resolution No. _____

Passed _____, 20____

A RESOLUTION APPROVING AND ACCEPTING THE PLAT FOR UNIVERSITY BOULEVARD PHASE 2 AND LOT SIZE VARIANCES TO RESUBDIVIDE CERTAIN LOTS TO ADDRESS COUNTY REQUIREMENTS FOR PARCELS CROSSING SCHOOL DISTRICT BOUNDARIES AND TO CREATE A PARCEL FOR THE PRESERVATION OF A HISTORIC CEMETERY

WHEREAS, application for approval of the re-plat for University Boulevard Phase 2 has been made under Chapter 152 of the Codified Ordinances of the City of Dublin; and

WHEREAS, the plat application has been reviewed by the Planning and Zoning Commission, which has recommended approval and acceptance of the plat; and

WHEREAS, the Council has considered the recommendation of the Planning and Zoning Commission, the reports of staff, and the subdivision requirements of Chapter 152 of the Codified Ordinances of the City of Dublin, and desires to approve said plat and accept all rights of way, easements, and other interests dedicated to the City therein;

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

Section 1. The City Council hereby approves and accepts the plat for University Boulevard, Phase 2, attached hereto and incorporated by reference as Exhibit A.

Section 2. The City Manager, Law Director, Clerk of Council, and any other required City employee or official are authorized to execute the plat on behalf of the City.

Section 3. Pursuant to Section 4.04 of the Charter, this resolution shall take effect immediately upon passage.

Passed this _____ day of _____, 2020.

Mayor – Presiding Officer

ATTEST:

Clerk of Council

RESUBDIVISION OF PART OF UNIVERSITY BOULEVARD PHASE 2

Situated in the State of Ohio, County of Franklin, City of Dublin, in Virginia Military Survey Number 3452, containing 64.276 acres of land, more or less, said 64.276 acres being a resubdivision of all of Lots 1A, 1B, 2A, 2B and 3 of the subdivision entitled "University Boulevard Phase 2", of record in Plat Book 128, Page 69, said Lots 1A, 1B and 3 being conveyed to the CITY OF DUBLIN, OHIO by deeds of record in Instrument Numbers 201607070086744, 201607070086746 and 201812180170863 and said Lots 2C and 2D being conveyed to the THE STATE OF OHIO FBO THE OHIO STATE UNIVERSITY by deed of record in Instrument Number 202007010095092, Recorder's Office, Franklin County, Ohio.

The undersigned, CITY OF DUBLIN, OHIO, an Ohio municipal corporation, by DANA McDANIEL, City Manager, and THE STATE OF OHIO FBO THE OHIO STATE UNIVERSITY by MICHAEL PAPADAKIS, Senior Vice President for Business and Finance & Chief Financial Officer, owners of the lands platted herein, duly authorized in the premises, do hereby certify that this plat correctly represents their "RESUBDIVISION OF PART OF UNIVERSITY BOULEVARD PHASE 2", a subdivision containing Lots numbered 1C, 1D, 2C, 2D, 3A and 6, does hereby accept this plat of same.

The undersigned further agrees that any use or improvements on this land shall be in conformity with all existing valid zoning, platting, health or other lawful rules and regulations, including applicable off-street parking and loading requirements of the City of Dublin, Ohio, for the benefit of itself and all other subsequent owners or assigns taking title from, under or through the undersigned.

In Witness Whereof, DANA McDANIEL, City Manager of CITY OF DUBLIN, OHIO, has hereunto set his hand this ___ day of ___, 20__.

Signed and Acknowledged
In the presence of: CITY OF DUBLIN, OHIO

By
DANA McDANIEL,
City Manager

STATE OF OHIO
COUNTY OF FRANKLIN ss:

Before me, a Notary Public in and for said State, personally appeared DANA McDANIEL, City Manager of CITY OF DUBLIN, OHIO, who acknowledged the signing of the foregoing instrument to be his voluntary act and deed and the voluntary act and deed of CITY OF DUBLIN, OHIO for the uses and purposes expressed herein.

In Witness Thereof, I have hereunto set my hand and affixed my official seal this day of ___, 20__.

My commission expires _____
Notary Public, _____ State of Ohio

In Witness Whereof, MICHAEL PAPADAKIS, Senior Vice President for Business and Finance & Chief Financial Officer of THE OHIO STATE UNIVERSITY on behalf of THE STATE OF OHIO FBO THE OHIO STATE UNIVERSITY, has hereunto set his hand this ___ day of ___, 20__.

Signed and Acknowledged
In the presence of: By: THE OHIO STATE UNIVERSITY

By
MICHAEL PAPADAKIS,
Senior Vice President for Business and
Finance & Chief Financial Officer

STATE OF OHIO
COUNTY OF FRANKLIN ss:

Before me, a Notary Public in and for said State, personally appeared MICHAEL PAPADAKIS, Senior Vice President for Business and Finance & Chief Financial Officer of THE OHIO STATE UNIVERSITY, who acknowledged the signing of the foregoing instrument to be his voluntary act and deed and the voluntary act and deed of THE STATE OF OHIO FBO THE OHIO STATE UNIVERSITY for the uses and purposes expressed herein.

In Witness Thereof, I have hereunto set my hand and affixed my official seal this day of ___, 20__.

My commission expires _____
Notary Public, _____ State of Ohio

Approved this ___ Day of _____, 20__
Director of Land Use and Long
Range Planning, _____
Dublin, Ohio

Approved this ___ Day of _____, 20__
City Engineer, _____
Dublin, Ohio

Approved this ___ day of _____, 20__, by resolution _____, by vote
of Council of the City of Dublin, Ohio.

In Witness Thereof I have hereunto
set my hand this _____ day of _____, 20__.
Clerk of Council, _____
Dublin, Ohio

Transferred this ___ day of _____, 20__.
Auditor, _____
Franklin County, Ohio

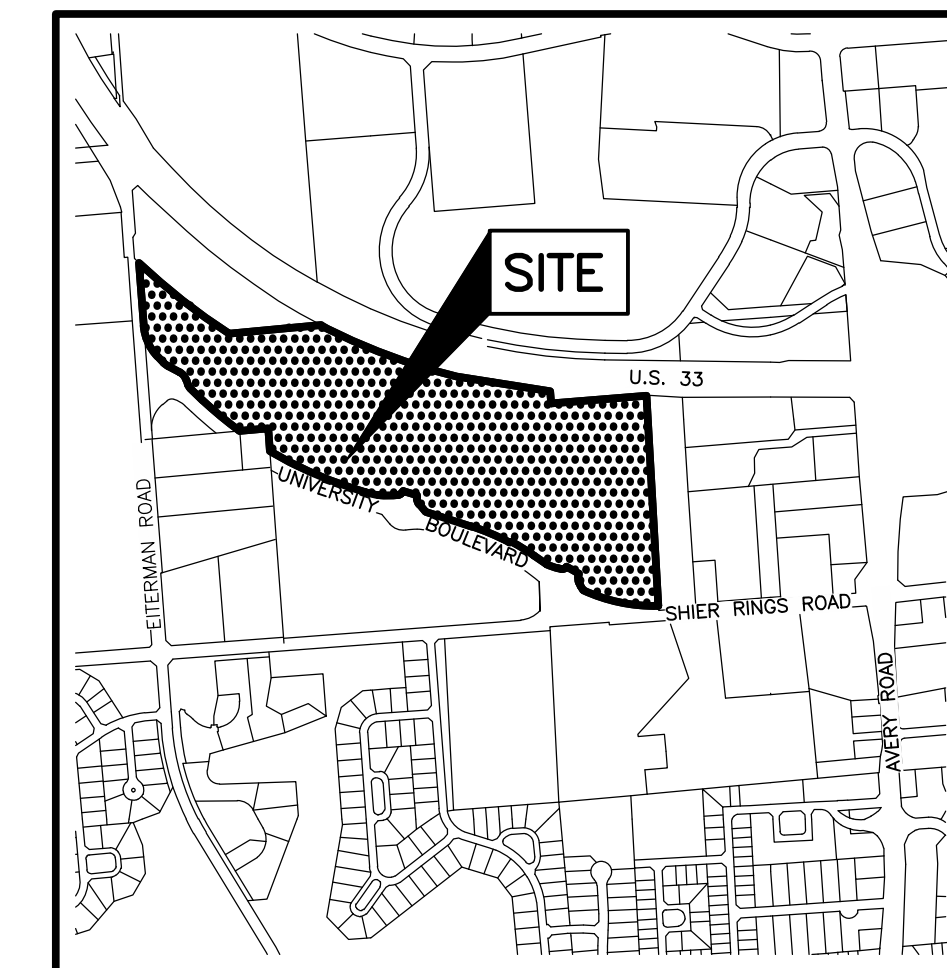
Deputy Auditor, _____
Franklin County, Ohio

Filed for record this ___ day of _____, 20__ at _____ M. Fee \$ _____
Recorder, _____
Franklin County, Ohio

File No. _____

Recorded this ___ day of _____, 20__.
Deputy Recorder, _____
Franklin County, Ohio

Plat Book _____, Pages _____



LOCATION MAP AND BACKGROUND DRAWING
NOT TO SCALE

SURVEY DATA:

BASIS OF BEARINGS: The bearings shown hereon are based on the Ohio State Plane Coordinate System, South Zone, as per NAD83 (1986 Adjustment). Control for bearings was from coordinates of monuments FCGS 5420 and FCGS 7752, established by the Franklin County Engineering Department, using Global Positioning System procedures and equipment, and having a bearing of North 85° 41' 49" East for a portion of the centerline of Shier Rings Road.

SOURCE OF DATA: The sources of recorded survey data referenced in the plan and text of this plat are the records of the Recorder's Office, Franklin County, Ohio.

IRON PINS: Iron pins, where indicated hereon, unless otherwise noted, are to be set and are iron pipes, thirteen sixteenths inch inside diameter, thirty inches long with a plastic plug placed in the top end bearing the initials EMHT INC.

PERMANENT MARKERS: Permanent markers, where indicated hereon, are to be one-inch diameter, thirty-inch long, solid iron pins. Pins are to be set to monument the points indicated, and set with the top end flush with the surface of the ground and then capped with an aluminum cap stamped EMHT INC. Once installed, the top of the cap shall be marked (punched) to record the actual location of the point.

