

RECORD OF ORDINANCES

Ordinance No. 35-11

Passed _____, 20____

AN ORDINANCE REZONING APPROXIMATELY 21 PARCELS LOCATED ALONG EMERALD PARKWAY FROM LI, LIMITED INDUSTRIAL DISTRICT, AND RI, RESTRICTED INDUSTRIAL DISTRICT, TO SO, SUBURBAN OFFICE AND INSTITUTIONAL DISTRICT AND PUD, PLANNED DEVELOPMENT DISTRICT (COFFMAN PARK PLAN) (EMERALD OFFICE ZONE AREA REZONING - CASE NO. 10-073Z)

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Dublin, State of Ohio, 5 of the elected members concurring:

Section 1. That the following described real estate (parcel numbers) 273003965, 273004085, 273007303, 273007304, 273000287, 273000293, 273000294, , 273003995, 273007488, 273008177, 273012333, 273012334 and 273000307 (see attached map marked Exhibit "A") situated in the City of Dublin, State of Ohio, is hereby rezoned SO, Suburban Office and Institutional District, and shall be subject to regulations and procedures contained in Ordinance No. 21-70 (Chapter 153 of the Codified Ordinances), the City of Dublin Zoning Code and amendments thereto.

Section 2. That the following described real estate (parcel numbers) 273003966, 273003968, 273012291, 273012060, 273012059, 273003968, 273003967 and 273010590 (see attached map marked Exhibit "A") situated in the City of Dublin, State of Ohio, is hereby rezoned PUD, Planned Development District as part of the Coffman Park Plan and shall be subject to regulations and procedures contained in Ordinance No. 21-70 (Chapter 153 of the Codified Ordinances), the City of Dublin Zoning Code and amendments thereto.

Section 3. That application, Exhibit "B", including the list of contiguous and affected property owners, and the recommendations of the Planning and Zoning Commission, Exhibit "C", are all incorporated into and made an official part of this Ordinance and said real estate shall be developed and used in accordance therewith.

Section 4. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed this 27th day of June, 2011.

Timothy A. Seckliden
Mayor - Presiding Officer

Attest:

Anne C. Clarke
Clerk of Council

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Mr. Smith stated that he has reviewed the new district created for SportsOhio, and discussed it with Mr. Hale. This new district will allow Mr. Shepherd, SportsOhio, to do everything in the new district that he is doing today. He asked Mr. Combs to confirm that.

Mr. Combs confirmed that is correct.

Jeff Brown, 37 W. Broad Street stated that Mr. Hale asked him to attend tonight and thank the staff and Council for a unique solution that addresses everyone's concerns.

Vote on the Ordinance: Mayor Lecklider, yes; Mr. Reiner, yes; Mr. Gerber, yes; Mr. Keenan, yes; Ms. Chinnici-Zuercher, yes.

SECOND READING/PUBLIC HEARING - ORDINANCES

Ordinance 33-11

Authorizing the City Manager to Execute Necessary Conveyance Documentation for the Acquisition of a Combined 2.294 Acres, More or Less, Fee Simple Interest from Michael and Heather Harber.

Mr. McDaniel stated that a revised exhibit has been provided, correcting the street name and depicting the entire purchase and its relationship to the right-of-way and construction easements.

Vote on the Ordinance: Mr. Gerber, yes; Mr. Keenan, yes; Ms. Chinnici-Zuercher, yes; Mr. Reiner, yes; Mayor Lecklider, yes.

Ordinance 34-11

Rezoning Approximately 105 Parcels from R-1, Restricted Suburban Residential District; SO, Suburban Office and Institutional District; RI, Restricted Industrial District; LI, Limited Industrial District; PCD, Planned Commerce District; and PUD, Planned Unit Development District to TF, Technology Flex District. (COIC Technology Flex District Area Rezoning) (Case 10-074Z)

Mr. Combs stated that there have been no changes made since the first reading. There were no issues raised at the last Council discussion of this matter.

Vote on the Ordinance: Mr. Reiner, yes; Mayor Lecklider, yes; Mr. Gerber, yes; Mr. Keenan, yes; Ms. Chinnici-Zuercher, yes.

Ordinance 35-11(Amended)

Rezoning Approximately 21 Parcels Located along Emerald Parkway from LI, Limited Industrial District and RI, Restricted Industrial District to SO, Suburban Office and Institutional District and PUD, Planned Unit Development District. (Coffman Park plan) (COIC Emerald Office Area Rezoning) (Case 10-073Z)

Mr. Combs stated that at Council's first reading, the discussion focused on property along Post Road. The rezoning proposes to convert some of the Restricted Industrial/Limited Industrial properties along Emerald Parkway, from Post Road down to Innovation Drive, to Suburban Office and Institutional District, with the municipal properties integrating with the Coffman Park PUD. The revised text prepared for this meeting includes modifications to the Coffman Park text to include the new properties. At the previous reading, a Post Road property owner raised issues regarding the placement of that property within the Suburban Office and Institutional District versus the Tech Flex District. Also provided in Council packets is a lengthy timeline, tracing the history of that site up to the current development proposal, which is under permit review. The Planning Commission has recommended approval of the rezoning as submitted.

Mr. Smith stated that Council directed staff to continue to work with Mr. Polis. A meeting was scheduled for last week, which Mr. Polis has rescheduled.

Mr. Keenan asked if there is a risk of timing for Mr. Polis in terms of securing building permit approval.

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DAYTON LEGAL BLANK, INC., FORM NO. 10148

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Mr. Smith stated that, provided Mr. Polis is making progress, he is permitted to continue the permit approval process.

Mr. Keenan asked if Mr. Polis will be permitted to continue in the process if this ordinance is approved tonight and becomes effective in 30 days.

Mr. Smith responded affirmatively.

Mr. Keenan asked at what point his vesting rights would terminate.

Mr. Smith responded that he has forwarded to Council a memo concerning property owners' vesting rights. If the application were inactive for a year, and if staff had sent him numerous letters requesting that he complete the process, at that point his rights would terminate.

Mr. Keenan asked if the application provides a termination date.

Mr. Combs responded that, after staff has reviewed the permit application and forwarded a response letter to the applicant, the applicant has up to six months to respond. Provided that Mr. Polis is actively pursuing permit approval and making necessary modifications to secure approval, the process would continue.

Vote on the Ordinance: Ms. Chinnici-Zuercher, yes; Mr. Keenan, yes; Mayor Lecklider, yes; Mr. Gerber, yes; Mr. Reiner, yes.

Ordinance 36-11(Amended)

Rezoning Approximately 62 parcels from R, Rural District; R-1, Restricted Suburban Residential District; RI, Restricted Industrial District; LI, Limited Industrial District; GI, General Industrial District; SO, Suburban Office and Institutional District; PUD, Planned Unit Development District; PIP, Planned Industrial Park District; PCD, Planned Commerce District and HDP, High Density POD District to ID-1, Research Office District; ID-2, Research Flex District; ID-3, Research Assembly District; ID-4, Research Mixed Use District; and ID-5, Research Recreation District. (COIC/EAZ Innovation District Area Rezoning) (Case 11-012Z)

Mr. Combs stated that this area is located west of Avery Road, between Shier-Rings Road and SR 161. Based on the request of the property owner, the Planning Commission recommended the facility be included in the ID-3 District. Based on Council's subsequent discussion on June 13, the ordinance has been amended to include the new ID-5 District for the 70 western acres of the SportsOhio facility.

Mayor Lecklider noted that a distinction is made for the 30-acre parcel of soccer fields. He requested clarification of the exact location.

Mr. Combs noted the location on the map as depicted on the slides. The property owner is satisfied with that particular portion of the facility being placed within the ID-1 and ID-2 Districts. The existing use standards in that text permits their continued use as soccer fields, and the area is zoned for future development, which may occur as the main road is extended through the area.

Ms. Chinnici-Zuercher asked if the current use as soccer fields is discontinued, would the area then convert to this zoning?

Mr. Combs clarified that it will already have that zoning in place, but the existing use language in the legislation permits the continued use as soccer fields as long as desired.

Ms. Chinnici-Zuercher stated that the text then permits the current property owner and any future property owners the continued use of that property as soccer fields.

Mr. Combs confirmed that is correct. They can also apply at any time for any of the other uses, and comply with the standards of the ID-1 and ID-2 Districts.

Mr. Keenan noted that the principle of highest and best use will apply in this case.

Mr. Combs responded that is correct. Over time, as the property obtains access from major roads, development will likely occur.

Vote on the Ordinance: Mayor Lecklider, yes; Mr. Keenan, yes; Mr. Reiner, yes; Mr. Gerber, yes; Ms. Chinnici-Zuercher, yes.

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Rezoning Approximately 105 Parcels from R-1, Restricted Suburban Residential District; SO, Suburban Office and Institutional District; RI, Restricted Industrial District; LI, Limited Industrial District; PCD, Planned Commerce District; and PUD, Planned Unit Development District to TF, Technology Flex District. (COIC Technology Flex District Area Rezoning) (Case 10-074Z).

Mr. Gerber introduced the ordinance.

Mr. Combs stated that this is one of a series of rezonings that will implement some of the Plan work done over the past year. This rezoning is primarily located within the Central Ohio Innovation Corridor in the Shier Rings area, between Avery Road and I-270. The purpose of the Tech Flex District is to provide for a large range of flexible industrial spaces that can accommodate Office as well as Research & Development uses. The future Land Use Map in this area calls for a mix of light and heavier Research and Office uses, as well as Office and Municipal uses. This area contains a variety of existing zoning districts; the ordinance proposes to consolidate those into one consolidated district that will provide a broader range of uses and more flexible standards to make the properties more marketable. The rezoning also includes some outlying industrial properties along Avery Road, as well as up toward the Post Road interchange. All of the properties will be placed into the Tech Flex District. Based on the Community Plan, the future Land Uses Map, and the Business District model for the COIC, staff believes the proposed rezoning will address those long-term plans for the City, as well as address many nonconforming and illegal uses.

Mr. Gerber asked if the Law Director's office has reviewed this document.

Mr. Smith indicated that they have reviewed it; however, the Law Department always conducts another review prior to the second reading. They are attempting to ensure all property owners' concerns are addressed. They anticipate providing a report to Council at the next hearing regarding the resolution of those issues.