SURVEYED & PLATTED
BY



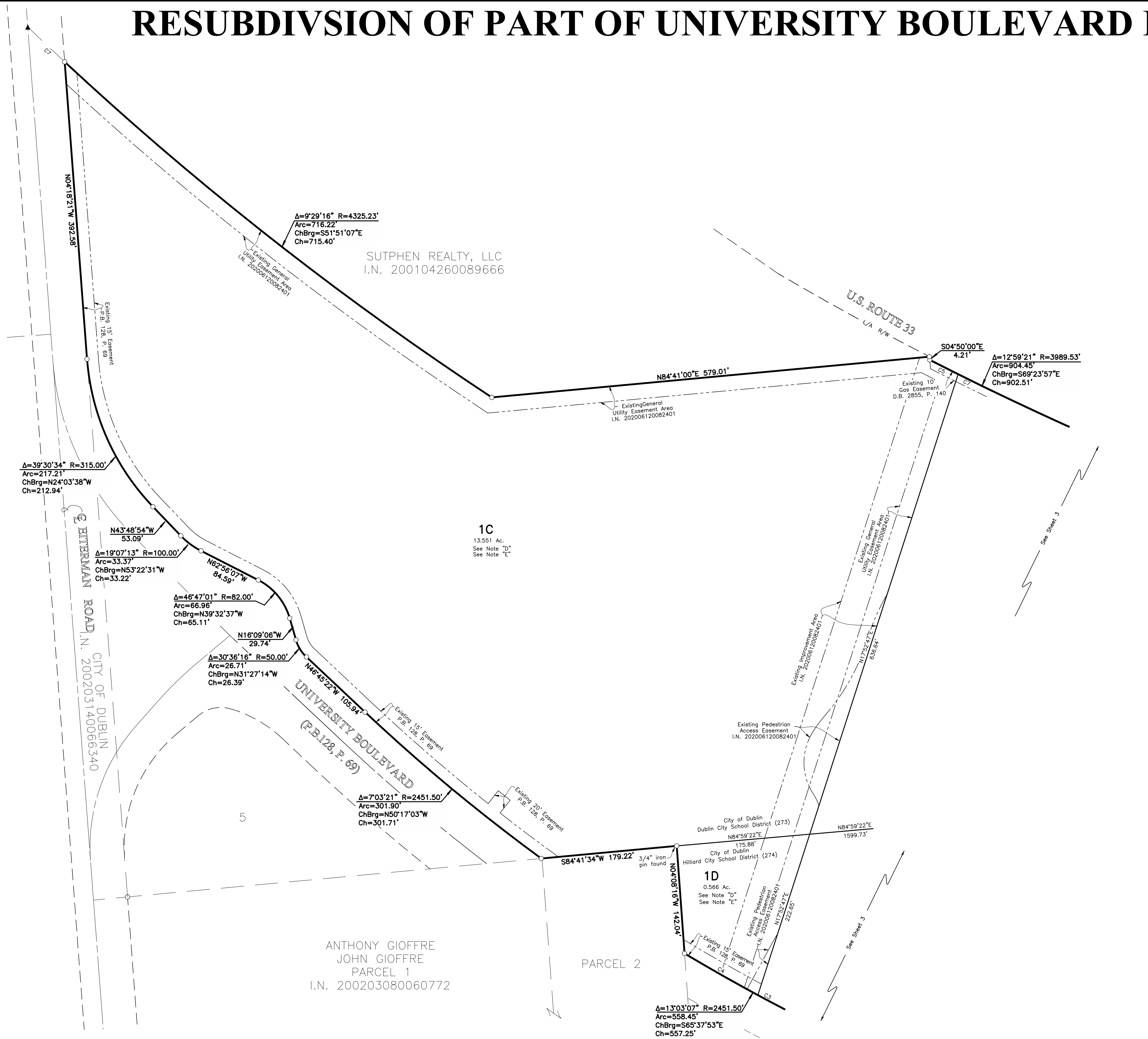
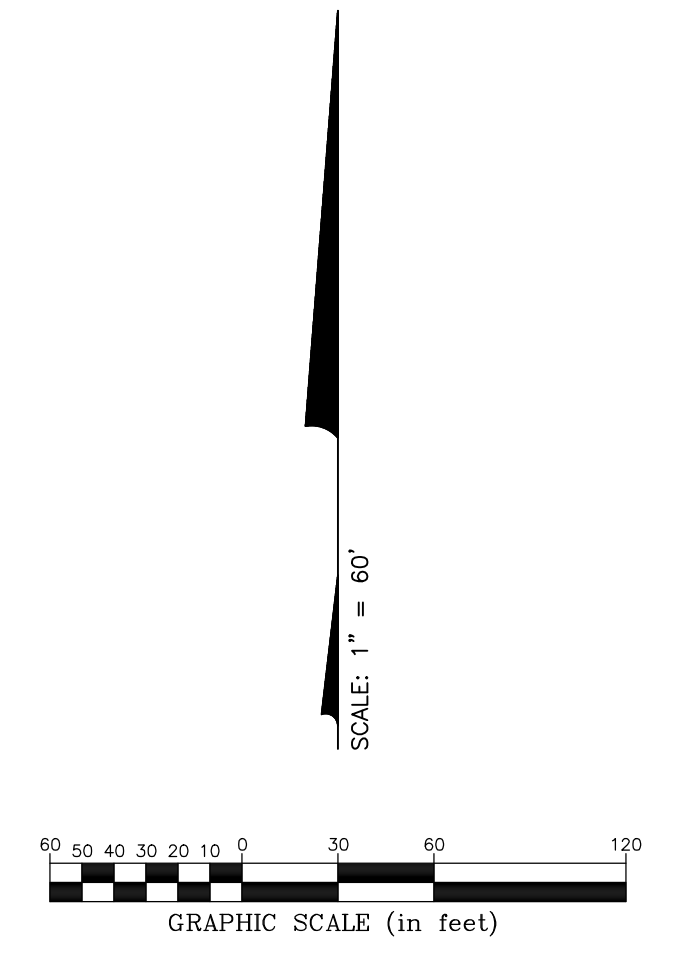
We do hereby certify that we have surveyed the above premises, prepared the attached plat, and that said plat is correct. All dimensions are in feet and decimal parts thereof.

- = Iron Pin (See Survey Data)
- = MAG Nail to be set
- ⊙ = Permanent Marker (See Survey Data)

By _____ Date _____
Professional Surveyor No. 7865

U:\2018\1446\DWG\CASHSHEETS\PLAT\20181446-AS-PLAT-01-LOTS-BUILDING plotted by MIREK, MATTHEW on 7/6/2020 10:13:21 AM last saved by MIREK on 6/30/2020 2:51:27 PM Xref: 20181446.DWG

RESUBDIVISION OF PART OF UNIVERSITY BOULEVARD PHASE 2



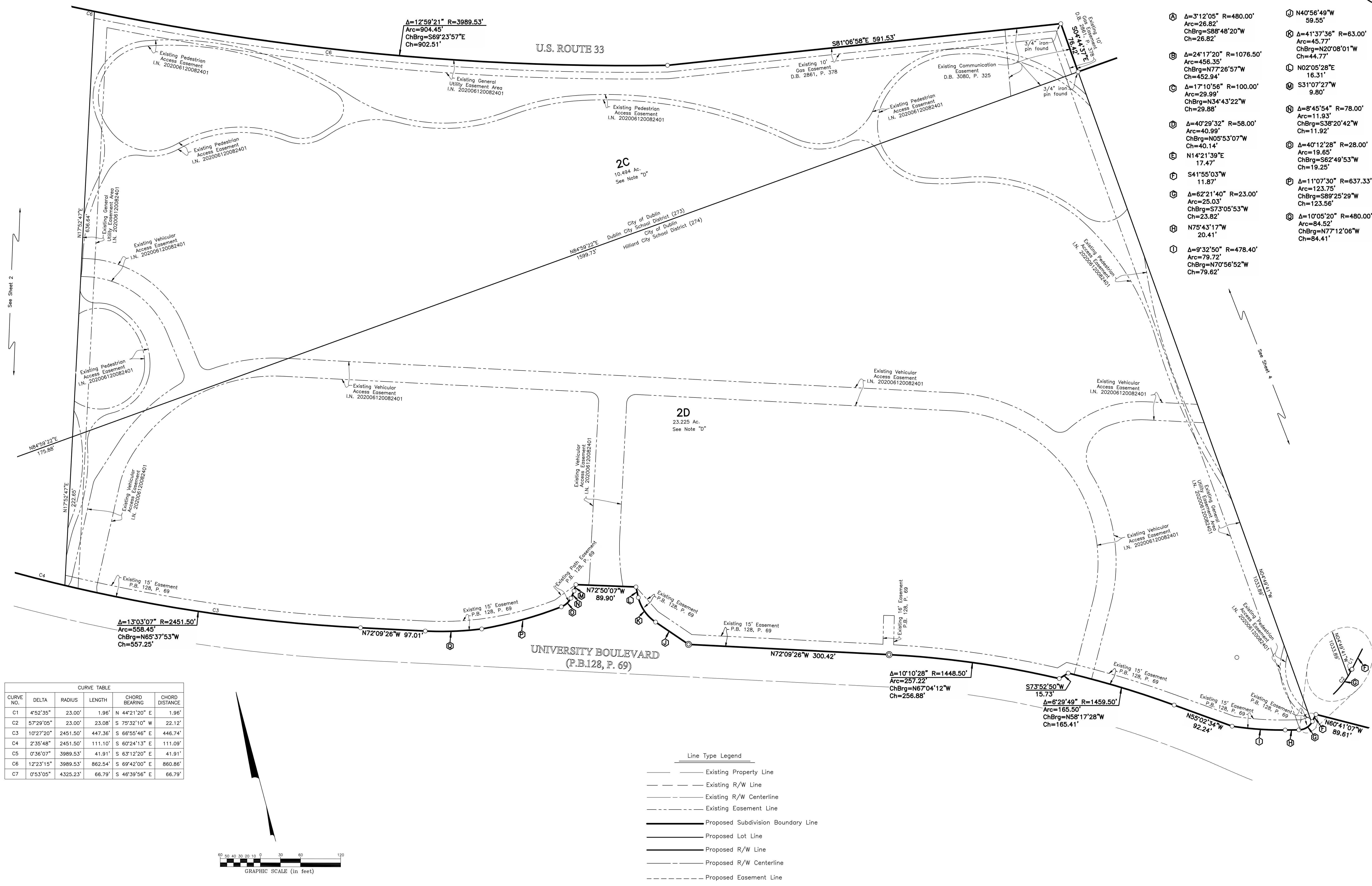
CURVE TABLE					
CURVE NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD DISTANCE
C1	4°52'35"	23.00'	1.96'	N 44°21'20" E	1.96'
C2	57°29'05"	23.00'	23.08'	S 75°32'10" W	22.12'
C3	10°27'20"	2451.50'	447.36'	S 66°55'46" E	446.74'
C4	2°35'48"	2451.50'	111.10'	S 60°24'13" E	111.09'
C5	0°36'07"	3989.53'	41.91'	S 63°12'20" E	41.91'
C6	12°23'15"	3989.53'	862.54'	S 69°42'00" E	860.86'
C7	0°53'05"	4325.23'	66.79'	S 46°39'56" E	66.79'

Line Type Legend

- Existing Property Line
- - - Existing R/W Line
- · - Existing R/W Centerline
- · - Existing Easement Line
- Proposed Subdivision Boundary Line
- Proposed Lot Line
- Proposed R/W Line
- · - Proposed R/W Centerline
- - - Proposed Easement Line

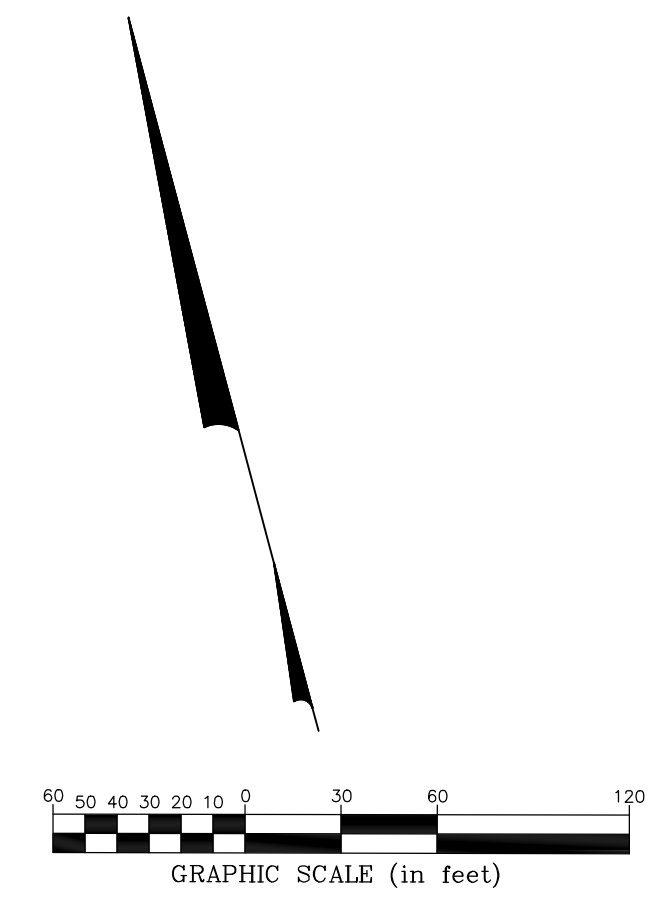
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 Xrefs: 20181446.DWG