There will be a second reading/public hearing at the June 27 Council meeting.

Ordinance 35-11

Rezoning Approximately 21 Parcels Located along Emerald Parkway, from R-1, Restricted Suburban Residential District; LI, Limited Industrial District; and RI, Restricted Industrial District to SO, Suburban Office and Institutional District; and PUD, Planned Unit Development District. (Coffman Park plan) (COIC Emerald Office Area Rezoning) (Case 10-073Z)

Mr. Gerber introduced the ordinance.

Mr. Combs stated that this is the second portion of the conversion of the old industrial districts. This is a rezoning of areas around Perimeter Drive and Emerald Parkway, as well as some properties along Innovation and Emerald Parkway. Those coincide with the Emerald Office Zone and the Perimeter Service Area within the Central Ohio Innovation Corridor (COIC). The purpose of those two districts is to provide for a broad range of office uses, as well as additional services. The Future Land Use Map for the areas in question identifies those areas as Office as well as Municipal and Park facilities. The existing zoning of the properties is a combination of Restricted Industrial and Limited Industrial. The proposed zoning would modify those to Suburban Office and Institutional, consistent with both the COIC and the Future Land Use Map in the Community Plan. In addition, the municipal properties would be included in the Coffman Park PUD.

He reported that an update of the Coffman Park PUD text is provided in the meeting materials. It provides for the expansion properties to include a variety of municipal and park-related uses. The Coffman Park Master Plan specifically addresses this area. The development text for Coffman Park has been revised to include general language for the expansion land and Justice Center site. The rezoning text was reviewed by the Planning and Zoning Commission on May 19, 2011, and they voted to recommend approval to Council. If adopted, the Coffman Park Master Plan will serve as the Preliminary Development Plan for that portion of the park. Any future approvals would be reviewed by the Planning Commission as a Final Development Plan, and would then move to the permitting stage. At the Planning Commission meeting, there was comment from one property owner regarding a pending building permit application for

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an industrial office development along Post Road. The Planning Commission considered the property owner's request for Tech Flex or alternate zoning for the property. Based on the timing and the fact the property was under permit review, the Planning Commission recommended changing the map to Suburban Office and Institutional with the understanding that the property owner would have additional time to submit and secure approved permits while the actual rezoning is in process.

Staff believes this rezoning is consistent with the Community Plan and the COIC District Corridor concept. This rezoning will also address many nonconformities, particularly in some of the older office developments, where there are uses that are not expressly permitted in the current Code.

Joe Polis, FJ&S, 75 E. Wilson-Bridge Road, Worthington stated that they own property at 5375 Post Road, a vacant site of 1.58 acres, which is currently zoned Limited Industrial (LI). They purchased the property 26 years ago, in 1985, to build a KinderCare Daycare Center. At that time, however, their plan was rejected by the City of Dublin. They returned to the City with other project proposals in 1989, 1997 and 2000. Those projects also did not proceed due to discouragement and/or City disapproval. In 2008, the City had the property appraised – he assumes because the property abuts two parcels that are owned by the City of Dublin. In February 2010, he asked to meet with Ms. Husak and some other City staff members to review an office warehouse project that they had submitted to the City in 1989. He was attempting to solicit City input before retaining an architect and engineer to upgrade the plan. The plans have now been updated.

In the months following the meeting with Planning staff, he was contacted by Ms. Gilger, Economic Development. She asked if the property owners would be interested in working with a potential prospect for the site. They agreed and began working with this prospect. Eventually, the project expanded to include the two adjoining parcels that are owned by the City. The project is now a 35,000 square foot Tech Flex building and a \$5 million project. Unfortunately, in December, that company decided that the price of \$5 million was too high for them, and they chose to rent warehouse space elsewhere in Dublin. Meanwhile, he was invited to attend two public meetings on the Tech Flex District, conducted by Mr. Combs, on December 13 and 17, 2010. That proposed zoning would affect their property, and they thought it would work well with their warehouse concept. He provided copies of their plans to Mr. Combs and received some general comments from Mr. Combs on February 24, 2011. On March 2, he met with Mr. Combs and Ms. Gilger to discuss the comments on their revised plans for an office-warehouse project, the pending Tech Flex Code, and the proposed area rezoning. At that meeting, however, he was advised that his parcel was no longer being recommended for Tech Flex, but instead, Suburban Office. With that zoning, warehousing would not be permitted. He spoke with Mr. Combs at the April 7 PZC meeting and told him they were too far along with their plans and would proceed with their project. They applied for a building permit on April 21, 2011, and subsequently received a disapproval, marked-up plans and comments. They have worked to make those changes and plan to meet with staff to review those changes. They are financially committed to completing this project and respectfully request that their property, which is zoned LI, be zoned into the Tech Flex District, as originally proposed.

Mayor Lecklider invited Mr. Combs to respond.

Mr. Combs responded that the PZC minutes outline the same discussion. When staff began work on the Tech Flex District, they met with any of the property owners who had industrial zoning and who attended the public meetings. As the rezoning phase developed, staff further evaluated its fit with the Community Plan, the COIC Districts and the new Delta Energy development, which establishes a certain character at that key interchange. Staff decided that it would be more consistent to consider Suburban Office and Institutional for those properties.

Mayor Lecklider asked if this particular property would be grandfathered, based on the fact that the permit has been filed and reviewed.

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Mr. Combs responded that it is currently LI, and when Mr. Polis requested staff input, they did give him feedback as to whether his plan complied with the LI District, as well as the Tech Flex zoning, which was under development at that point. The question is whether that provides the applicant with any legal standing. It is his understanding that they are in the permit submission process, and until the point the rezoning becomes effective, they need to meet the legal requirements for obtaining the building permit.

Mayor Lecklider noted that would be the existing requirements for Limited Industrial (LI), because this rezoning has not yet been approved.

Mr. Smith stated that the issue relates to when the property owner's rights are vested. He has provided previous legal opinions on that subject, and will forward a copy for the next Council packet. Mr. Polis was assured of his standing, unless his building permit has been pulled.

Mrs. Boring asked if Mr. Polis has filed for a permit, and if it was denied.

Mr. Combs responded that his permit was denied based on engineering and building issues. He has the opportunity to continue re-applying until he has obtained the permit.

Mayor Lecklider asked if the denial is based on other issues, and not zoning.

Mr. Combs responded that he believes the denial is based upon building, engineering and landscaping issues, which Mr. Polis may resolve, and then re-submit his application.

Mr. Keenan asked if Mr. Polis' project then will continue to move forward.

Mr. Combs responded that is his understanding.

Mr. Keenan stated that the City has a duty to act responsively and quickly if another permit request is made, and not have it delayed because of the rezoning in process.

Mr. Combs responded that when a permit request is submitted, standard review procedures are followed in terms of schedules.

Mr. Keenan asked if there is an issue related to the schedules.

Mr. Combs responded that he is aware of none.

Mayor Lecklider stated that he assumes that all the parties are fully aware of the status of this matter.

Mr. Keenan stated that it is essential to ensure that everyone has fair consideration. He has been aware of an issue with this particular property for 15-20 years. Mr. Polis has testified about the many different times he has attempted to bring this forward.

Ms. Grigsby noted that the major issue with this property has always been access. Based upon where it is located, full access is very difficult resulting in engineering issues.

Mr. Smith noted that, over the years, he has participated in other meetings concerning the development of this site. Safe ingress/egress and line of sight have been the issues.

Mr. Gerber asked if in that respect the applicant has worked with the City to resolve those issues, and whether a fair "give and take" has been provided.

Mr. Smith responded that he believes that definitely has occurred.

Ms. Chinnici-Zuercher stated that until very recently, the City believed this area was appropriate for the Tech Flex zoning.

Mr. Combs responded that when staff began the process, the intent was to convert the RI and LI Districts to Tech Flex. As the process advanced, staff evaluated its fit with the Community Plan; the long-term implications of those particular areas that are specifically identified as Office in the Community Plan and the COIC Districts; and its frontage on I-270. Those were placed in the Suburban Office category.

Ms. Chinnici-Zuercher asked when that decision was made, because it seems Mr. Polis has had recent conversations with the City that indicated his property would be included in the Tech Flex District.

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Mr. Combs responded that the Tech Flex District was being discussed in public meetings during the November-December 2010 timeframe. Staff did not begin to consider the rezoning phase until the beginning of 2011.

Ms. Chinnici-Zuercher noted that it was relatively recent that the City changed its mind. In relation to the type of building that is proposed, how does it integrate with the IGS building, Delta Energy and other buildings that have been constructed in that general vicinity?

Mr. Combs responded that it is much more of an industrial type of use, lacking the office appearance that IGS or Delta would have as frontage properties.

Mr. Reiner asked if that was part of the rationale for this change in zoning – to upgrade this area visually.

Mr. Combs responded that was the intent, which was based on the Future Land Use Plan, as well as the Coffman Park Area Plan.

Mr. Keenan noted that it does seem the Tech Flex District would be a better option than an LI zoning for this area in terms of the use and results. What is staff's opinion?

Mr. Combs responded that he agrees that Tech Flex would be an upgrade from the Industrial zones currently existing.

Mr. Keenan stated that because this property was not included in the Tech Flex District, the owner can continue to proceed under the current LI zoning.

Mr. Combs responded that with any area rezoning, the property owners would still have the opportunity to do that.

Mayor Lecklider noted that there are challenges with this particular site.

Ms. Chinnici-Zuercher stated that situation will not change with this property. She is interested in how the re-design of Frantz, SR 161 and Post Road might impact this site. It is important to make sure this property is not negatively impacted by that re-design.

Ms. Grigsby stated that the realignment will impact properties to the east of that intersection – on the other side of the Post Road overpass over I-270. It will not impact the west side.

Ms. Chinnici-Zuercher stated that the owner has proceeded according to input received from the City. She would like to encourage the owner, even within the LI zoning, to take steps to make this visually compatible with the surrounding development – Cardinal Health, Delta Energy, and the Justice Center -- and enhance the area.

Mayor Lecklider invited Mr. Polis to respond.

Mr. Polis stated that they have considered rezoning the LI to Tech Flex to be a step forward, and they were very supportive of a Tech Flex District in all meetings they had with Mr. Combs. Mr. Polis was not aware until March 2 that the City would no longer support the Tech Flex zoning for this property, but would be proposing Suburban Office instead. They had been working on this project for nine to 12 months – too advanced to change. This project would have been completed much earlier, but when Mr. Combs and Mrs. Gilger involved him in a proposal with the prospective user, he put his plan on hold for three to four months. Again, the plan City staff was discussing with that prospective user was for a 35,000 square foot Tech Flex building. Their plan was not for a Suburban Office building. In March, their design was essentially complete, and they were ready to proceed to the permitting stage, which they initiated the following month. He purchased this property 26 years ago, and is running out of time. It is time for him to do something with this property.

Mr. McDaniel stated that the City worked on a couple of projects in an attempt to steer Tech Flex type uses to that site. One of the obstacles they encountered was the cost of the land, and they contemplated leveraging City-owned land adjacent to that site. They were not able to bring down the price of the land. In addition, Tech Flex use is difficult for this site, as there would be some level of truck traffic. If the property next to it were to develop – the “bow tie” piece -- there would be access in that location. The recently revised Community Plan reflected a higher use than LI or Tech Flex. However, the area was never rezoned to match the intent of the Community Plan. This

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is what staff is now attempting to do. This particular site next to the "bow tie" piece is highly visible from the highway, and should attract a high-end user. It has been undeveloped for 26 years, but if the economy takes a positive turn, the City can attempt to attract a user. They believe that a Tech Flex use will be difficult to house on the site. Staff's recent recommendation to change the zoning was the result of unsuccessful attempts to make a Tech Flex use work in this location.

Mrs. Boring stated that she does not disagree that Suburban Office would work well on the site, but if staff was working with Mr. Polis on a Tech Flex use until spring and it was then changed, it seems there was either a lack of communication or foresight.

Ms. Gilger stated that she worked closely on the economic development opportunity with the prospective user. They were primarily an office user that needed a flexible warehouse space in the back of the facility. The blended use seemed to fit with the site; however, the only way it was feasible was to combine the site with the adjacent City-owned land. Staff was trying to identify the right type of zoning areas for the potential user, considering RI and LI sites and potential new Tech Flex sites. Although over 50 percent of the prospective use was Office, some flexible space was also needed. When the user attempted to engineer the turning radius for their truck, they recognized the site was not large enough. Because these issues existed even when combining the adjacent City-owned parcels to make the site a Tech Flex use, removing the City-owned land would leave this site with even more challenges for a Tech Flex use.

Mr. Gerber stated that he understands there might be a more appropriate zoning classification for this property, but what he finds troubling is that, despite those negotiation difficulties, this applicant has not been deterred from proceeding with an LI application while staff was discussing other classifications. He has heard of this type of issue with some other property owners. There is a need to engage the property owners and thoroughly discuss these situations. The applicants should not be misled with false expectations. If Mr. Polis will not have his permit approved in the next few weeks, that should be communicated.

Mr. McDaniel stated that some clarification is needed. The Tech Flex use staff was proposing related to an active economic development prospect. The permit that Mr. Polis has submitted is for two metal warehouse buildings.

Mr. Polis responded that the two buildings are pre-engineered buildings, but they are not all-metal buildings. They have 35-40 percent office, and the balance is warehouse. There are no loading docks, so they would appeal to a small, incubator-type company with that type of combined use. There are small drive-in doors, but no loading docks. All the units are small, 2,200-2,300 square foot units. These are the building plans that were discussed with Mr. Combs last year in November, and the plans on which Mr. Combs provided input on February 24.

Mr. McDaniel clarified that staff has not denied his application. He can pursue the building permit, if he wishes.

Mr. Reiner stated that this has now become an upscale corridor, so he is hopeful this project will be in keeping aesthetically with the rest of the community. One reason people build in this community is that they can be confident the buildings next to them will be of equal value, and that their investment will be protected.

Mayor Lecklider stated that it is assumed the dialogue will continue between Mr. Polis and staff. Council looks forward to receiving the memo that Mr. Smith has indicated he will circulate.

There will be a second reading/public hearing at the June 27 Council meeting.

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Rezoning Approximately 62 Parcels from R, Rural District; R-1, Restricted Suburban Residential District; RI, Restricted Industrial District; LI, Limited Industrial District; GI, General Industrial District; SO, Suburban Office and Institutional District; PUD, Planned Unit Development District; PIP, Planned Industrial Park District; PCD, Planned Commerce District; and HDP, High Density



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Creating a Legacy

PLANNING AND ZONING COMMISSION

RECORD OF ACTION

MAY 19, 2011

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

**3. COIC Emerald Office Area Rezoning Zoning Map Amendment
10-073 Z**

Proposal: Rezoning 20 parcels comprising an area of approximately 122 acres from RL, Restricted Industrial District and II, Limited Industrial District to SO, Suburban Office and Institutional District and PUD, Planned Unit Development District (Coffman Park plan) to conform to the adopted Future Land Use Map and coordinate with plans for the Central Ohio Innovation Corridor.

Request: Review and recommendation of approval of a Zoning Map amendment under the provisions of Zoning Code Sections 153.232 and 153.234.

Location: Located generally in the area of Emerald Parkway between US 33 and Post Road, west of I-770, including outlying parcels along Emerald Parkway south of Innovation Drive.

Affected Parcels: 273-007488, 273-008177, 273-000307, 273-003966, 273-003995, 273-012059, 273-010591, 273-012291, 273-012324, 273-012334, 273-012333, 273-000294, 273-003965, 273-003967, 273-003968, 273-004086, 273-000287, 273-000293, 273-007303, 273-007304

Applicant: Marsha L. Grigsby, City Manager, City of Dublin.

Planning Contacts: Carson C. Corbis, AICP, ASLA, Senior Planner and Claudia D. Husak, AICP, Planner II.

Contact Information: (614) 410-4600, ccorbis@dublin.oh.us and chusak@dublin.oh.us

MOTION: To recommend approval to City Council of this Zoning Map Amendment.

VOTE: 5 - 0.

RESULT: Approval will be recommended to City Council of this Zoning Map Amendment.

STAFF CERTIFICATION

Carson C. Corbis, AICP, ASLA
Senior Planner

**3. COIC Emerald Office Area Rezoning
10-073 Z**

Zoning Map Amendment

Chris Amorose Groomes introduced this application involving an amendment to the Zoning Map to change the zoning of parcels comprising an area of approximately 102 acres from Restricted Industrial (RI) District and Limited Industrial (LI) District to Suburban Office and Institutional (SO) District and Planned Development (PUD) District as part of the Coffman Park Plan. She said the proposed zoning conforms to the adopted Future Land Use Map and will coordinate with plans for the Central Ohio Innovation Corridor (COIC). She said the Commission needed to make a recommendation to City Council for final action.

Carson Combs presented this second of three area rezoning requests. He said that as part of the COIC, the properties were located along Emerald Parkway in the area of Perimeter Drive and Innovation Drive. He said that the purpose of the Emerald Office Zone was to highlight office development along Emerald Parkway with high visibility along I-270. He said that properties within the Perimeter Service Area also included existing office buildings. He said that the Future Land Use Map denotes both office and park/municipal uses and the rezoning is intended to phase out older industrial zoning classifications. Mr. Combs noted that city properties were being included within the Coffman Park PUD as an expansion of the park area, and that other properties were being transferred to an office zone. He said that work is currently underway to create a master plan for the park expansion that would serve as the preliminary development plan and basis for final development plan approval.

Mr. Combs said that the zoning request was consistent with the Community Plan and larger land use goals of the City. He said the change is also consistent with business neighborhood concepts for the COIC and that Planning recommends approval to City Council of this rezoning.

Ms. Amorose Groomes invited public comment regarding this application.

Joe Polis, a principal partner of FJ&S and owner of a 1.85-acre site at 5375 Post Road, said that there were many uses within the Limited Industrial (LI) District that are outdated, and that he liked the idea of updating the industrial codes. He said that the site was purchased in 1985 to build a child daycare center that was turned down by the City. He said in 1989, 1997 and 2000 conversations were held with the City at which they were discouraged from developing the site.

Mr. Polis said that in February 2010 he met with Planning to review the office warehouse project that was originally proposed in 1989. He said that following that meeting, they began to update their construction drawings. He said that Economic Development contacted them about a prospective client and including the adjacent municipal properties as part of the proposal to build a 35,000-square-foot flex building. He said that unfortunately the business decided in December that the project was not economically feasible to proceed at the site.

Mr. Polis said that in November and December he attended meetings about the industrial code update and that discussions included converting properties to the new Technology Flex District. He said that at that time, they were six months into the development of construction drawings and that Planning provided preliminary comments on the proposed development on February 24.

He said a meeting was set for March 2 to review the proposed development and timeline for the industrial district updates. He said that he was told at that time that the City was proposing to zone the area to Suburban Office instead of the new industrial district. He said the SO District does not include warehousing that was part of his project. Mr. Polis said that he applied for a

permit on April 21, 2010 to build the office warehouses that complied with the Technology Flex (TF) District regulations. He said that comments were received on the drawings from the City, and that his company intended to make the changes and proceed with the project. Mr. Polis said he thought that the Technology Flex District concept was very good and that the Limited Industrial (LI) District was antiquated, but he was not in favor of Suburban Office and Institutional (SO) District on the site.

Joe Budde said he was troubled by Mr. Polis' situation. He asked Planning to comment about what transpired and Mr. Polis' request not to rezone his property to the SO District.

Mr. Combs said he could not speak to issues that occurred during past decades. He said that initial direction for the industrial code update was to rezone properties from the RI and LI Districts into a revised and updated zone. He said that as the process continued, direction changed to look at the larger framework of the Community Plan and to ensure consistency with the Plan. Mr. Combs noted that Mr. Polis had been engaged throughout the development of the Technology Flex Code and that Mr. Polis was informed as soon as direction for the area rezoning had changed. He said that Mr. Polis had submitted for building permits and has every opportunity to gain legal standing for the proposed office warehouse prior to the rezoning taking effect. Mr. Combs said that his initial permit application was disapproved, but that Mr. Polis can decide to move forward with the proposed development.

Ms. Amorose Groomes asked if the reason for not including this area in the Technology Flex District was its proximity to the interstate.