RESUBDIVISION OF PART OF UNIVERSITY BOULEVARD PHASE 2



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ChBrg=S88°48'20"W
Ch=26.82'
- Ⓑ Δ=24°17'20" R=1076.50'
Arc=456.35'
ChBrg=N77°26'57"W
Ch=452.94'
- Ⓒ Δ=17°10'56" R=100.00'
Arc=29.99'
ChBrg=N34°43'22"W
Ch=29.88'
- Ⓓ Δ=40°29'32" R=58.00'
Arc=40.99'
ChBrg=N05°53'07"W
Ch=40.14'
- Ⓔ Δ=62°21'40" R=23.00'
Arc=25.03'
ChBrg=S73°05'53"W
Ch=23.82'
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Ch=79.62'
- Ⓖ Δ=41°37'36" R=63.00'
Arc=45.77'
ChBrg=N20°08'01"W
Ch=44.77'
- Ⓗ Δ=8°45'54" R=78.00'
Arc=11.93'
ChBrg=S38°20'42"W
Ch=11.92'
- Ⓘ Δ=40°12'28" R=28.00'
Arc=19.65'
ChBrg=S62°49'53"W
Ch=19.25'
- Ⓚ Δ=11°07'30" R=637.33'
Arc=123.75'
ChBrg=S89°25'29"W
Ch=123.56'
- Ⓛ Δ=10°05'20" R=480.00'
Arc=84.52'
ChBrg=N77°12'06"W
Ch=84.41'
- Ⓜ Δ=4°56'49"W
59.55'
- Ⓝ S31°07'27"W
9.80'
- Ⓞ Δ=8°45'54" R=78.00'
Arc=11.93'
ChBrg=S38°20'42"W
Ch=11.92'
- Ⓟ Δ=40°12'28" R=28.00'
Arc=19.65'
ChBrg=S62°49'53"W
Ch=19.25'
- Ⓠ Δ=11°07'30" R=637.33'
Arc=123.75'
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Ch=123.56'
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Arc=84.52'
ChBrg=N77°12'06"W
Ch=84.41'

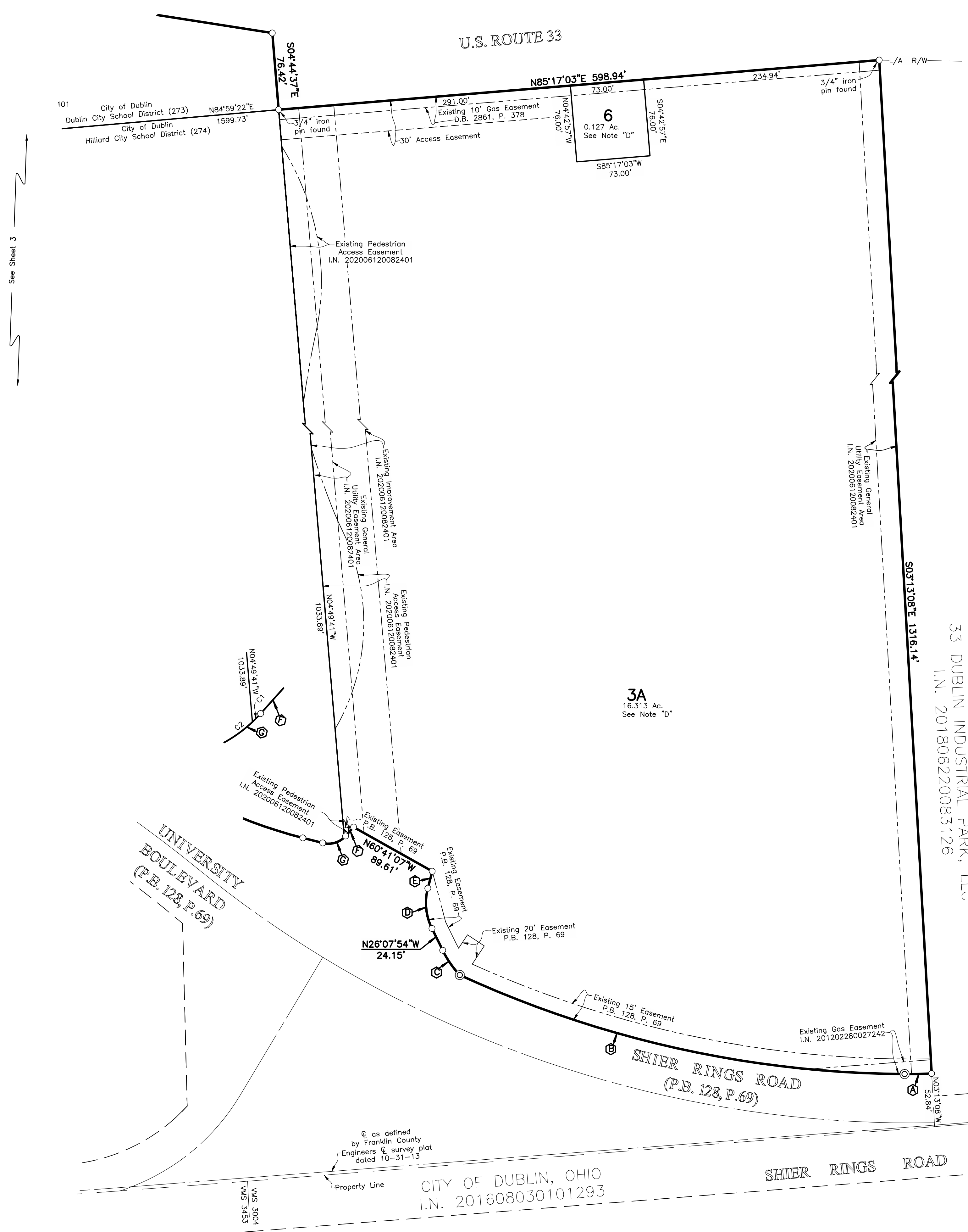
CURVE NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD DISTANCE
C1	4°52'35"	23.00'	1.96'	N 44°21'20" E	1.96'
C2	57°29'05"	23.00'	23.08'	S 75°32'10" W	22.12'
C3	10°27'20"	2451.50'	447.36'	S 66°55'46" E	446.74'
C4	2°35'48"	2451.50'	111.10'	S 60°24'13" E	111.09'
C5	0°36'07"	3989.53'	41.91'	S 63°12'20" E	41.91'
C6	12°23'15"	3989.53'	862.54'	S 69°42'00" E	860.86'
C7	0°53'05"	4325.23'	66.79'	S 46°39'56" E	66.79'



- Line Type Legend
- Existing Property Line
 - - - Existing R/W Line
 - · - Existing R/W Centerline
 - · - Existing Easement Line
 - Proposed Subdivision Boundary Line
 - Proposed Lot Line
 - Proposed R/W Line
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 - - - Proposed Easement Line

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 User: JMWASTON
 Date: 7/16/2020 10:12:01 AM
 Plot Date: 7/16/2020 9:47:03 AM
 Plot Scale: 1"=100'

RESUBDIVISION OF PART OF UNIVERSITY BOULEVARD PHASE 2



NOTE "A" - MINIMUM SETBACKS: City of Dublin zoning regulations for Resubdivision of part of University Boulevard Phase 2 in effect at the time of platting are established per chapter 153 of the City of Dublin Code of Ordinances.

Said zoning regulations and any amendments thereto passed subsequent to acceptance of this plat, should be reviewed to determine the then current requirements. This notice is solely for the purpose of notifying the public of the existence, at the time of platting, of certain zoning regulations applicable to this property. This notice shall not be interpreted as creating plat or subdivision restrictions, private use restrictions, covenants running with the land or title encumbrances of any nature, and is for informational purposes only.

NOTE "B": At the time of platting, all of Resubdivision of part of University Boulevard Phase 2 is in Zone X (areas determined to be outside of the 0.2% annual chance floodplain) as said zone is designated and delineated on the FEMA Flood Insurance Rate Map for Franklin County, Ohio and Incorporated Areas, Map Number 39049C0131K, with effective date of June 17, 2008.

NOTE "C" - ACREAGE BREAKDOWN: Resubdivision of part of University Boulevard Phase 2 is comprised of the following Franklin County Parcel Numbers:

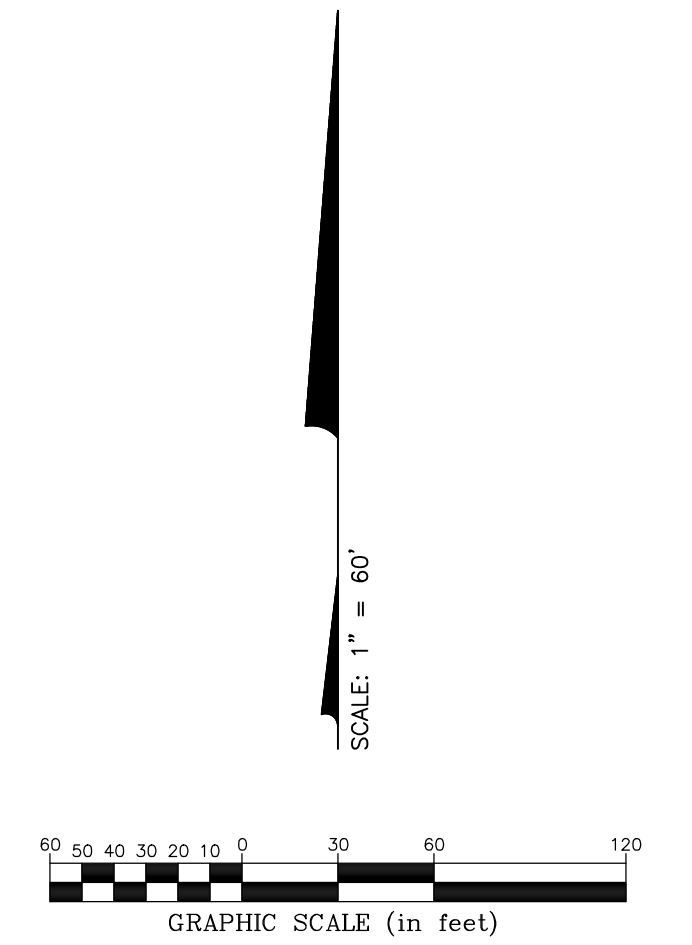
273-013138	13.551 Ac.
273-013139	10.494 Ac.
274-012314	0.566 Ac.
274-012315	23.225 Ac.
274-012316	16.440 Ac.

NOTE "D": Lots 1C, 1D, 2C, 2D, 3A and 6, as designated and delineated hereon, are subject to the terms and conditions described in the existing Declaration of Reciprocal Easements, of record in Instrument Number 202006120082401. The declarations, easements, and other recorded instruments referenced herein may be amended in the future pursuant to their respective terms and provisions and without the requirement to modify, alter, or update this plat.

NOTE "E": Lots 1C and 1D, as designated and delineated hereon, shall be restricted to only be conveyed as a unified title in a single instrument of conveyance and may not be partitioned without the expressed approval by the City of Dublin.

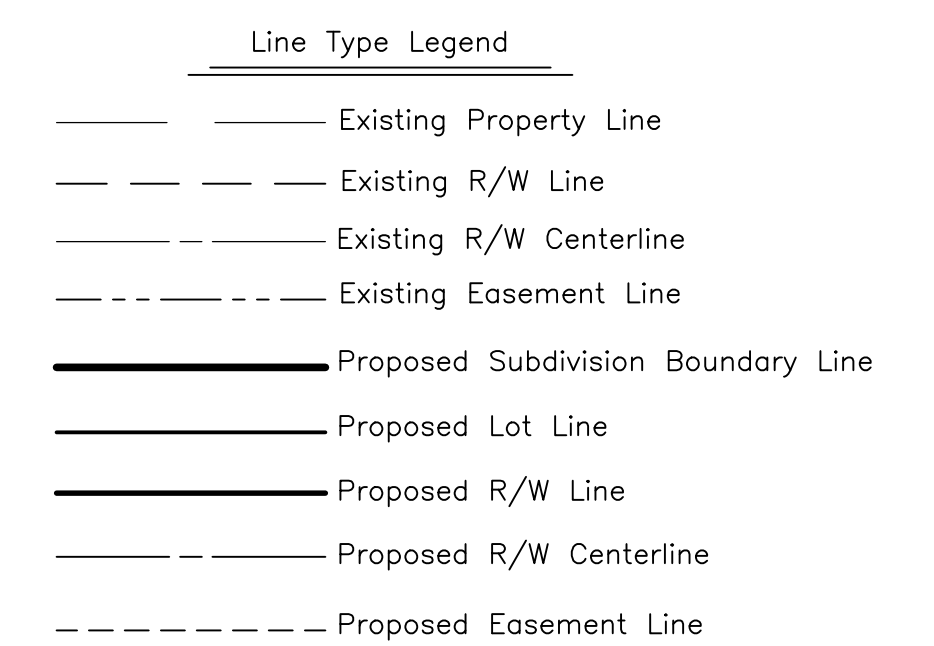
NOTE "F" - ACCESS EASEMENT: An "Access Easement" is herein created for the purpose of providing reasonable access, ingress, egress and passage over the areas depicted hereon to and from Lot 6.