Mr. Combs said the Coffman Park Area Plan within the Community Plan identified the area for the development of office uses because of visibility to the U.S. 33/I-270 interchange. He said that recent construction of Delta Energy reinforces the idea for an office appearance along Emerald Parkway, consistent with business neighborhood concepts for the COIC.

Mr. Budde said the circumstances that Mr. Polis has faced in the time he has owned the property and where he was so far troubles him. He said it sounded as though Mr. Polis was moving along a process without discouragement.

Ms. Amorose Groomes said she agreed that the process seems confusing and that she is sympathetic to his position. She said she has difficulty, though, picturing a warehouse at that location coming from Frantz Road with Willow Grove and other surrounding uses.

Mr. Budde said his question was why Mr. Polis was not advised a long time ago if the City was working on this project.

Ms. Amorose Groomes asked for additional insight.

Mr. Combs explained that zoning and the Community Plan are two different issues. He said that Mr. Polis' property has industrial zoning that dates back many decades. He said that in asking the question of whether the property complies with zoning, Planning looks at the proposed development within the context of what the property is zoned. Mr. Combs said that as soon as it was determined that the City-sponsored area rezoning would consider the Community Plan, development character and the long-term aspects of the area, that information was conveyed to Mr. Polis. He said that Mr. Polis still has additional opportunity to submit for the office warehouse development until the new code and zoning go into effect.

Mr. Fishman said he did not understand the history, but agreed that it was not an ideal location for an office warehouse.

Ms. Kramb asked what options were available if the property was rezoned.

Mr. Combs explained that a property owner always has the right to request a rezoning in the future to any number of districts, including a Planned Development District. He said users could also be attracted that would fit within the SO District.

Mr. Fishman asked if he met the existing zoning.

Mr. Combs said that to date a permit has not been granted for the site, which is zoned Limited Industrial (LI) District.

Steve Langworthy clarified that the permit was denied for building code issues, not zoning. Ms. Husak added that the permit was denied because it did not meet building, engineering or landscape requirements.

Ms. Kramb asked if Mr. Polis would seek relief in the future should he have to submit new plans, considering that recently he was told that what he proposed was acceptable.

Mr. Combs said that if the property was zoned to the SO District, Mr. Polis would need to submit a permit application that complied with those standards.

Mr. Polis said he understood that if they made the appropriate modifications to the plans that his plan could be approved under the LI District zoning.

Jennifer Readler clarified that under case law, vesting is typically established at the filing for a building permit. She said that he had filed for a permit that was denied, so that filing is concluded. She said that this zoning request will need to be recommended to City Council for two readings, followed by a 30-day effective date. She said that in the interim, if a permit is applied for an approval, that filing would allow him to proceed with construction of the office warehouse.

Ms. Kramb asked if he had to file before City Council approved the rezoning.

Ms. Readler said that based on the timeline, Mr. Polis would have much more time.

Mr. Polis said that other communities when disapproving a permit normally provide a correction letter that allows the developer to move forward rather than getting a disapproval and requiring reapplication.

Ms. Amorose Groomes encouraged Mr. Polis to pursue his allowable right if he felt it was necessary.

Ms. Kramb referred to the Coffman Park PUD Text and asked if the Commission was approving changes as part of this request.

Mr. Combs said that the text addendum covers the new addition of properties into the PUD.

Ms. Kramb pointed out that the Justice Center was noted in the first paragraph, but not under the permitted uses.

Mr. Combs clarified that it would be considered a municipal facility.

Ms. Kramb suggested that language should be rewritten to better clarify the intent.

Ms. Amorose Grooms suggested referring to parcel numbers or street addresses instead of any building names.

Motion and Vote

Mr. Zimmerman made the motion to recommend approval to City Council of this Zoning Map Amendment as discussed. Mr. Fishman seconded the motion.

The vote was as follows: Ms. Amorose Grooms, yes; Mr. Budde, yes; Ms. Kramb, yes; Mr. Fishman, yes; and Mr. Zimmerman, yes. (Approved 5 – 0.)

RECORD OF ORDINANCES

Ordinance No. 91-07

Passed _____, 20____

**AN ORDINANCE REZONING FOUR PARCELS
TOTALLING APPROXIMATELY 7.52 ACRES,
LOCATED ON THE NORTH SIDE OF POST ROAD,
FROM: R-1, RESTRICTED SUBURBAN RESIDENTIAL
DISTRICT, TO: PUD, PLANNED UNIT DEVELOPMENT
DISTRICT (5800-5904 POST ROAD – CASE NO. 07-094Z).**

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Dublin,
State of Ohio, 5 of the elected members concurring:

Section 1. That the following described real estate (parcel numbers) 273000364, 27300791, 27300790, and 273000789, (see attached map marked Exhibit "A") situated in the City of Dublin, State of Ohio, is hereby rezoned PUD, Planned Unit Development District, and shall be subject to regulations and procedures contained in Ordinance No. 21-70 (Chapter 153 of the Codified Ordinances), the City of Dublin Zoning Code and amendments thereto.

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

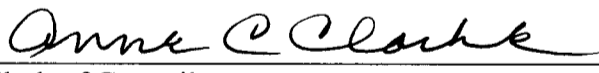
Section 3. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed this 19th day of November, 2007.



Mayor - Presiding Officer

Attest:



Clerk of Council

Sponsor: Land Use and Long Range Planning

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Mr. Keenan stated that the City really hasn't much choice in this matter.

Mr. Dunn responded that the City has to make an election and this legislation does that.

There were no other questions.

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

Ordinance 91-07

Rezoning Four Parcels Totaling Approximately 7.52 Acres, Located on the North Side of Post Road, From: R-1, Restricted Suburban Residential District, To: PUD, Planned Unit Development District (5800-5904 Post Road – Case No. 07-094Z).

Ms. Brautigam stated that this is the property that is owned by the City and is part of Coffman Park. This rezoning will bring the land into compliance with the Coffman Park Master Plan.

There were no questions.

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

INTRODUCTION/PUBLIC HEARING - RESOLUTIONS

Resolution 69-07

Approving the Amended Declaration of Mutual Support and Agreement between the City of Dublin, the Dublin Middle Tier Soccer Organization, and the Dublin Soccer League, and Authorizing the City Manager to Execute the Agreement.

Vice Mayor Lecklider introduced the resolution.

Mr. Earman stated that at the May 21st Council meeting, Dublin Middle Tier Soccer Organization (DMTSO) requested that Council amend the DMTSO agreement to make it possible for the teams to play in leagues, primarily the Mid-Ohio Select Soccer League. They are interested in expanding the original 2006 agreement, which limited them to play within the GOYSL program. That agreement restricts DMTSO from participating in many soccer opportunities that are believed to be needed by the players. In response to Council's direction, he and the DMTSO chair have studied the issue to identify a long-term solution. Tonight, they are submitting a list of proposed amendments to the existing agreement, which will allow the teams to participate in any league they wish, provided all of the other requirements are met. The challenge was in keeping the amendments within the parameters of the agreement and the objectives of the program. The proposed amendments expand DMTSO's permitted game play from a seven-county area to a 60-mile radius and tournament play to the State of Ohio. Mr. Earman reviewed other changes in the contract. It is suggested that the new term of the agreement be one year.

Mr. Earman noted that there are issues that remain with the soccer program. There is no one solution to all the issues, therefore, they recommend that Council direct the Parks and Advisory Commission (PRAC) to develop a system/process for Council to approve whereby the ongoing issues can be heard and addressed on a regular basis. Another suggestion is that PRAC recommend to Council that the term of the club organizations' agreement also be revised to one year so that all the soccer organizations are on the same schedule. Any issues can be reviewed and addressed on an annual basis. The Dublin Soccer League (DSL) Board should also be involved in that process, either for input/development or as part of the formal renewal/approval process. The reason for the latter recommendation is that recreational soccer is the City's #1 soccer priority and involving them will keep the City aware of the overall soccer needs/interests of the community.

Mayor Chinnici-Zuercher raised two questions:

- The staff report indicates that PRAC would be able to have a document ready for March. Because an educational process for PRAC would need to precede their undertaking development of a review process, how realistic is that timeframe?

RECORD OF PROCEEDINGS

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Held

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has discussed the recreation fees for residents versus non-residents. The latter is the fee referred to. The non-resident fee is not recovering costs at this time.

Vice Mayor Lecklider requested that the information be provided in larger print for the Finance Committee review.

Ms. Salay moved to refer Ordinance 90-07 to the Finance Committee for review. Mr. Reiner seconded the motion.

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

Following the Finance Committee review, there will be a second reading/public hearing at the November 19 Council meeting.

Ordinance 91-07

Rezoning Four Parcels Totaling Approximately 7.52 Acres, Located on the North Side of Post Road, From: R-1, Restricted Suburban Residential District, To: PUD, Planned Unit Development District (5800-5904 Post Road – Case No. 07-094Z).

Ms. Salay introduced the ordinance.

Ms. Adkins stated that this is the rezoning of the Nyrop property located on Post Road south of the recreation center. The purpose of the rezoning is to incorporate the sites that are owned by the City into the Coffman Park PUD so that they can be modified as part of the larger Coffman Park Plan. The City would like to renovate the house on this property for use as a park facility.

Mr. Keenan inquired if it is necessary to make the building ADA compliant for public use.

Ms. Brautigam responded that it is correct. It has not been determined specifically how the building will be used, but the intent is to preserve the unique architectural features of the building. Currently, it is used for some staff meetings. Before it is scheduled for public use, the necessary permits will be obtained from the Building division. In the future, staff will be returning to Council with a proposal regarding a public use. Potential use as a nature center or a community retreat facility have been suggested.

Mr. Keenan stated that he would like to make certain that the implications of elevators are understood, if there is a need for one in this building.

Ms. Brautigam responded that staff is aware of those. Fortunately, there is outside access to both levels. The front access is to the second floor, and there is a walk-out exit from the bottom level.

There will be a second reading/public hearing at the November 19 Council meeting.

INTRODUCTION/PUBLIC HEARING - RESOLUTIONS

Resolution 68-07

Authorizing the City Manager to Enter into an Agreement with the Delaware Municipal Prosecutor in the Delaware Municipal Court.

Ms. Brautigam stated that this is an annual housekeeping matter.

Wallace Maurer, 7451 Dublin Road inquired a case in point that could be involved with this contract.

Mr. Smith responded that if an arrest were made within the Delaware County jurisdiction, the case is heard in Delaware County. The City pays the Delaware City prosecutor for their services. The number of cases is minimal.

Mr. Maurer inquired if municipalities such as Dublin, Hilliard or Delaware have the Codes of other municipalities on file.

Mr. Smith responded that they do.



PLANNING AND ZONING COMMISSION

RECORD OF ACTION

October 11, 2007

CITY OF DUBLIN.

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

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

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

2. **5800 – 5904 Post Road** **5800, 5868, 5886, 5904 Post Road**
07-094Z **Rezoning**

Proposal: To incorporate four parcels as part of Coffman Park for park and recreational use, located on the north side of Post Road, approximately 650 feet west of Coffman Park Drive.

Request: Review and approval of a rezoning under the Planned District provisions of Code Section 153.050.

Applicant: Jane S. Brautigam, City Manager, City of Dublin.

Planning Contacts: Jamie E. Adkins, AICP, Planner II and Eugenia Martin, ASLA, Landscape Architect.

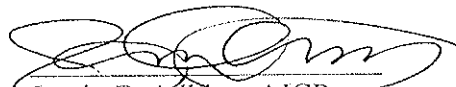
Contact Information: (614) 410-4644, jadkins@dublin.oh.us and (614) 410-4650, emartin@dublin.oh.us

MOTION: To approve this Rezoning/Preliminary Development Plan because it is in keeping with previous intentions to expand Coffman Park under the guidance of the Coffman Park Master Plan and is compatible with the development pattern in the area.

VOTE: 6 – 0.

RESULT: This Rezoning/Preliminary Development Plan was approved.

STAFF CERTIFICATION


Jamie E. Adkins, AICP
Planner II

Site Description:

Project Site

The parcels are comprised of 7.52 acres that vary in size from 1.32 acres to 3.56 acres and have a cumulative frontage of 882 feet along Post Road. The site is located on the north side of Post Road, west of the entrance to Coffman Park and the Dublin Community Recreation Center. The western three parcels are open space and the eastern parcel contains the building, referred to as the Nyrop house. Flood plain associated with the North Fork Indian Run intertwines through the northern part of the parcels. There is a change in elevation of approximately eight feet from the south to the north. Trees and vegetation are located throughout the site.

Surrounding Sites

The site is currently zoned R-1, Restricted Suburban Residential District and adjacent property to the north, east, and west is zoned PUD, Planned Unit Development District, as part of the Coffman Park Planned District (PUD). To the south are office buildings and cultivated farmland, zoned Limited Industrial District (LI).

Proposed Rezoning:

The Coffman Park development text outlines uses and development standards for the different elements that were included in the park when the zoning was established in 1994. The list of elements is specific to the buildings and park facilities. The subject properties will be included as a new element in the text that allows park uses similar to those permitted in the existing park, which and include gathering spaces, a public park facility, and passive parkland. The City may make minor exterior changes to the site in the future and a final development plan will be required at that time.

The Future Land Use Map of the Community Plan, amended by City Council in 2005, designates two of the parcels as “Public Park” and the other two as “Existing Residential.” The City purchased the properties with the intention of their inclusion in Coffman Park.

Plan Description:

Overview

This proposal is to incorporate four existing residentially zoned parcels into the Coffman Park Planned District.

Site Layout

The existing home is located approximately 200 feet from the eastern property line and is setback 100 feet from Post Road. A circular driveway connects from Post Road and leads to the garage attached to the structure. The building is approximately 2,700 square feet and includes a large patio at the rear and a path that connects to a covered bridge that crosses the North Fork Indian Run. An existing barn previously used as a stable is located north of the property in the Coffman Park PUD.

Nyrop Property Element.

The existing Coffman Park Master Plan includes sections for the different park elements, similar to subareas, that identify permitted uses and development standards. A new element is proposed

that will address the addition of this site and the building to the overall park in the development text. The proposed uses allow the building to be utilized as a public park facility that may include a nature education center and meeting space. The development standards are intended to maintain the aesthetic quality of the building and the site.

Open Space

The parcels are considered part of the larger parkland network and include both passive and active open space and facilities.

Access

There is an existing access point to Post Road that generally aligns with Commerce Parkway to the south. No new access to Post Road is proposed at this time. Any additional development that requests additional access points will need to be shown and approved through the Final Development Plan process.

Sidewalks and Bikepaths

Through the continued future development of the site as a park amenity, a bike path connection to the existing bikepath network will be required. The provisions for the bikepath connectivity may be incorporated into the overall Post Road realignment project.

Utilities/Stormwater Management

The existing building has City utilities by means of a 16-inch water line on the north side of Post Road and a 24-inch sanitary sewer on the south side of Post Road. Any changes to the impervious area on the site will require compliance with the Stormwater Management Code through review and approval of a final development plan.

Parking

Any additional parking necessary to facilitate the use of the existing structure or parkland will require review and approval of a final development plan and compliance with the proposed parking standards of the text.

SECTION II - REVIEW STANDARDS:

Rezoning/Preliminary Development Plan

The purpose of the PUD process is to encourage imaginative architectural design and proper site planning in a coordinated and comprehensive manner, consistent with accepted land planning, landscape architecture, and engineering principles. The PUD process can consist of up to three stages:

- 1) Concept Plan (Staff, Commission, and/or City Council review and comment);
- 2) **Zoning Amendment Request (Preliminary Development Plan; Commission recommends and City Council approves/denies); and**
- 3) Final Development Plan (Commission approves/denies).

The general intent of the preliminary development plan (rezoning) stage is to determine the general layout and specific zoning standards that will guide development. The Planning and Zoning Commission must review and make a recommendation on this preliminary development plan (rezoning) request. The application will then be returned to City Council for a public

hearing and final vote. A two-thirds vote of City Council is required to override a negative recommendation by the Commission. If approved, the rezoning will become effective 30 days following the Council vote. Additionally, all portions of the development will require final development plan approval by the Commission prior to construction.

Evaluation and Recommendation based on Rezoning/Preliminary Development Plan Criteria

Section 153.050 of the Zoning Code identifies criteria for the review and approval for a Rezoning/Preliminary Development Plan. These criteria are summarized in the following categories and may be in a different order than listed in the Code:

Adopted Policies and Plans (Criteria 1, 2, 3, and 4): The proposed development is consistent with the Dublin Zoning Code; is in conformity with the Community Plan; advances the general welfare of the City; and the proposed uses are appropriately located in the City so that the use and value of property within and adjacent to the area will be safeguarded.

Criteria are met: The Future Land Use Map of the Community Plan identifies the land use for this site as “Public Park” and “Existing Residential”. The update to the Community Plan Future Land Use Map indicates all the subject properties as “Park/Open Space.” It is Planning’s opinion that the proposed use fulfills the intended future land use and adds parkland and an amenity to the community.

Parks and Open Space (Criteria 5 and 6): The proposed residential development will have sufficient open space areas that meet the objectives of the Community Plan; and the proposed development respects the unique characteristic of the natural features and protects the natural resources of the site.

Criteria are met: The site is currently utilized as parkland and will continue to be used as such in the future. This rezoning will allow the City to expand the current uses and create new amenities for Coffman Park.

Traffic, Utilities and Stormwater Management (Criteria 7, 8, and 11): Adequate utilities, access roads, drainage, retention and/or necessary facilities have been or are being provided; and adequate measures have been or will be taken to minimize traffic congestion on the surrounding public streets and to maximize public safety and to accommodate adequate pedestrian and bike circulation systems so that the proposed development provides for a safe, convenient and non-conflicting circulation system for motorists, bicyclists and pedestrians; and adequate provision is made for storm drainage within and through the site so as to maintain, as far as practicable, usual and normal swales, water courses and drainage areas.

Criteria are met: The site is currently served with adequate utilities, stormwater management facilities, and vehicular and pedestrian circulation for the proposed use. This proposal does not modify any public streets and does not include additional curb cuts to public streets. Additional impervious area will require the entire site to be brought into compliance with current Stormwater Management Code through review and approval of a final development plan.

Development Standards (Criteria 9, and 10): The relationship of buildings and structures provides for the coordination and integration of this development to the community and maintains the image of Dublin as a quality community; and the development standards, and the design and layout of the open space systems and parking areas, traffic accessibility and other elements contribute to the orderly development of land within the City.

Criteria are met: The proposal permits the inclusion of the parcels into Coffman Park and fulfills an element of the Future Land Use Map that identifies a contiguous green space with passive elements along the north side of Post Road. The proposed addition to the Coffman Park development text provides standards that will contribute to the orderly development of this site, including proposed use and density.

Design Standards (12, and 13): The design, site arrangement, and anticipated benefits of the proposed development justify any deviation from the standard development regulations included in the Code or the Subdivision Regulations; are consistent with the intent of the Planned Development District regulations; and the proposed building design meets or exceeds the quality of the building designs in the surrounding area and all applicable appearance standards of the City.

Criteria are met: This proposal is consistent with the intent of the Coffman Park Master Plan and the Future Land Use Map identified in the Community Plan. The proposed development standards will maintain the natural character of the site and continue the passive and active use of Coffman Park.

Infrastructure (Criteria 14, 15 and 16): The proposed phasing of development is appropriate for the existing and proposed infrastructure and is sufficiently coordinated among the various phases to ultimately yield the intended overall development; the proposed development can be adequately serviced by existing or planned public improvements; and the applicant's contributions to the public infrastructure are consistent with the Thoroughfare Plan and are sufficient to service the new development.

Criteria are met: The site does not require additional infrastructure and is adequately serviced by existing public infrastructure.

SECTION III - RECOMMENDATION:

The Coffman Park PUD was adopted by the City in 1994 for the distinct purpose of providing an amenity to the residents of Dublin. This request is in keeping with previous intentions of the City of Dublin to expand Coffman Park under the guidance of the Coffman Park Master Plan. It is Planning's opinion that this proposal is compatible with the development pattern in this area. Based on the evaluation of this proposal according to the criteria set forth in Code Section 153.050, approval of this Rezoning/Preliminary Development Plan is recommended.

DRAFT

**2. 5800 – 5904 Post Road
07-094Z**

**5800, 5868, 5886, 5904 Post Road
Rezoning**

Rick Gerber noted that there were no conditions or comments to be made on this case.