NOTE "G": At the time of platting, electric, cable, and telephone service providers have not issued information required so that easement areas, in addition to those shown on this plat as deemed necessary by these providers for the installation and maintenance of all of their main line facilities, could conveniently be shown on this plat. Existing recorded easement information about Resubdivision of part of University Boulevard Phase 2 or any part thereof can be acquired by a competent examination of the then current public records, including those in the Franklin County Recorder's Office.



CURVE TABLE					
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C1	4°52'35"	23.00'	1.96'	N 44°21'20" E	1.96'
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Ch=452.94'
- Ⓒ Δ=17°10'56" R=100.00'
Arc=29.99'
ChBrg=N34°43'22"W
Ch=29.88'
- Ⓓ Δ=40°29'32" R=58.00'
Arc=40.99'
ChBrg=N05°53'07"W
Ch=40.14'
- Ⓔ N14°21'39"E
17.47'
- Ⓕ S41°55'03"W
11.87'
- Ⓖ Δ=62°21'40" R=23.00'
Arc=25.03'
ChBrg=S73°05'53"W
Ch=23.82'
- Ⓗ N75°43'17"W
20.41'
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ChBrg=N20°08'01"W
Ch=44.77'
- Ⓞ N02°05'28"E
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- Ⓜ S31°07'27"W
9.80'
- Ⓟ Δ=8°45'54" R=78.00'
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Arc=84.52'
ChBrg=N77°12'06"W
Ch=84.41'
- Ⓣ N40°56'49"W
59.55'



J:\2018\1446\DWG\CASHIERS\PLAT\20181446-AS-PLAT-01-LOTS-BUILDING plotted by MIRA, MATTHEW on 7/16/2020 11:49:18 AM
 Xref: 20181446.DWG



RECORD OF ACTION

Planning & Zoning Commission

Thursday, July 9, 2020 | 6:30 pm

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

6. University Boulevard, Phase 2 20-117FP

6600 Shier Rings Road Final Plat (Re-subdivision)

Proposal: Final Plat to address County requirements for parcels crossing school district boundaries and to create a parcel for the preservation of a historic cemetery.

Location: North side of Shier Rings Road, approximately 1,800 feet east of the intersection with Avery Road.

Request: Review and recommendation of approval to City Council for a Final Plat and lot size variances to re-subdivide certain lots approved as part of the University Boulevard, Phase 2 Final Plat under the provisions of Chapter 152: Subdivision Regulations of the Code.

Applicant: Dana L. McDaniel, City Manager, City of Dublin

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

Contact Information: 614.410.4675, chusak@dublin.oh.us

Case Information: www.dublinohiousa.gov/pzc/20-117

MOTION 1: Mr. Grimes moved, Mr. Supelak seconded, to recommend approval of the following variances from the Subdivision Regulations to City Council:

1. To permit the creation of Lot 1D at 0.566-acre instead of meeting the Zoning Code required 3-acre minimum; and
2. To permit the creation of Lot 6 at 0.127-acre instead of meeting the Zoning Code required 3-acre minimum.

VOTE: 7 – 0.

RESULT: The variances were recommended for approval to City Council.

RECORDED VOTES:

Leo Grimes	Yes
Kristina Kennedy	Yes
Mark Supelak	Yes
Lance Schneier	Yes
Rebecca Call	Yes
Warren Fishman	Yes



**6. University Boulevard, Phase 2
20-117FP**

**6600 Shier Rings Road
Final Plat (Re-subdivision)**

MOTION 2: Mr. Fishman moved, Mr. Grimes seconded, to recommend approval to City Council for the Final Plat with the following condition:

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

VOTE: 7 – 0.

RESULT: The Final Plat was recommended for approval and forwarded to City Council.

RECORDED VOTES:

Warren Fishman	Yes
Lance Schneier	Yes
Mark Supelak	Yes
Kristina Kennedy	Yes
Leo Grimes	Yes
Rebecca Call	Yes

STAFF CERTIFICATION

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



20-117FP - Resubdivision - University Boulevard, Phase 2

Summary

A request for review and recommendation of approval to City Council for a Final Plat and lot size variances to resubdivide certain lots approved as part of the University Boulevard, Phase 2 Final Plat to address County requirements for parcels crossing school district boundaries and to create a parcel for the preservation of a historic cemetery.

Site Location

North side of Shier Rings Road, approximately 1,800 feet east of the intersection with Avery Road.

Property Owner

City of Dublin and The Ohio State University

Applicant/Representative

Dana McDaniel, City Manager, City of Dublin

Applicable Land Use Regulations

Subdivision Regulations

Case Manager

Claudia Husak, AICP, Senior Planner/Current Planning Manager
(614) 410-4675
chusak@dublin.oh.us

Next Steps

Upon recommendation of approval to City Council from the Planning and Zoning Commission for the Final Plat, the application will be eligible for review by Council for final acceptance.

Zoning Map



1. Context Map



 <p>City of Dublin</p>	<p>20-117FP Final Plat University Boulevard, Phase 2 6600 Shire-Rings Road</p>	<p>0 335 670 Feet</p> 
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2. Overview

Background

The site consists of six parcels with approximately 2,000 feet of frontage along US 33 and approximately 3,500 feet of frontage along the University Boulevard, Phase 2 right-of-way. The parcels were annexed to the City in 2004 (Ord. 47-04) and 1996 (Ord. 64-96) and the City of Dublin purchased the parcels for economic development purposes in 2016 and 2018 and The Ohio State University purchased parcels 2C and 2D for the future OSU Wexner Medical Center.

All of the parcels were rezoned in 2011 from R, Rural District and R-1, Restricted Suburban Residential District to ID-1, Research/Office District as part of an on-going effort to aid in the implementation of the long-term vision of this area as an important Economic Advancement Zone and Innovation District. In 2019, City Council approved the rezoning of parcels 2C and 2D to PUD, Planned Unit Development (Ordinance 53-19) and the preliminary plat was accepted by City Council at the same time (Resolution 59-19). The final plat was recommended for approval by the Planning and Zoning Commission on March 5, 2020 and accepted by City Council on April 13, 2020. The Commission also approved a final development plan for the OSU Wexner Medical Center on April 30, 2020.

Upon recording of the plat with Franklin County, the Recorder's Office noted a recently instituted requirement to split lots along School District boundaries. Lots 1 and 2 from the originally accepted plat are impacted by this requirement. Lot 1 includes 0.566-acre in the southeast portion located in the Hilliard City School District; the remaining 13.551 acres are located in the Dublin City School District. Lot 2 is diagonally split northeast to southwest, with the southern 23.225 acres in the Hilliard City School District and the northern 10.494 acres in the Dublin City School District. The requirement to create separate lots along the School District boundaries creates a need for a variance approval for the lot size of the 0.566-acre portion of Lot 1 (shown as Lot 1D), where a minimum of 3 acres is required.

Staff has been working with The Ohio State University staff to coordinate and implement the projects included in the Economic Development Agreement including the Wexner Medical Center, Cosgray Ditch Relocation, University Boulevard, Phase 2 and the Shier Rings Road and Avery Road Intersection Improvements & Old Avery Road Relocation. During the cultural resources work, staff became aware of the likely existence of an unknown cemetery within the project limits defined in the permit application submitted to the U.S. Army Corp of Engineers (USACE). Further research was performed which confirmed the likely existence of the cemetery known as the Brown-Harris Cemetery.

Based upon various accounts originating from the Rings family, the Ohio History Connection required a geophysical survey of the northeastern portion of the project area to attempt to locate the cemetery. The results of the survey identified several areas of anomalies. A total of 20 likely grave shafts and two possible grave shafts were identified during excavation. It appears from historic property records that the cemetery is located in the northwest corner of property that was owned by the Browns, an African-American family that owned the property from the mid-1800s to 1915. Based on the number of graves, it seems likely that several families may have family members in the cemetery, including the neighboring Harris family.

The cemetery was determined to be eligible for inclusion to the National Register of Historic Places, as it is likely to contain information that would be critical to our understanding of early burial traditions of African-American settlers to the region. The City of Dublin has committed to avoid the cemetery and preserving it in place with a number of stipulations, including providing public access and maintaining the cemetery, installing a wall or fence around the cemetery, erecting a memorial or historical marker, installing an educational public information sign, and conducting additional research to identify descendant communities. This plat subdivides Lot 3A to create a separate Lot 6) for the cemetery to ensure continued ownership by the City and aid in preservation. Lot 6 is 0.127-acre and will also require the approval of a variance for lot size.

Site Characteristics

Natural Features

The site is currently vacant and contains minimal grade change from the northern portion of the site to the southern portion of the site. A tree row exists along the existing alignment of Cosgray Ditch. A farm drainage ditch "Cosgray Ditch" runs east/west through the center of the western parcel, then turns south between the two southern parcels. The ditch is in a City Stream Corridor Protection Zone, which the City intends to relocate to the south.

A portion of the north side of the site drains in the roadside ditches of U.S. 33. Wetlands were identified on the site. One is located along Eiterman Road near the shared property line with the Sutphen Corporation and the other is near U.S. 33. The second one will be impacted by the OSU development and is being mitigated with payment into a wetland bank.

Historic and Cultural Facilities

As part of the Rings Farmstead, a windmill structure was salvaged by the City and the historic Brown-Harris Cemetery was identified in the northeast portion of the site, an area to be preserved and placed on the National Register of Historic Places.

Surrounding Zoning and Land Use

North: US 33 and the Sutphen Corporation (Washington Township)

East: ID-1, Research/Office District (Avery Road Industrial Park, industrial and storage)

South: ID-1, Research/Office District (vacant)

West: Unincorporated, vacant land in Washington Township, across Eiterman Road

Road, Pedestrian and Bike Network

The site has frontage, but no direct access to US 33 to the north. A new transportation network will be needed to access the site.

Utilities

The site is currently not served by public utilities.

Proposal

Summary

The proposed final plat includes the resubdivision of previously approved lots to adhere to requirements from the Franklin County Recorder's office regarding School District boundaries and to create a separate lot to ensure the City-ownership and preservation of the historic Brown-Harris Cemetery.

Zoning and Lot Details

The final plat includes the following lots (lots with letters added were previously approved and are lettered to distinguish previous versions):

- Lot 1C (13.551 acres in the Dublin City School District) and Lot 1D (0.566-acre in the Hilliard City School District) are in the northwestern portion of the site, north of proposed University Boulevard and south of the Sutphen site. As the West Innovation District requires a minimum lot size of 3 acres, this lot will require a variance to be approved by City Council. However, the plat includes a note, Note "E", requiring the unified conveyance of both and stipulate any partitioning to require City approval.
- Lot 2C (10.494 acres in the Dublin City School District) and Lot 2D (23.225 acres in the Hilliard City School District) are located south of U.S. 33 and north of University Boulevard. Both lots were reviewed as one site and received approval of a final development plan from the Planning and Zoning Commission. The approved developments text permits construction across internal lot lines.
- Lot 3A is 16.313 acres and located south of U.S. 33 and north of where University Boulevard extends west off Shier Rings Road.
- Lot 6 is 0.127-acre and creates the separate lot for the preservation of the historic Brown-Harris Cemetery. As the West Innovation District requires a minimum lot size of 3 acres, this lot will require a variance to be approved by City Council.