Motion and Vote

Todd Zimmerman made the motion to approve this Rezoning/Preliminary Development Plan because it is in keeping with previous intentions to expand Coffman Park under the guidance of the Coffman Park Master Plan and is compatible with the development pattern in the area. Mr. Gerber seconded the motion, and the vote was as follows: Mr. Walter, yes; Mr. Fishman, yes; Ms. Amorose Groomes, yes; Mr. McCash, yes; Mr. Zimmerman, yes; and Mr. Gerber, yes. (Approved 6 – 0.)

LEGISLATION
SECOND READING/PUBLIC HEARING – ORDINANCES

ZONING

Ordinance 84-03

Establishing Dublin Zoning for 26 Parcels Comprising an Area of Approximately 112 Acres, As Annexed from Washington Township in 1966 and 1973, Located Generally Along the North and South Sides of Post Road, Between Avery-Muirfield Drive and SR 161/I-270, as R-1, Restricted Suburban Residential District and LI, Limited Industrial District. (Case No. 03-073Z – Post Road/Avery Road to I-270 Rezoning)

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

Ordinance 85-03

Establishing Dublin Zoning for 12 Parcels Comprising an Area of Approximately 83 Acres, as Annexed from Washington Township in 1965, 1973, 1980 and 1988, Located Generally on the South Side of Brand Road, East of Coffman Road and West of Dublin Road, as R-1, Restricted Suburban Residential District and R, Rural District. (Case No. 03-072Z – Coffman Road to Dublin Road, Between Brand Road and I-270)

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

Ordinance 86-03

Establishing Dublin Zoning for 13 Parcels Comprising an Area of Approximately 24 Acres, as Annexed from Washington Township in 1973, Located Generally on the South Side of Brand Road, West of Coffman Road, as R-1, Restricted Suburban Residential District. (Case No. 03-071Z – Coffman Road/Brand Road)

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

Ordinance 87-03

Establishing Dublin Zoning for 18 Parcels Comprising an Area of Approximately 150 Acres, as Annexed from Washington and Jerome Townships in 1973 and 1999, Located Generally on the North Side of Post Road, South of Brand Road, Between Hyland-Croy and Muirfield Drive, as R-1, Restricted Suburban Residential District and R, Rural District. (Case No. 03-070Z – Post Road to Brand Road, West of Muirfield Drive and East of Hyland-Croy Road)

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

07-094Z

Rezoning

5800, 5868, 5886, 5904 Post Road



CITY OF DUBLIN.

PLANNING AND ZONING COMMISSION

RECORD OF ACTION

SEPTEMBER 18, 2003

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

Phone/TDD: 614-410-4600
Fax: 614-761-6566
Web Site: www.dublin.oh.us

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

6. **Area Rezoning 03-073Z – Post Road/Avery Road to I-270**

Location: 26 parcels comprising an area of approximately 112 acres, as annexed from Washington Township in 1966 and 1973, generally along the north and south sides of Post Road, between Avery Road and the State Route 161/I-270 ramp.

Existing Zoning: Washington Township Districts.

Request: Review and approval of an ordinance to establish Dublin R-1, Restricted Suburban Residential and LI, Limited Industrial Districts.

Property Owners: City of Dublin, c/o Jane S. Brautigam, City Manager, 5200 Emerald Parkway; Christopher and Deborah Cline, 6060 Post Road; Edith and Bill Driscoll, 6230 Post Road; Gerald Fogle, 6336 Post Road; Albert Gagliardi and Yvonne Bucholtz, 6316 Post Road; Wynn and Judy Hollingshead, 6810 Avery Road; Gary Kinman, 10171 Olentangy River Road, Powell, Ohio 43065; Joseph and Mary Mazza, 6344 Post Road; Julia Phelps, 6290 Post Road; Richard and Linda Pomante, 6800 Avery Road; Albert and Florence Schoby, 6233 Post Road; and Stephen and Cheryl Wall, 6296 Post Road; Mdt Real Estate Mngmt Lp, 9232 Stratton Lane; Dorothy Thomas, 5494 Cara Court; Fj&S Investments, Polis & Simon, 75 E. Wilson Bridge Road, Worthington, Ohio 43085-2362; Continental Real Estate Accounting Dept, 150 E. Broad Street, Columbus, Ohio 43215; John Mckitrick, Vizcaya Suite 1C3, 2333 Gulf of Mexico Drive, Longboat Key, Florida 34228. The above addresses are located within Dublin, Ohio unless otherwise noted.

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

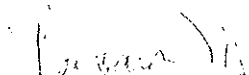
Staff Contact: Anne Wanner, Planner.

MOTION: To approve this area rezoning because it will apply an appropriate Dublin zone, will provide for effective development administration, will maintain the established development pattern, and is consistent with the Community Plan.

VOTE: 7-0.

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

STAFF CERTIFICATION


Barbara M. Clarke,

07-094Z

Rezoning

5800, 5868, 5886, 5904 Post Road

~~Mr. Zimmerman made the motion to approve this rezoning application because it will apply an appropriate Dublin zone, will provide for effective development administration, will maintain the established development pattern, and is consistent with the Community Plan. Mr. Messineo seconded, and the vote was: Mr. Ritchie, yes; Mr. Gerber, yes; Ms. Boring, yes; Mr. Sprague, yes; Mr. Saneholtz, yes; Mr. Messineo, yes; and Mr. Zimmerman, yes. (Approved 7-0.)~~

6. Area Rezoning 03-073Z – Post Road/Avery Road to I-270

Anne Wanner said these 112 acres involve the properties along Post Road, including 12 homes. Several parcels are now part of the expanded Coffman Park. This proposal is to establish the R-1, Restricted Suburban Residential District for areas to the north of Post Road and LI, Limited Industrial District to the south consistent with the historical zoning map. Ms. Wanner said six people attended the informational meeting. This case includes the Dublin Justice Center, some farmland, and other vacant land. She said staff recommends approval.

Joe Polis, said F, J & S Investments owns 5375 Post Road, and the LI allowable uses are totally contrary to what Dublin really wants. For over ten years, staff has been pushing for park, offices, and hotels. They bought this in 1986 for a proposed KinderCare which was disapproved. In 1989, they applied for a building permit to build an office/warehouse, but Pat Bowman and Bobbie Clarke asked them not to pursue it. Staff's reason was that the City had plans for a park and a new City office complex in the area, and the proposed office/warehouse was not compatible. Mr. Polis said they acquiesced and withdrew the permits.

In 1986, Dublin notified them that it was considering rezoning for several Post Road properties to PLOR, Planned Laboratory, Office, and Research District. Dublin approved the Perimeter Mall project in 1988, and that plan shows their site as a potential hotel. Mr. Polis said attorney Harrison Smith said then, and it is still true, that the existing zoning, which was a combination of LI and GI, is inappropriate. He presented some written documentation.

In 1997, Children's Hospital was interested in this site, but they built on Venture Drive because the staff put them off. In 2000, Office Suites Plus wanted to build an office building, and staff again discouraged them. Later, the staff wrote them a letter saying that office and hotel were appropriate. He referred to the Dublin Community Plan and the Civic Center area plan, none of which recommend the uses permitted in LI. Mr. Polis said the LI zone, given everything that has happened, did not make sense. Based upon prior Dublin input, he thought 99 percent of the LI permitted uses would be discouraged. The conditional uses provide for even more unwanted uses. In his opinion, enacting the proposed LI district would do nothing for the property, the owner, the area, or the City. Proper uses would be office, hotel, community commercial, institutional, laboratory, or research. He said that was the only usable zoning.

Ms. Clarke said Mr. Polis' comments reflect her recollection of these many events. The staff believes that LI uses "stink," but the goal here is to establish clear Dublin zoning, not to take away existing property rights. Dublin's zoning map has showed this property as LI for 20 years, but staff cannot find an ordinance that conveyed LI zoning. This is also true for all "area rezoning" cases. The staff was told to methodically establish Dublin zoning, as separate from township or county zoning. She said staff would be happy to work with Mr. Polis to zone the parcel as SO, or an appropriate classification. That would be preferable, but that is not today's assignment.

Mr. Gerber said if Mr. Polis wanted to change the zoning, he would have to file a rezoning application. Ms. Clarke agreed.

Mr. Banchefsky said by ordinance, that upon annexation, Dublin is supposed to establish appropriate zoning. While everybody agrees that LI is inappropriate, that is how this property has always been shown. This project was undertaken because of municipal court decision. The Law Director requested staff to check the entire City to make sure that it had established a Dublin zoning category on every parcel. This is a housekeeping measure.

Mr. Sprague said since so much time has elapsed and so many changes have taken place, it might be argued that it is now time for Dublin to establish a more appropriate zone. Perhaps the LI zone at one time made sense, but that does not reflect current and likely future realities.

Mr. Banchefsky responded that typically, a landowner requests rezoning to a planned district. He said a City-sponsored rezoning could not propose a planned district, with no text, etc. City Council has the ability to apply a straight zoning district, if it chooses.

Mr. Sprague asked if this owner undertook a more appropriate rezoning, would the Commission waive the application fee. Ms. Clarke said City Council decides fee waivers, but a recommendation for approval could be forwarded. Another option might be another City-sponsored rezoning at the request of the Commission.

Ms. Boring asked for more information on the 1986 zoning appeal cited. Ms. Clarke said a subcommittee drafted a new district, the POLR District, to be used here. It caused an uproar and did not go forward. Later, the Perimeter PCD rezoning (for the Ruscilli, Old Post Properties, Metatec and McKitrick parcels) down-zoned the western two-thirds of this industrial area. It also zoned residential uses close to Avery-Muirfield Drive. These pieces are the remnants.

Ms. Boring said she appreciated the explanation. However, if this gets official LI zoning, what will restrict a U-Store-It? Ms. Clarke said for practical purposes, it has had LI zoning for many years. It was that way on the zoning map since before she was hired. She said the development standards are very difficult on a small parcel such as this.

There was some discussion of the planned district rezoning process in Dublin.

Mr. Gerber asked why Dublin had rejected Mr. Polis' proposals. Ms. Clarke responded that two daycare centers' rezoning applications had been defeated in 1984 or 1985, shortly before she was hired. She thought there had been resident opposition. Another complication arose from the traffic study done for the Community Plan. It shows a fuzzy dashed line around the interchange, indicating a future interchange improvement. She said the I-270/US 33 interchange is expected to break down in the future; it needs added capacity. One way to add capacity is to build grade-separated ramps, but it might end up looking like a freeway in Los Angeles. That image was too hard for Dublin to accept in the center of town during the Community Plan, and the result was a dashed line around the interchange. Ms. Clarke did not know what the long-term answer was.