All lots meet all Zoning Code requirements except Lots 1D and 6. Both lots are required to be created either by the County or to preserve the historic cemetery.

Streets

No new streets will be created with this plat.

Open Space

No open space is required for commercial subdivisions.

3. Criteria Analysis

The Zoning Code does not contain specific criteria to guide the review of plats. Planning bases the evaluation on the conformance of the plat with the requirements set forth in Chapter 152: Subdivision Regulations of the Code:

- 1) Plat Information and Construction Requirements
Criteria Met. The proposal is consistent with the requirements of the Subdivision Regulations. The applicant will be required to make any minor technical adjustments prior to Council review.
- 2) Lots, Street, Sidewalk, and Bikepath Standards
Criteria Met with previous Variance Approval. Lots 1D and 6 do not meet the minimum lot size standard. Both lots are required by outside entities, with the City committing to the preservation and ownership of the historic Brown-Harris Cemetery.
- 3) Utilities
Criteria Met. Proposed and existing utilities were included in the preliminary plat.

- 4) Open Space Requirements
Criteria Met. Open space dedication is not required with this plat.

4. Recommendation

Approval is recommended for the following variances from the Subdivision Regulations:

- 1) To permit the creation of Lot 1D at 0.566-acre instead of meeting the Zoning Code required 3-acre minimum.
- 2) To permit the creation of Lot 6 at 0.127-acre instead of meeting the Zoning Code required 3-acre minimum.

Staff has determined that the application complies with all applicable review consideration and is recommending **approval** with one condition:

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

RECORD OF PROCEEDINGS

April 13, 2020

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Held

Resolution 23-20

Approving and Accepting the Final Plat for The Corners Subdivision.

Mr. Reiner introduced the Resolution.

Ms. Husak stated that this is a request for final plat approval for The Corners – a subdivision of 24 acres. The zoning for the eastern portion of the site was approved by Council in December, and the western portion of the site retains the current zoning of Office/Laboratory/Research (OLR). She noted that Lot 1 on this 24-acre plat is a Smart parking lot used by Cardinal Health and the parking lot will continue to be owned by the City. Lots 2 and 3 are both part of The Corners development and are zoned PUD. Lot 2 will be a future public park and accommodates two existing retention ponds. Lot 3 will be the commercial development known as The Corners. The applicant has requested to move forward with the first two phases potentially of final development plans on those two parcels. She shared a view of the plat.

Staff is continuing to work on a condition related to a previous retention pond and existing easements. Staff is working with the owners of those easements to vacate the easements, and that vacation will be done under a separate action.

Planning & Zoning Commission recommended approval at their March 5, 2020 meeting with the following conditions:

1. That the applicant ensures that any minor technical adjustments to the plat are made prior to City Council submittal, and;
2. That the City coordinate the vacation of the retention easement in the southeast portion of the site.

Mr. Reiner asked about the vacation of the retention basin – are we keeping the basin, or just vacating the easements.

Ms. Husak stated that the retention basin actually does not exist at this time. When the smart parking lot was constructed, the basins were relocated. That specific retention basin was removed, but the easements were not vacated at that time.

Mayor Amorose Groomes stated that the retention basins are now located on the City property portion, correct?

Ms. Husak responded that is correct.

Ms. Fox stated the plat is fine. However, she wants to ensure moving forward that the two entities involved in the design and construction work closely together to create the park space that will incorporate well with the development.

Ms. Husak responded that bi-weekly meetings are held with the Daimler team and the City Parks and Engineering departments to work through all of the details.

Ms. Fox stated that she is aware that the adjacent residents are very excited about this park. She is hopeful there is opportunity for public input.

Ms. Husak responded that there will be such opportunity provided.

There was no public testimony received via e-mail or via the website.

Vote on the Resolution: Mr. Peterson, yes; Vice Mayor De Rosa, yes; Mr. Reiner, yes; Ms. Alutto, yes; Mayor Amorose Groomes, yes; Ms. Fox, yes; Mr. Keeler, yes.

Resolution 24-20

Approving and Accepting the Final Plat for University Boulevard Phase 2 Right-of-Way Dedication and Subdivision.

Ms. Alutto introduced the Resolution.

Ms. Husak stated that this was reviewed and recommended for approval by Planning and Zoning Commission on March 5. This site consists of 101 acres. The zoning for the site includes primarily ID-1 in the West Innovation District. In November, Council approved the rezoning for the OSU Wexner Medical Center as a PUD. The plat is primarily for the right-of-way for University Boulevard. It is the piece that ends at Eiterman Road and goes down to Shier-Rings Road. It is to accommodate development within this area. This piece ties into the regional roadway network as outlined partially and primarily in the Thoroughfare Plan for the West Innovation District. Another

RECORD OF PROCEEDINGS

April 13, 2020

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Held

graphic shows an overview of the plat. All lots meet all Zoning Code requirements except Lot 5. This lot is a residual of land based on the geometric layout of University Boulevard and the City-owned property boundaries. City Council approved a variance for this lot through the platting process on November 4, 2019. Lot 2 is the largest parcel in the plat, which will be conveyed to OSU upon approval of this plat. On March 5, 2020, the Planning & Zoning Commission reviewed and recommended approval to City Council of the final plat with the below condition:

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

The applicant has met the condition for the plat.

Ms. Fox asked about the easement between Lots 1 and 2. Is that easement to accommodate the Council and PZC desire to have more public paths?

Ms. Husak explained that OSU has accommodated that request by having a path on both sides of their site – to the east and west – and they meander on and off their site. In discussions with the City, it was determined the paths would be publicly accessible and would therefore not need to be entirely accommodated on the OSU site. The easements take care of the location of those paths, and there will be landscaping as well.

Ms. Fox stated that, knowing it is an easement and it is public use, there will not therefore be a future issue for the public using the paths on private property. That was the issue raised by PZC.

Ms. Husak responded it is City-owned property on either side. The applicant has also provided declarations that will be recorded with the plat that clarifies the intended use as public purpose.

There was no public testimony received via e-mail or via the website.

Vote on the Resolution: Ms. Alutto, yes; Vice Mayor De Rosa, yes; Ms. Fox, yes; Mayor Amorose Groomes yes; Mr. Keeler, yes; Mr. Reiner, yes; Mr. Peterson, yes.

STAFF COMMENTS

Mr. McDaniel reported the following:

- Thanked Council for their leadership and support during this time!
- Thanked residents for abiding by the Governor's stay at home order.
- Noted that residents have shown great support to our employees and first responders, which is very much appreciated.
- Dublin staff remains on the job and necessary city services remain in place. Thankfully, everyone is very healthy. He is proud of staff's commitment to serve.
- Thanked Washington Township and noted that Mr. Richter and Chief O'Connell are involved in the daily virtual meetings taking place throughout the pandemic.
- Our community partners have provided great support throughout this pandemic situation. The City is most appreciative of their ongoing support.
- Noted that we are committed to meeting whatever needs may arise and adjusting as necessary.
- Appreciates the cooperation of City businesses during this challenging time.
- Thanked the Dublin Chamber for their partnership and support to the businesses.
- In terms of economic impact, we are working to estimate what we believe the impact might be. He plans to brief Council on April 27 about what we know to date. It is an evolving situation and will be changing, but we will keep people informed and continue to deliver services.
- Commented that if residents have any questions or comments, please let him know.

Mayor Amorose Groomes echoed the appreciation for all of the community partners.

COUNCIL COMMITTEE REPORTS

RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc., Form No. 30045

59-19

Resolution No. _____

Passed _____, 20____

A RESOLUTION APPROVING AND ACCEPTING THE PLAT FOR UNIVERSITY BOULEVARD PHASE 2 RIGHT-OF-WAY DEDICATION AND SUBDIVISION WITH A VARIANCE TO LOT SIZE

WHEREAS, application for approval of the plat for University Boulevard Phase 2 has been made under Chapter 152 of the Codified Ordinances of the City of Dublin; and

WHEREAS, the plat application has been reviewed by the Planning and Zoning Commission, which has recommended approval and acceptance of the plat; and

WHEREAS, the Council has considered the recommendation of the Planning and Zoning Commission, the reports of staff, and the subdivision requirements of Chapter 152 of the Codified Ordinances of the City of Dublin, and desires to approve said plat and accept all rights of way, easements, and other interests dedicated to the City therein;

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

Section 1. The City Council hereby approves and accepts the plat for University Boulevard Phase 2, attached hereto and incorporated by reference as Exhibit A.

Section 2. The City Manager, Law Director, Clerk of Council, and any other required City employee or official are authorized to execute the plat on behalf of the City.

Section 3. Pursuant to Section 4.04 of the Charter, this resolution shall take effect immediately upon passage.

Passed this 4th day of November, 2019.



Mayor – Presiding Officer

ATTEST:



Clerk of Council (Acting)

RECORD OF PROCEEDINGS

Minutes of

Dublin City Council

Meeting

BARRETT BROTHERS - DAYTON, OHIO

Form 6101

November 4, 2019

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Held

~~Ms. Husak stated that she added language to Condition number 4 to reflect the use of bio swales.~~

~~Mr. McDaniel asked Mr. Underhill to come forward, representing the applicant, to state whether the intention stated here was correct.~~

~~Mr. Aaron Underhill, 8000 Walton Parkway, New Albany, came forward and stated he is in agreement with the language in the condition and the intention expressed.~~

~~Vote on the Ordinance: Mr. Keenan, yes; Vice Mayor Amorose Groomes, yes; Ms. De Rosa, yes; Mr. Reiner, yes; Ms. Fox, yes; Mayor Peterson, yes. (Ms. Alutto abstained due to her work relationship with OSU).~~

Resolution 59-19

Approving and Accepting the Plat for University Boulevard Phase 2 Right-of-Way Dedication and Subdivision with a Variance to Lot Size.

Ms. Husak stated that this plat creates a right-of-way for the purposes of accessing this site and also creates lots, one of which will be developed with the OSU project. The Planning and Zoning Commission recommends approval of the plat. The regional roadway network that this ties into has been shared with the applicant as well as members of the community over the last few months. Ms. Husak shared graphics illustrating the infrastructure needs throughout the various phases of this project, such as the relocation of the Cosgray Ditch and the roundabouts that will be incorporated. There are no other proposed developments as a part of this plat regarding the other 4 parcels.

Ms. Husak noted that all of the parcels are zoned in the West Innovation District and there is a requirement for parcels to be not less than 3 acres in size. There is one parcel that was created as part of this that is residual land that cannot really be developed and is under 3 acres. Because it does not meet the underlying zoning, staff is requesting that Council approve a variance that allows this lot (lot 5) to be created at less than 3 acres. In response to Mr. Keenan's question regarding who is adjacent to lot 5, Ms. Husak stated that Gioffre Companies, Inc. is located to the south.

Vice Mayor Amorose Groomes asked for additional explanation regarding the creation of lot 5 and why it wasn't just left as residual land for now.

Ms. Husak stated that due to the lot lines and the Gioffre property, it creates a lot. The only other thing that could be done is to make it all right-of-way.

Vice Mayor Amorose Groomes asked why it couldn't just be left as right-of-way until a lot is created. It seems a lot will be created when the land acquisition occurs for the balance of University Boulevard.

Ms. Husak stated that she isn't sure that would occur. It is just the geometry of the intersection and not that much right-of-way is needed.

Vice Mayor Amorose Groomes asked why it is shaped that way. She also asked why we don't have the right-of-way along University Boulevard and why doesn't it front all of Eiterman.

Mr. McDaniel stated that this is an interim condition. University Boulevard will eventually be extended to the north and west, but for now it has to tie into Eiterman Road.

Ms. Cox stated that Eiterman is being swept slightly to the north and east to the single lane roundabout, so the lot that is created is between the Gioffre property and the roundabout. It could have been labeled as reserve, but it may need to be modified again as University Boulevard is extended to the west.

Vice Mayor Amorose Groomes stated that she doesn't want to break our own rules if it is not necessary.

Ms. Cox stated that she understands her concern.

Mr. McDaniel stated that this could be potentially negotiated as part of a property deal with a neighboring landowner. If the neighbor prefers not to do that, then this has to be held as a separate lot for now.

Vote on the Variance: Vice Mayor Amorose Groomes, yes; Ms. Fox, yes; Mr. Keenan, yes; Ms. De Rosa, yes; Mayor Peterson, yes; Mr. Reiner, yes.

Vote on the Resolution: Ms. Fox, yes; Ms. De Rosa, yes; Mr. Reiner, yes; Mr. Keenan, yes; Mayor Peterson, yes; Vice Mayor Amorose Groomes, yes.

RECORD OF PROCEEDINGS

November 4, 2019

Page 3 of 13

Held _____

Ms. Alutto abstained from this discussion and vote due to her working relationship with OSU.

[Ms. Alutto rejoined the session. The second reading/public hearing of ordinances continued.]

Mayor Peterson moved to waive the Council Rules to address Ordinances 54-19, 55-19 and 56-19 together.

Mr. Reiner seconded the motion.

Vote on the Motion: Vice Mayor Amorose Groomes, yes; Mr. Keenan, yes; Ms. Alutto, yes; Mr. Reiner, yes; Ms. Fox, yes; Ms. De Rosa, yes; Mayor Peterson, yes.

Ordinance 54-19

~~Authorizing the City Manager to Execute and Accept Necessary Conveyance Documents and Contracts to Acquire a 0.041-Acre Fee Simple Warranty Deed for Right-of-Way, Without Limitation of Existing Access Rights and a 0.075-Acre Standard Highway Easement from A.V. Tedeschi and J.C. Tedeschi, located at 5491 Cara Court, for the Public Purpose of Constructing a New Roadway Which Shall be Open to the Public Without Charge.~~

Ordinance 55-19

~~Authorizing the City Manager to Execute and Accept Necessary Conveyance Documents and Contracts to Acquire a 0.110-Acre Fee Simple Warranty Deed for Right-of-Way, Without Limitation of Existing Access Rights; a 0.040-Acre Temporary Construction Easement; and a Second 0.010-Acre Temporary Construction Easement from Vineyard Christian Fellowship at Tuttle Crossing, Located at 5400 Avery Road, for the Public Purpose of Constructing a New Roadway Which Shall be Open to the Public Without Charge.~~

Ordinance 56-19

~~Authorizing the City Manager to Execute and Accept Necessary Conveyance Documents and Contracts to Acquire a 0.041-Acre Standard Highway Easement from Brian Rightler and Erica Rightler, Trustees of the Cara Road Trust Agreement Dated June 22, 2018, Located at 6129 Cara Road, for the Public Purpose of Constructing a New Roadway Which Shall be Open to the Public Without Charge.~~

Vote on the Ordinances: Ms. Alutto, yes; Ms. Fox, yes; Ms. De Rosa, yes; Mayor Peterson, yes; Mr. Reiner, yes; Mr. Keenan, yes; Vice Mayor Amorose Groomes, yes.

Ordinance 57-19

~~Authorizing the Provision of Certain Incentives to Hagerty Insurance Agency, LLC to Induce it to Lease a Facility to Locate an Office and Its Associated Operations and Workforce, All Within the City, and Authorizing the Execution of an Economic Development Agreement.~~

Mr. Gracia stated that nothing changed from the first reading of this ordinance. He introduced Mr. Chris Schlehber, Vice President of People and Strategy, Hagerty Insurance.

~~Chris Schlehber, 121 Drivers Edge, Traverse City, Michigan, briefly described the Hagerty Insurance organization. Hagerty Insurance specializes in classic, sport/exotic and enthusiast cars. They do have additional products and services. They hold events around the country. The Dublin office would be their seventh office. They enjoy being active in the communities they are a part of. They have had great growth in the last five years and conducted a national search this year for a location. There was a strong case for the talent pool in this area. This is a culturally rich and vibrant community.~~

Mayor Peterson welcomed him to the Dublin community.

Vice Mayor Amorose Groomes asked if he was aware of the Arthritis Foundation car show. She also mentioned the 33 Corridor and these classic cars will be integrated into the smart mobility. He responded that he looks forward to being involved.

Mayor Peterson asked if they work with other vehicles or only automobiles.



RECORD OF ACTION

Planning & Zoning Commission

Thursday, September 19, 2019 | 6:30 pm

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

- 2. University Boulevard Phase 2** **6600 Shier Rings Road**
Preliminary Plat
19-080
- Proposal: A Preliminary Plat for the provision of right-of-way for University Boulevard to extend from Shier-Rings Road west to intersect with Eiterman Road and the creation of a ±34-acre parcel for future development of a medical center.
- Location: North of Shier Rings Road and west of the intersection with Avery Road.
Request: Review and recommendation of approval to City Council for a Preliminary Plat under the provisions of Zoning Code Section 153.066 and the Subdivision Regulations.
- Applicant: Dana L. McDaniel, City Manager, City of Dublin
Planning Contact: Claudia D. Husak, AICP, Senior Planner
Contact Information: 614.410.4675, chusak@dublin.oh.us
Case Information: www.dublinohiousa.gov/pzc/19-080

MOTION #1: Ms. Call moved, Mr. Fishman seconded, to recommend approval to City Council for the following variance from the Subdivision Regulations:

1. To permit the creation of Lot 5 at 1.23 acres instead of meeting the Zoning Code required 3-acre minimum.

VOTE: 7 - 0

RESULT: The variance from the Subdivision Regulations to permit the creation of Lot 5 at 1.23 acres instead of 3 acres was recommended to City Council for approval.

RECORDED VOTES:

Victoria Newell	Yes
Jane Fox	Yes
Warren Fishman	Yes
Kristina Kennedy	Yes
William Wilson	Yes
Mark Supelak	Yes
Rebecca Call	Yes



CASES

1. The Ohio State University Wexner Medical Center, 6600 Shier Rings Road, 19-055, Rezoning with Preliminary Development Plan

Ms. Newell stated that this is a request for a Rezoning with Preliminary Development Plan of a ±34-acre site, from ID-1 to PUD to facilitate the future development of a medical office building and an ambulatory care center (Phase I) and a future hospital (Phase II). The site is on the north side of Shier Rings Road, east of Eiterman Road, west of Avery Road, and south of US 33.

Ms. Husak requested that Cases 1 and 2 be considered together.

2. University Boulevard Phase 2, 6600 Shier Rings Road, 19-080, Preliminary Plat

Ms. Newell stated that this is a request for a Preliminary Plat for the provision of right-of-way for University Boulevard to extend from Shier-Rings Road west to intersect with Eiterman Road and the creation of a ±34-acre parcel for future development of a medical center. The site is north of Shier Rings Road and west of the intersection with Avery Road.

Staff Presentation

Ms. Husak stated that on August 22, 2019, the Commission reviewed and provided non-binding comments on a Concept Plan for this project. Tonight, the Commission is considering the Ohio State University (OSU) development as well as the creation of a new road, University Boulevard. At the Ohio University (OU) site on the south side Post Road, there is a piece of University Boulevard, to which this new section of the road eventually will connect and create a road network that has been planned for multiple years for the West Innovation District (WID). The Preliminary Plat for this project, which is Case 2, contains the detail on the creation of the parcel for Ohio State University, as well as the road. The approximately 34-acre site for the OSU Wexner Medical Center will be developed in two phases. The Preliminary Development Plan is similar to what the Commission reviewed in August. It includes a medical office building and ambulatory care facility. The future University Boulevard will be located on the south side of the site with a roundabout, which will provide site access. There also will be two minor access points on the east and west sides of the lot to provide access to the remaining parcels. In Phase 2, the hospital will be added on the east side of the medical facility, as well as additional parking and access that will allow additional uses. The applicant has included a significant amount of information in the proposed development text, including the permitted materials. Staff has encouraged that the structure be very similar to the existing West Innovation District (WID) zoning text. The rendering, the same as that shown with the Concept Plan review on August 22, depicts the creation of a walkable environment. Additional updated drawings show both respite and walking pathways through the parking lots. There are unique sign requirements for this use. After Dublin Methodist Hospital completed their facility and had data based upon user experience, they returned to the Commission to upgrade their sign rules. Making an effort to be at the forefront of that discussion, OSU has included sign requirements and diagrams in the development text. The rules and regulations in the development text will guide future signage. There are five hierarchy signs. A monument sign is proposed for the entry feature at the roundabout, well as vehicular signs that are taller than the Code permits but address the parking and navigation needs. Staff recommends approval with eight (8) conditions.

For Case 1, the OSU Wexner Medical Center rezoning and preliminary development plan, staff recommends approval with the following conditions:

1. That the development text and the sign plan be updated to address the discrepancies prior to Council review, including the correct nomenclature and permitted sizes, permitted lighting and permitted number of secondary monument signs;
2. That the applicant update the development text to clarify that peninsulas may count in the interior landscape requirements;
3. That the smaller trees shown on the plans in the interior landscape areas be permitted in the development text;
4. That the development text be revised to include bio-retention measures, as appropriate, in the parking lot areas to aid in stormwater management and provide for irrigation of trees. This should include the elimination of the requirement of curbed islands;
5. That the applicant continue to work with Engineering to demonstrate compliance with stormwater requirements as defined in Chapter 53 to the satisfaction of the City Engineer;
6. That the building elements and mechanical equipment areas be screened per Code in the text;
7. That the applicant work with staff to identify areas where new trees are appropriate to reduce the need for future removal during Phase 2 and update the text accordingly; and
8. That the applicant coordinate with ODOT for necessary approvals to remove any dead, invasive or hazardous vegetation along the frontage.

For Case 2, the preliminary plat for University Boulevard, approval is recommended for the following variance from the Subdivision Regulations:

- 1) To permit the creation of Lot 1 at 1.23-acre instead of meeting the Zoning Code required 3-acre minimum.

The application complies with all applicable review consideration and the intended development character of the area; therefore, approval of the plat is recommended with one condition:

- 1) The applicant ensure any minor technical adjustments to the plat are made prior to City Council submittal.

Ms. Husak noted that several discussions have occurred with the Ballantrae neighborhood residents regarding this project, some of whom are present tonight.

Board Questions

Mr. Fishman stated that traffic around US33 is a significant concern with the proposed project. He inquired about the timing of the two construction phases and the roadway.

Ms. Husak responded that City Council approved a development agreement with OSU earlier this year that provides for the alignment of OSU's and the City's construction activities for 2022.

Barb Cox, City Engineering Manager, asked if his inquiry concerned potential roadway work around the US33 interchanges with Avery-Muirfield or Post Road.

Mr. Fishman responded that was part of his question.

Ms. Cox responded that traffic studies indicate there is no need for roadway work at either of the interchanges for this project at this time. As more development occurs in the WID, it could become necessary. In anticipation of the construction of University Boulevard, permitting for the relocation of the creek is occurring, as well as the design of and right-of-way acquisition for the roadway. Construction of the roadway project is scheduled to begin in the spring of 2021 with completion anticipated in 2022.

Mr. Fishman inquired if the infrastructure construction would be completed before construction of the building.

Ms. Cox replied that construction of the building and roadway would occur simultaneously.

Mr. Supelak inquired what is the extent of the roadway construction.

Ms. Cox responded that the roadway project currently under design is for improvements to Shier Rings at Avery Road, widening of Shier Rings Road up to its curve north into this property, and connection of the new roadway to Eiterman Road. Future construction phases will extend the roadway from Eiterman Road to the Ohio University campus. That construction is not currently scheduled.

Mr. Supelak stated that in the meeting materials, drawings showed three potential roundabout locations. Which drawing is the most accurate?