Ms. Clarke said this one-acre lot is not a commercial-sized piece, and it has difficult access due to the proximity of the Post Road bridge over I-270. Even with these difficulties, she did not

think it would become a park without government intervention. There are several parcels that could be joined for a development, perhaps an office or hotel.

Mr. Gerber said this was a housekeeping chore, and the site has been treated as LI for many years. This application merely fixes that problem. He wanted to assure that Mr. Polis had the use of his property for development. In fairness, he wondered if this should be tabled to allow the staff and Mr. Polis to work through the issues.

Mr. Sprague asked if it was possible to exclude one parcel from the application this evening. Ms. Clarke and Ms. Wanner agreed any parcel could be eliminated.

Ms. Boring appreciated the history, but anything other than LI will have a long process and much discussion associated with it. It has been LI on the books for many years.

Mr. Sprague said adopting the LI, formalizes the “pickle factory” potential, and another solution is needed. Ms. Boring said the other solution would be a PUD, natural materials, brick, etc.

Mr. Banchefsky said he discussed a similar situation with a member of City Council about a different parcel. That property owner also wanted “usable” zoning, not what was shown in the area rezoning. He cautioned that excluding one parcel may lead to many others.

Mr. Messineo said this request did not seem to be fully thought out.

Mr. Polis said they would very much like to work with staff to come up with a workable rezoning. He and the abutting owners want to cooperate to come up with something workable. He understands what the current zoning is, but they keep running into brick walls. He said they understand that the Commission is not interested in many of the LI uses. For many of the uses, their site is too small, even in conjunction with the abutting properties.

Ms. Boring said R, Rural or R-1, Restricted Suburban Residential District, would be acceptable to her. She did not want to set up false expectations, because this site will need to go through the full zoning process. The Dublin zoning process is very comprehensive.

Mr. Polis understood. He said they have no perspective use. Their last use was for a two-story office building on their site, the McKittrick site, and the Continental Real Estate site. They would like the proper zoning for an office or hotel use, then they could attempt to find a use.

Mr. Ritchie did not see what would be gained if this were tabled or the parcel excluded. If the staff cannot devise another district, this area rezoning should be approved. Ms. Clarke feared that any other acceptable zone might be interpreted by the owner as a taking. Both R-1 and R are acceptable, but those would not solve the landowner’s problem in trying to develop the land.

In response to a question from Mr. Sanholtz, Ms. Clarke said staff started with the zoning map that had been in use for many years. Anne Wanner then spent hundreds of hours meticulously tracking every legal description in every rezoning ordinance approved by Dublin’s Village Council or City Council. The ordinances were all mapped, and the remaining parcels have been compiled geographically into these area-rezoning applications. The area rezonings include old

subdivisions, scattered homes, City-owned land, churches, schools, and some parcels such as this with non-residential zoning on the map. These parcels have no zoning paper trail.

Mr. Gerber asked if the landowner can make an appointment in the Planning Division to review their property for future development. Ms. Clarke said staff does that a dozen times a week. She said the best guidance available is given by City Council, and that is largely consolidated in the Community Plan. The staff provides whatever background and examples are available.

Ms. Clarke said she had consulted with Mr. Hammersmith during the meeting about access restrictions that apply to this site. She said they believe there are three or four parcels fronting on this section of Post Road that will need to use one combined curbcut. There needed to be coordination among the three or four property owners for access.

Mr. Polis said that easement/access is in place for those three properties, and it was on his site.

Mr. Gerber agreed these were tough cases. He said this is a housekeeping measure, and the land has been treated as industrial for many years. He did not think this property owner would find the R or R-1 Districts to be acceptable. He said it was unlikely this site will stay industrial forever. Mr. Polis agreed and said he wanted some type of zone with a proper use for the site. He said he understood the need for the housekeeping measure, but he wanted it done right.

Mr. Saneholtz proposed tabling this so the staff could work with Mr. Polis. Ms. Wanner said the staff has promised to complete these area rezonings this year if at all possible.

Ms. Boring said this should go forward. She recounted the problems Dublin encountered in putting SO zoning at the corner of Post Road and Avery-Muirfield Drive. She sympathized with Mr. Polis, but she thought he needed to go through the usual zoning process to get his land zoned for appropriate development. This is an important area, as defined by the Community Plan. She appreciated Mr. Polis updating her. Since it is housekeeping, she was ready to vote.

Mr. Messineo agreed. He did not want to assume the responsibility of a perceived taking.

Mr. Sprague said from an administrative perspective, this should be handled tonight. There should be an understanding that staff needs to work with Mr. Polis. Mr. Zimmerman agreed. Mr. Ritchie supported this and thought they should move forward.

Mr. Gerber suggested a concept plan or an informal review to get Commission feedback. He encouraged Mr. Polis to talk with the staff about his ideas.

Mr. Ritchie made the motion to approve this area rezoning because it will apply an appropriate Dublin zone, will provide for effective development administration, will maintain the established development pattern, and is consistent with the Community Plan. Mr. Messineo seconded, and the vote was as follows: Mr. Saneholtz, yes; Mr. Sprague, yes; Mr. Zimmerman, yes; Ms. Boring, yes; Mr. Gerber, yes; Mr. Messineo, yes; and Mr. Ritchie, yes. (Approved 7-0.) Mr. Gerber asked Mr. Polis to keep the Commission apprised. Mr. Polis thanked the Commission. Mr. Gerber thanked Ms. Wanner for her hard work on these area rezonings and good staff report.

Mr. Gerber called a short recess at 7:45 p.m.

INTRODUCTION/FIRST READING - ORDINANCES

ZONING MATTERS

Mayor McCash moved to waive the Rules of Council and read Ordinances 84-03, 85-03, 86-03 and 87-03 together.

Ms. Chinnici-Zuercher seconded the motion.

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

Ordinance 84-03

Establishing Dublin Zoning for 26 Parcels Comprising an Area of Approximately 112 Acres, as Annexed from Washington Township in 1966 and 1973, Generally on the South Side of Brand Road, East of Coffman Road, and West of Dublin Road, as R-1, Restricted Suburban Residential District and LI, Limited Industrial District (Case No. 03-073Z - Post Road/Avery Road to I-270 Rezoning).

Ordinance 85-03

Establishing Dublin Zoning for 12 Parcels Comprising an Area of Approximately 83 Acres, as Annexed from Washington Township in 1965, 1973, 1980, and 1988, Generally on the South Side of Brand Road, East of Coffman Road, and West of Dublin Road, as R-1, Restricted Suburban Residential District and R, Rural District (Case No. 03-072Z - Coffman Road to Dublin Road, between Brand Road and I-270).

Ordinance 86-03

Establishing Dublin Zoning for 13 Parcels Comprising an Area of Approximately 24 Acres, as Annexed from Washington Township in 1973, Generally on the South Side of Brand Road, West of Coffman Road, as R-1, Restricted Suburban Residential District (Case No. 03-071Z - Coffman Road/Brand Road).

Ordinance 87-03

Establishing Dublin Zoning for 18 Parcels Comprising an Area of Approximately 150 Acres, as Annexed from Washington and Jerome Townships in 1973 and 1999, Generally on the North Side of Post Road, between Hyland-Croy and Muirfield Drive, as R-1, Restricted Suburban Residential District and R, Rural District (Case No. 03-070Z - Post Road to Brand Road, West of Muirfield Drive and East of Hyland-Croy Road).

Ms. Chinnici-Zuercher introduced Ordinances 84-03, 85-03, 86-03 and 87-03 and moved referral to the Planning & Zoning Commission.

Mr. Lecklider seconded the motion.

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

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Mayor Campbell noted that both applications will be considered by Council at the next meeting.

Legislation

Ordinance No. 88-93 - An Ordinance Providing for a Change of Zoning of 111.203 Acres of Land Located on the East Side of Cosgray Road Approximately 1,000 Feet to the North of Shier-Kings Road from: PIP, Planned Industrial Park District to: PIP, Planned Industrial Park District. (Sports Ohio) (Third Reading) (Applicant: Allen S. Shepherd III, 6298 Cosgray Road, Amiin, OH 43002)

Ms. Clarke noted that an addendum to the text has been distributed tonight, and she requests that this be incorporated into the text for this rezoning. The text includes language stating that these buildings cannot be used for industrial uses. She pointed out that Council is approving with this text the area of setback reduction but not the curb cuts. She emphasized that there is an understanding that the use of amusement arcades will remain as presently governed by Dublin's Codified Ordinances.

Mrs. King moved approval of Ordinance 88-93 with the four conditions from Planning Commission and with the addition to the text of the special notes on the nature of the fun park and the overhead walkway, as contained on insert 6A submitted to Council tonight.

Mr. Strip seconded the motion.

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

Ordinance No. 96-93 - An Ordinance Providing for a Change of Zoning of 3.679 Acres of Land Located on the Northeast Corner of Innovation Drive (formerly Enterprise Drive) and Wilcox Road from: RI, Restricted Industrial District to: SO, Suburban Office and Institutional District. (Third Reading) (Applicant: DCP Associates, P.O. Box 370, Dublin, OH 43017)

Mrs. Stillwell moved approval with the conditions of Planning Commission.

Mrs. King seconded the motion.

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

Ordinance No. 111-93 - An Ordinance Providing for a Change of Zoning of 81.994 Acres of Land Located on the Northwest Corner of Avery Road and Brand Road from: R-1, Restricted Suburban Residential District to: PUD, Planned Unit Development District. (for a single-family development known as Shannon Glen) (Third Reading) (Applicant: Robert A. Meyer, 41 South High Street, Columbus, OH 43215)

Mr. Kranstuber moved approval subject to the 17 conditions imposed by Planning Commission.

Mayor Campbell seconded the motion.