Ms. Cox responded that the OSU team included a traffic engineer who conducted traffic studies pertaining to this development. The City also has engaged engineers to conduct traffic studies for the infrastructure project. There is some diversity in the OSU and City drawings, and analysis and coordination of the two studies is underway. A public meeting is scheduled on October 15 to share the final roadway plan to the public. At an earlier public meeting in August, Shier Rings Road and the new University Boulevard were shown as disconnected. Following that public input, traffic studies were re-evaluated. Although there is a significant level of access management to consider, there will be a Shier Rings Road connection to the new University Boulevard.

Ms. Call inquired if the Commission would receive a full transportation plan for this area.

Ms. Cox responded affirmatively. This is a preliminary plat. A final plat will be brought before the Commission at a future meeting, and more details will be shown at that time. Due to the distance between the two ends of University Boulevard, completion of the road extension likely will occur with the development of those parcels.

Ms. Call stated that her concern is not just this particular plat. Per her review, the existing University Boulevard appears to be approximately 1.25 miles away from the new roadway. She is concerned about using a name for the proposed roadway that is already in use in the other location, although the intent is that eventually they would connect. The land between is owned by several property owners, who could or could not choose to develop it for some time.

Ms. Cox responded that the City has previous experience with disconnected streets, some of which have not been connected for many years. The City Thoroughfare Plan and Community Plan provide guidance to assure that those connections will be completed.

Mr. Supelak stated that at the Commission's previous discussion, the roadway topic was very important to both the public and the Commission. The sooner everyone can understand the final roadway plan, the better decisions the Commission will be able to make.

Mr. Fishman concurred. He also is concerned about the timing. Will the road be in place before the people and the buildings?

Ms. Cox responded that the EDA contemplated all those issues, including the synchronization of the OSU and City construction schedules so that the road will be open and available when this medical facility is ready.

Mr. Fishman inquired when the Commission would be able to see a complete plan.

Ms. Cox responded that it would be provided to the Commission with the final plat. It may be necessary to add some easements as the project proceeds through final design.

Ms. Husak stated that the Commission serves as an advisory board to City Council in terms of platting of property, but the Commission does not approve proposed infrastructure projects.

Mr. Wilson inquired if the road primarily would be on Dublin property, although private property is also involved.

Ms. Cox responded that is correct. Some right-of-way acquisition from the private property owner will be necessary.

Mr. Wilson inquired if discussion had been initiated, and the property owner was in agreement.

Ms. Cox responded that the property owner is aware of the project. However, the acquisition process cannot begin until design has occurred, plans are available, specifics land needs are known, and appraisals have been completed. Most of that work will occur next year.

Ms. Call stated that recent public meeting comments reflect a predominant concern regarding traffic. Were other concerns expressed at the last meeting that have not been addressed by the applicant?

Ms. Husak responded that a majority of the comments were infrastructure or traffic related. Some residents expressed concerns about the lighting. City Code requires lights to be lowered after certain times of the day, and a reference to that Code section is included in the development text. Details about the fixtures, lighting levels and isometric plans will be provided at the Final Development Plan review.

Ms. Call inquired if there were any items not addressed by the applicant.

Ms. Husak responded that there were not.

A rendering of the regional roadway network map was shown, depicting the proposed roadway extension to the north behind the Sports Ohio facilities and connection to existing University Boulevard near SR 161/Post Road. Ms. Cox stated that the distance is similar to the improvement from Avery Road to Eiterman Road. It will be a four-lane, divided roadway with bike lanes, consistent with the existing road section near the OU/SR161/Industrial Parkway roundabout.

Mr. Call inquired if there would be sidewalks on both sides of the roadway.

Ms. Cox responded that a shared-use path would be on one side and a sidewalk on the other.

Ms. Fox inquired if the bike lanes would have a protective barrier.

Ms. Cox responded that they would not; they would be striped lanes, similar to those on Muirfield Drive.

Ms. Fox inquired if there was any consideration for making them protected lanes.

Ms. Cox responded that was not requested by the Bicycle Advisory Task Force. However, the lanes will be widened to five feet, a foot wider than the bike lanes on the existing University Boulevard section.

Ms. Call inquired the width of the shared-use path.

Ms. Cox responded that it would be the standard 8-ft. width.

Ms. Fox stated that the WID has been under scrutiny for the last several years. Is there an updated, current Master Plan?

Ms. Husak responded affirmatively. An update of the WID Special Area Plan in the Community Plan was approved in 2017. Consultant Brian Atkins developed the plan, and public input was obtained.

Ms. Fox inquired if a master layout of the anticipated pedestrian connectivity was available, even though details could not be available until development occurs.

Ms. Husak responded that it is available to some extent. The Thoroughfare Plan, which is included in the Community Plan, shows a road connection from Shier Rings Road to the northwest. With the OSU project, that roadway will take on more importance than originally contemplated. Although a roadway was always planned, the developer or user that would eventually drive those decisions was unknown. With this infrastructure, walking paths and bike lanes will be important, particularly so in this District. OU also included this extension in their Master Plan for future development.

Ms. Fox stated that with the anticipated AEP project, realignment of Cosgray Ditch, construction of a new roadway, and a major new development, there is a need for a comprehensive overview of this intended "live, work, play" area. Although the development is at an early stage, it would be helpful to have an understanding of what is anticipated.

Mr. Husak pointed out that it is not possible to make 11,000 acres across the City walkable everywhere, but it does make sense for certain areas, particularly OU and OSU.

Ms. Call stated the concern is that we do not want to repeat past mistakes, for instance, those with the Perimeter Center.

Ms. Fox inquired what changes OSU had made responsive to the Commission's previous recommendations.

Ms. Husak responded that OSU had included walkability drawings for both development phases. Much work still needs to occur with the interior layout of the building, which will inform much of the exterior functionality of the site. Rules in the text address many of the items the Commission requested, and an updated drawing has been provided tonight.

Ms. Fox stated that in the parking lots, little islands with two trees remain in the plan, but there are no dedicated pedestrian walkways through the parking lots. Pedestrian benches have been added on the outer perimeter of the parking lots, but more seating areas are needed between the perimeter and the building. An Ambulatory Care Center must address the pedestrian needs.

Applicant Presentation

Aaron Underhill, attorney, Underhill & Hodge, 8000 Walton Parkway, New Albany, OH stated that he is representing Ohio University Wexner Medical Center. With him are OSU representatives and consultants, Dan Like and Keith Myers.

As a brief overview, OSU took the Commission's input at the previous meeting very seriously regarding the need to be connected with the community, provide pedestrian access to/from the parking areas, and the creation of inviting pedestrian places. The reason they preferred to do a PUD was that it is difficult to provide a high level of detail at this point as they continue to design a very complex building. For instance, Ms. Fox referred to the pedestrian benches, which appeared to be located far from the front door; however, the parking lot area will have several such pedestrian seating opportunities. When they return with the Final Development Plan, they will be able to show a greater level of detail. This is the reason the two-step PUD process works well. In the first step, the rules are set; in the second, the execution of the rules is shown. With the existing zoning, they would not have had that opportunity, as it would have been necessary to show all the detail now. This is one of three facilities being designed simultaneously for the University. The building is continuing to evolve. The inside-out nature of the design affects how the building footprint works, what the architecture will be, and the exterior amenities designed for the patient experience. He believes the Commission will be pleased with the level of detail provided at the next review. They are comfortable with the rules being set. The plan is advanced sufficiently to be able to make those commitments, but it will continue to evolve between now and the time the Final Development Plan returns to the Commission. After the previous hearing, an attempt was made to evaluate opportunities for pedestrian connections and public spaces. They do not want this building to be an island in and of itself, so more progress will be made in that regard. The text is lengthy because it contains a high level of commitments. Sometimes it is hard to provide in words what can be seen on a plan, so they have tried to marry the two to the extent possible. This is a public-private partnership, which involved extensive work on the EDA, as well as the conveyance agreement. If the roadway is not operational, the medical facility will not be able to open; therefore, the timing of the two projects is important. Per the agreement, specific timelines must be met. The City did not want to sell OSU the land if they did not move forward with developing it. As soon as it is approved, the project will proceed immediately to permit designs. The university has a financial investment in the public infrastructure, as well. Although OSU is receiving an incentive package, they are purchasing the land at its per acre value and contributing 32.5% to the costs of the infrastructure. That percent was based on the amount of the infrastructure that the facility would use, per its frontage. The project began approximately a year ago and continues to evolve. When it next comes before the Commission, a greater level of detail will be available for discussion.

Questions for the Applicant

Ms. Fox commended the applicant for presenting conceptual ways for providing a pedestrian perimeter for the medical facility, their clients and the community. Her request is that when Phase 2 proceeds, those pedestrian spaces are not minimized, that the natural spaces are not reduced to small spaces around walkways. With its style of architecture and the amount of landscaping contemplated, this site can become an attractive area for the community. The landscape design should not only highlight the building but also invite people to enjoy the surroundings. That is a wellness factor for their clients and for the community.

Keith Myers, Vice President of Planning, Architecture and Real Estate, OSU, stated that they agree with Ms. Fox's comments. The scale at which the improvements are drawn is deceiving, but to address the Commission's comments at the previous review, thousands of feet of trail have been added. Although not yet fully designed, seating enclaves will be added. There is a large greenspace between the parking lot and the drop-off area. They concur that the exterior spaces are as important to health as the interior spaces being constructed.

Ms. Call stated that OSU's contribution of 32.5% for the infrastructure, which is a savings for the residents, is appreciated. The Commission understands that there is an incentive package, but appreciates that OSU is willing to partner with the City on this amenity for the City.

Public Comment

Randall Ayres, 5940 Roundstone Place, Dublin, Ohio, stated that he is a resident of the Ballantrae community. This project seems premature. The Planning staff member with whom he spoke indicated that staff was advised there was a need to move quickly on this project. At the public meeting in August, the Ballantrae community expressed significant opposition to the proposed plans for Shier Rings Road. Earlier, Mr. Supelak referred to several different maps that the Commission had seen. That has been the experience of the community, as well, and the residents are in opposition to most of them. Many Ballantrae residents travel Shier Rings daily, and they have been provided different information from City staff. At the August public meeting, Engineering staff informed them the project was very preliminary and that City staff would be getting back to them. This is September and neither the community nor the Commission know the plans because staff is unsure of them. The Commission is being asked to approve a project on which they have inadequate information and knowledge, and the community objects strongly to a change being made to Shier Rings Road. OSU representatives have commented on how much the University will be contributing; however, it pays neither real estate nor income taxes. While the City may be partnering with OSU, the University is not paying its share. The City purchased this property last year, and residents were told in March 2018 that this development would not happen for 5-15 years. Now this project is being pushed forward without sufficient time for people to understand any details. The Commission is being asked to make a decision without time to obtain adequate information. How will University Boulevard impact Shier Rings Road and the traffic, particularly the significant amount of eastbound traffic? How will Ballantrae residents access US33? How many roundabouts will be constructed? He has seen a map with three proposed roundabouts between Shier Rings and US33. In summary, he is concerned that the Commission is being asked to make a decision on a project about which staff is unsure of some plans.

Dan Rippeth, 5960 Roundstone Place, Dublin, Ohio stated that he is a Ballantrae resident and has lived in Dublin for seven years. He has spoken with many of his neighbors. Their biggest concern is not the hospital, but with the plans to shut down Shier Rings and the redirection of traffic up and around Eiterman Road and through a series of roundabouts. He asked for confirmation regarding the closing of Shier Rings Road. Staff indicated that the road would not be closed.

Mr. Rippeth stated that if Shier Rings will not be shut down, that information addresses one of the residents' greatest concerns. The intersection at Eiterman Road and Shier Rings Road is dangerous. There was an accident there earlier this evening. There is a concern about the

generation of additional traffic. If Shier Rings remains with the addition of a roundabout at Shier Rings and Eiterman Roads, perhaps the traffic issue will be addressed.

Ms. Husak stated that when the project was introduced to the community at the August public meeting, significant opposition to the roadway plans was expressed by the Ballantrae residents. Consequently, the City is no longer considering the termination of Shier Rings Road. Another public meeting is scheduled for October 15 at the Dublin Community Recreation Center, and Engineering staff will be providing updated plans. Public notice of the meeting will be made. City staff has heard and responded to the residents' concerns.

Mr. Rippeth responded that the residents love living in Dublin and appreciate the fact that the City has listened to their concerns.

Commission Discussion

Ms. Kennedy thanked Mr. Ayers and Mr. Rippeth for sharing their opinions. Although the Commission does read the public meeting reports, it is helpful to hear directly from the citizens.

Ms. Fox inquired about preservation plans. On the City-owned property, certain trees are at risk, due to construction: Tree #299, a 56-in. diameter Silver Maple and Tree #300, a 43-in. diameter Silver Maple, are located near the entrance. Is there any possibility those trees could be saved?

Ms. Cox stated that the trees, shown on page #10 of the information, are located opposite the City Service Center. That is where the confluence of the relocated creek will be located. They are required to plant a certain number of trees with the relocation of the stream, and may be able to save those two trees. She will check into the situation.

Ms. Fox responded that the relocated stream would border Shier Rings Road, which will be a viewshed. If there is opportunity to preserve those trees with the relocation of that stream, that should be included in their design focus.

Ms. Call stated that the Commission has commented on the need for synchronization of the building and roadway construction. Is the creek relocation, a third major project, not a timing concern, as well?

Ms. Cox responded that the creek relocation has reached 50% design completion and been submitted to the Army Corps of Engineers and the Ohio EPA for permitting. Staff will be responding to their feedback and completing the design. There will be a public notice in the Columbus Dispatch on Monday, per EPA public notice requirements. Permitting should be completed in the spring of 2020, and construction of the stream relocation will commence. The roadway construction will begin in 2021. A conservation easement is noted on the plat, and protective fences will be placed on the site. The new plants around the relocated creek must be protected and monitored for five years. Due to the creek and the level of traffic on Shier Rings Road, staff has been contemplating locating construction entrances off Eiterman Road to mitigate the impact of the large building and large roadway construction occurring at the same time.

Ms. Call inquired if the standard is a 2-to-1 vegetation mitigation for the stream relocation.

Ms. Cox stated that she does not have that information with her, but getting the planting established is a major concern. The stream must be healthy and the area viable for plants and animals.

Ms. Newell requested, for the benefit of the public, that staff clarify what is considered with traffic studies. There was a comment that the decision for a new road appears to be rushed. The Commission has information from the traffic studies that is not always available to the public.

Ms. Cox responded that the City has a Thoroughfare Plan. Over-arching traffic modeling for the entire City occurs based on Future Land Use Plans in the adopted Community Plan. That is how the size of roadways, including number of lanes, is determined. With a proposed development, the developer is required to look at their uses compared to the Future Land Use Plan. There are federal guidelines regarding the traffic generation based on land use. For instance, a restaurant generates traffic at a level different from a single-family home, and the traffic generated by a medical office is different from that for a regular office building. A comparison is made between the modeling for the adopted Community Plan and the modeling for the proposed development. If the anticipated traffic will be more, plans for handling the traffic must be determined based on its origination and destination. The prediction occurs by counting traffic at the existing intersections then projecting the traffic increase based on the anticipated land use. They try to determine what improvements might be needed to the intersections, to the links of the road between the intersections, and the impact of the development. The proposed development is required to mitigate their impact. That may be made by a financial contribution or by building turn lanes, a roundabout, or another intersection improvement.

Ms. Wawzkiewicz stated that the situation is the same with this application as with a standard planning application. The traffic impact study is due when the applicant commences the preliminary development plan. This team was a little ahead of schedule, so its study is under review. The unique element involved is the additional CIP roadway project. Dates were established in the EDA with the developer to make sure the timing is on track.

Ms. Newell inquired how many years out a traffic study projects.

Ms. Wawzkiewicz responded that a study looks at a 10-year horizon from the opening day. Year 2022 is the target opening of this facility, so the 10-year horizon would be 2032. The City's traffic study projects out to year 2042.

Ms. Husak stated that it is unique to have both the developer and the City conduct traffic studies and be evaluated together. Although the applicant's traffic engineer completed a study, the City was looking at potentially terminating Shier Rings Road. That traffic study is not approved at this time, however, because more work is to be completed.

Ms. Newell thanked staff for the explanation for the public.

Ms. Call stated that the Commission is considering a preliminary development plan for the medical center and a preliminary development plat for a new roadway, University Boulevard, and not the termination of Shier Rings Road. There will be a roundabout on the southeast section of the new roadway, a roundabout immediately in front of the building, and then the roadway continues to its connection with Eiterman Road.

Ms. Husak stated the new roadway ends at the eastern boundary. Whatever happens further to the east on Avery and Shier Rings Road is not part of this consideration.

Ms. Cox clarified that the plat creates the right-of-way, the parcels around the right-of-way, and the new road. They are still working out the details regarding the connectivity of Shier Rings Road, the drive into the Dublin School transportation facility, and the City Service Center. The preliminary plat lays out the worst-case scenario. Currently, those connections are contemplated via a roundabout. The plat allows that to occur, should that be determined.

Ms. Call inquired if the Commission would see this again as a Final Plat.

Ms. Cox responded affirmatively.

Mr. Supelak requested clarification that the intent is that a roundabout will make a connection to Shier Rings Road.

Ms. Cox responded that the connectivity of Shier Rings would happen in that area. They are completing the details on the accesses to the City Service Center and the Dublin Schools bus site. They believe this layout of the right-of-way provides sufficient area for those accesses without having to change the plat.

Mr. Supelak inquired if the two trees Ms. Fox was referring to are near the proposed roundabout. Ms. Cox stated that those two trees are outside of the right-of-way.

Mr. Supelak responded that they are slightly to the west of it within a small curve. Trees #288 through #308 are an average of 30 inches each, a total of 600 caliper inches. Is it possible to give consideration to saving those trees?

Ms. Cox responded that it may not be possible to work around all of the trees. Perhaps only a couple can be saved, because that is the corridor for the realigned creek. They prefer to save trees, if possible, but there are competing factors. There is a required landscape density for the relocated stream. EMH&T experts will be conducting the planting to ensure the requirements are met to obtain the federal permit.

Mr. Fishman inquired if City Code required that the tree caliper be replaced.

Ms. Newell stated that it does; however, Federal EPA regulations usurp City requirements.

Ms. Cox stated that the City replaces the street trees removed for a capital project. This project also will have plantings in the medians. With those plantings and those added with the creek relocation, there will be more trees than exist now.

Mr. Fishman inquired if the City arborist conducts an assessment of the trees.

Ms. Cox responded that the condition assessment of the trees has been completed, and that report was included in the packet.

Ms. Husak stated that the arborist on Planning staff verifies species, size and health. This is a Preliminary Plat. More detail will be available with the Final Plat.

Ms. Kennedy inquired if the details on the Eiterman Road access would be provided for public review and comment.

Ms. Cox responded that the details will be available for the October 15 public meeting at DCRC.

Mr. Wilson inquired if it is a ditch or a creek that will be relocated.

Ms. Cox responded that it is named Cosgray Ditch, but it has been referred to as both a ditch and a creek. It is a manmade drainage channel for the farming community.

Mr. Wilson inquired if a ditch would not move as much water as a creek.

Ms. Cox responded that there are no such definitions. The relocated stream will handle the same amount of water that it currently handles. No flooding will occur up or downstream due to the relocation. It is an open channel relocation with meanders and a large amount of plants in a tiered system – grasses, shrubs and trees, within the 135-ft. conservation easement.

Mr. Wilson stated that the stream currently is shown as running south, then east and under the roundabout, then reconnecting with the current channel. Are they still determining the new route?

Ms. Cox responded that the stream currently exists on the south side of Shier Rings Road. They looked at several potential routes before selecting the one shown. The selected route works best with the roads and utilities and will provide a buffer to the residents on the south side of Shier Rings Road from the future commercial element. They are contemplating a shared-use path on the interior, which would provide pedestrians access to that greenway and tie Shier Rings to University Boulevard. The public will be able to enjoy both sides of the new waterway.

Ms. Newell inquired if the applicant was in agreement with the conditions.

Mr. Underhill indicated that they were in agreement with the conditions.

Ms. Kennedy moved, Mr. Wilson seconded to recommend approval of The Ohio State University Wexner Medical Center rezoning and preliminary development plan to Council with the following eight (8) conditions:

1. That the development text and the sign plan be updated to address the discrepancies prior to Council review, including the correct nomenclature and permitted sizes, permitted lighting and permitted number of secondary monument signs;
2. That the applicant update the development text to clarify that peninsulas may count in the interior landscape requirements;
3. That the smaller trees shown on the plans in the interior landscape areas be permitted on the development text;
4. That the development text be revised to include bio-retention measures, as appropriate, in the parking lot areas to aid in stormwater management and provide for irrigation of trees; this should include the elimination of the requirement of curbed islands;
5. That the applicant continue to work with Engineering to demonstrate compliance with stormwater requirements as defined in Chapter 53 to the satisfaction of the City Engineer;
6. That the building elements and mechanical equipment areas be screened per Code in the text;
7. That the applicant work with staff to identify areas where new trees are appropriate to reduce the need for future removal during Phase 2 and update the text accordingly; and,
8. That the applicant coordinate with ODOT for necessary approvals to remove any dead, invasive or hazardous vegetation along the frontage.

Vote: Mr. Supelak, yes; Mr. Fishman, yes; Ms. Kennedy, yes; Ms. Call, yes; Mr. Wilson, yes; Ms. Fox, yes; Ms. Newell, yes.

(Motion passed 7-0)

Ms. Call moved, Mr. Fishman seconded, to recommend approval of the following variance from the Subdivision Regulations:

- 1) To permit the creation of Lot 1 at 1.23-acre instead of meeting the Zoning Code required 3-acre minimum.

Vote: Ms. Fox, yes; Mr. Fishman, yes; Mr. Supelak, yes; Mr. Wilson, yes; Ms. Call, yes; Ms. Kennedy, yes; Ms. Newell, yes.
(Motion passed 7-0)

Ms. Kennedy moved, Mr. Wilson seconded approval of the preliminary plat for University Boulevard, Phase 2 with the following condition:

- 1) The applicant ensure that any minor technical adjustments to the plat are made prior to City Council submittal.

Vote: Mr. Supelak, yes; Mr. Fishman, yes; Ms. Kennedy, yes; Ms. Call, yes; Mr. Wilson, yes; Ms. Fox, yes; Ms. Newell, yes.
(Motion passed 7-0)

[Cases 3 and 4 were considered together.]

3: The Corners, PID: 273-010749, 19-081, Rezoning with Preliminary Development Plan

~~Ms. Newell stated that this is a proposal for a Rezoning with Preliminary Development Plan of a ±13.5-acre site from OLR to PUD to facilitate the future development of an approximately 70,000-square-foot office and commercial center and a public park.~~

4: The Corners, PID: 273-010749, 19-082, Preliminary Plat

~~This is a proposal for a Preliminary Plat for the subdivision of ±24 acres into three lots for the future development of approximately 70,000-square-foot of office and commercial space and a public park. The site is currently zoned Office, Laboratory, and Research District.~~

Staff Presentation

~~Ms. Husak stated that this is a request for review and recommendation to City Council regarding a rezoning with preliminary development plan for a 13.5-acre site for the future construction of up to 70,000 square feet of office and commercial space and a public park. Secondly, there is a request for review and recommendation to City Council for a Preliminary Plat to subdivide 24 acres into three lots for the future development of office and commercial space and a public park. The site is located northwest of the intersection of Rings Road and Frantz Road, south of Blazer Parkway. The plat contains a parking lot, which the City constructed and owns. The boundaries for the development are Rings Road, Frantz Road and Blazer Parkway. Preceding the Informal Review for the development on June 20, there was a long public process with the DCAP Plan, which has informed some of the proposed development on this site. The City has entered into an agreement with the developer to develop this site. Many public meetings preceded tonight's meeting. The rezoning will include the two retention ponds, the park and buildings along Frantz, Blazer Memorial Parkway to the north and Rings Road to the south. Phasing is required to be~~