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

Ordinance No. 18-94 - An Ordinance Providing for a Change of Zoning of 48.049 Acres of Land Located on the Northwest Corner of Post Road and Coffman Road from: R-1, Restricted Suburban Residential District to: PUD, Planned Unit Development District. (Coffman Park) (Third Reading) (Applicant: Timothy C. Hansley, City of Dublin, 6665 Coffman Road)

Mayor Campbell stated that since many public hearings have been held on the rezoning for the Community Center, tonight's testimony should address concerns which have not been discussed previously.

Nancy Twynham, 5627 Tara Hill expressed concern that the third entrance to the park is back on the design board again. She does not believe the third entrance from Tara Hill is justified, as all of the Metro Parks in the Columbus area have only one entrance.

Discussion followed about the traffic consultant's determination that three entrances will be necessary for the Center.

Mayor Campbell emphasized that there is some question as to whether it was necessary for the City to go through a rezoning process for the Center since recreational uses are already permitted in Coffman Park. The City has held all of the hearings on the Community Center to allow for public input in the process. The traffic issues have been discussed at length in many meetings by citizens,

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staff and consultants.

Mrs. Stillwell commented that the community on Tara Hill is looking to the City for some assurance that any traffic impacts will be mitigated. Council needs to recognize and respect the concerns of the Tara Hill residents who will be substantially affected by this rezoning.

Mayor Campbell noted that the entrance to Coffman Park has always existed from Tara Hill. Eliminating the Tara Hill entrance would require a totally different design of the other two entrances because of the increased volumes of traffic.

Mr. Kranstuber suggested that Council accept new public testimony at this time, discuss the issues, and then proceed to a vote.

Robert Goelz, 5617 Tara Hill stated that he would like clarification on what Council is voting on tonight and what recourse the residents would have after that.

Mayor Campbell responded that Council is voting on the rezoning of the park which is a PUD containing the site plan for the building, the building itself, and how it will fit on the site, including the three entrances. The recourse to residents following Council's vote would be a referendum. He believes Council has taken ample testimony from all sides on the issues raised with the rezoning.

Mr. Goelz stated that the Tara Hill residents are opposed to the third entrance. He doesn't believe Council is listening to the residents on this issue.

Discussion followed about procedures for the residents who desire to fight the rezoning.

Ms. Clarke pointed out that in this particular case, the site is already zoned for a park. The building is permissible right now. The city is going through this rezoning process to go on record to say what the plan is, what the buffers will be, and to assure that the standards are higher than are required in the R-1 zoning. She cautioned the residents that challenging this plan or the PUD zoning does not, in her view, negate permissible zoning to build this building in accordance with this plan on this site. She added that if the traffic on Tara Hill becomes disruptive to the neighborhood, Council will direct staff to find a way to solve the problem.

Discussion continued about the possibility of leaving the Tara Hill entrance issue open.

Mrs. King noted that Council members have made a commitment to be responsive to the citizens. If any aspect of the project becomes an issue at a later date, Council will listen to the citizens. She hopes that Mr. Goelz will look at a range of options open to him on this issue.

Discussion continued about the possibility of phasing the entrances. Mr. Foegler emphasized that the traffic consultant has recommended that the entire parking lot be built in Phase One because the peak hour generators are all Phase 1 elements.

Mrs. King noted that the reason the Metro Parks have only one entrance is for security reasons and for permit purposes.

An unidentified audience member stated that she has concerns about the teenagers speeding on Tara Hill. The police will not be around to monitor the speeding at the entryway to the Center.

Mr. Zawaly responded that this underscores the point that the residents should continue to work with staff to address these issues. Perhaps a gate could be added at the entrance to eliminate usage except during peak events.

Mrs. Stillwell asked about the status of adding a Condition #6 regarding the drainage. Condition #6 would state that, "Drainage at the northern boundary of the site will be improved to the extent possible to improve the situation, but in any case, not making the situation worse."

Mayor Campbell responded that Council had agreed to add this condition.

Mr. Zawaly moved approval of Ordinance 18-93 with the 6 conditions stated.

Mrs. King seconded the motion.

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

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Mayor Campbell stated that Ordinance 18-94 is approved subject to the six conditions. He urged residents in the neighborhood to work with staff to mitigate their concerns.

Ordinance No. 19-94 - An Ordinance Authorizing the Regulation of Traffic on Muirfield Drive and Other Roads in Muirfield During the Annual Memorial Tournament. (Third Reading)
Vote on the Ordinance - Mr. Zawaly, yes; Mrs. Boring, yes; Mrs. Kranstuber, yes; Mayor Campbell, yes; Mrs. King, yes; Mrs. Stillwell, yes; Mr. Strip, yes.

Ordinance No. 20-94 (Amended) - An Ordinance Amending Chapter 717 of the Codified Ordinances of the City of Dublin, Ohio. (Peddlers and Solicitors) (Third Reading)
Mr. Banchefsky pointed out that a couple of minor changes are included in the amended version, where instead of referring to charitable organizations as "locally" recognized religious or charitable, the word "locally" has been removed.

Mrs. King asked about feedback solicited from the schools regarding the ordinance, since the students are so often involved with fundraisers that consist of door-to-door sales.
Mr. Hansley responded that staff intends to contact the schools after the legislation is passed by Council. The charitable/religious/school groups have been supportive of this ordinance because the area has been deluged with so many private outside profit making groups. He added that at this time, the community needs this legislation. The ordinance can be modified at a later date if necessary.

Discussion followed about the inclusion of civic groups in the religious or charitable designation. It was the consensus of Council that civic groups would be included in the designation.

Mayor Campbell pointed out that the word "locally" also should be removed from Page 3, Number 9.

Mr. Strip moved to amend the ordinance as submitted tonight, with the additional correction on Page 3, Number 9, and to approve the ordinance.
Mr. Kranstuber seconded the motion.
Vote on the motion - Mr. Kranstuber, yes; Mr. Strip, yes; Mr. Zawaly, yes; Mrs. King, yes; Mrs. Boring, yes; Mrs. Stillwell, yes; Mayor Campbell, yes.

Ordinance No. 21-94 - An Ordinance Amending the Annual Appropriations Ordinance for the Fiscal Year Ending December 31, 1994. (for Installation of traffic signal and left turn lanes at Bright Road/Riverside Drive intersection) (Second Reading)
Mrs. Boring pointed out that information was provided to Council in a previous packet regarding the proposed traffic signal. Staff has recommended installation of the signal.

Randy Roth, East Dublin Civic Association representative stated that they see this issue as a city-wide one. The Association has voted to support a lowering of the speed limit on Riverside Drive to no more than 45 mph. They are also concerned about the number of curb cuts on Riverside Drive and would like to see the speed limit lowered after the traffic light is installed. Staff has recommended this traffic signal for safety reasons. Visibility is the problem at this intersection more than anything else. Traffic lights may not solve the problem. The Association is asking Council to support the installation of the signal at this time.

John Ferrara, Tamarisk Court pointed out that documentation from experts and from staff clearly points out unanimous support of this traffic light. The City also has an obligation to provide safe passage through its roadways to those living outside of Dublin. Growth in Dublin will continue to generate higher volumes of traffic. This is only one of several traffic light issues which will come before the Safety Committee in the years to come.

Mrs. Boring also noted that Perry Township Fire Chief Olney reports that accidents at this intersection involved more severe injuries than other intersections. He believes Council should seriously consider installation of this signal.

Mr. Strip pointed out that the expenditure for this signal will be nearly \$200,000. He does understand and supports the need for its installation.

Mrs. King added that the expenditure also includes the road widening for the traffic signal installation. She suggested possibly phasing the implementation so that lane widenings occur first. The city would then have the benefit of the lights to the south and north by the time the widening

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including mini-greens, 162 lots of 80 feet in width, with cul-de-sac lots slightly less in width. There are 20.3 acres of open space. There is landscape detail along Ayery Road, street lighting and provision for bikepaths. The developer has enjoyed the support of area residents at the Planning & Zoning Commission meetings. The plan is a workable one, particularly with respect to the issues involving the stream that runs through the center.

Miles Hebert, EMH&T addressed Council in regard to the hydraulic study of the stream. They are requesting channelization in the area of an existing stream crossing where sediment has clogged the stream. He believes that they can perform the FEMA revision and demonstrate that the developable areas will be out of the 100-year flood plain. A hydraulic study will be done to demonstrate no adverse impact to contiguous upstream landowners. Another hydrologic study will be prepared reflecting on-site stormwater detention, demonstrating no adverse impact to downstream property owners as a result of stormwater runoff from the site.

There were no additional questions from Council.
There will be a third reading of the ordinance at the April 4 Council meeting.

Ordinance No. 18-94 - An Ordinance Providing for a Change of Zoning of 48.049 Acres of Land Located on the Northwest Corner of Post Road and Coffman Road from: R-1, Restricted Suburban Residential District to: PUD, Planned Unit Development District. (Coffman Park) (Public Hearing) (Applicant: Timothy C. Hansley, City of Dublin, 6665 Coffman Road)
Registered as proponents were Mitchell Grant, 6699 Willowgrove Lane, Dublin; Janet Jordan, 6665 Coffman Road, Mark Gialucca, 523 W. Park Street, and Mark Bodein, 1776 E. Broad Street, Columbus, Ohio. Registered as opponents were William Zimlich, 5431 Tara Hill Drive; S.N. Goyal, 5407 Tara Hill; R.L. Goelz, 5617 Tara Hill; R.G. Hodel, 5587 Tara Hill; Eric Silver, 6933 Ernest Way; Tom Buchan, 5729 Tara Hill; and Bill Jucasek, 5677 Tara Hill.

Ms. Clarke stated that the application is a combined concept plan and preliminary development plan. The City now owns all 46 acres which is currently zoned R-1. Staff believes the PUD zoning would be appropriate since it requires that the City provide the most definable set of its aspirations of how the land will be developed. In this rezoning, the City is the applicant and is acting as the developer of the 46 acres, 28 of which have been owned by the City for a decade or more and an additional 18 which was recently purchased from the Thomas family. She then showed slides of the site and described the surrounding area.

Ms. Clarke noted that two public meetings have been held recently on the Community Recreation Center plans - one for the perimeter property owners to preview the plan and another at the Planning Commission. Substantial concerns have been raised about the traffic planning, and Doyle Clear from Barton-Aschman is present to address these issues tonight. His report was contained in the packet. Planning Commission recommended approval of the rezoning with 5 conditions:

1. That the text and plan information be reconciled to be consistent;
2. That the recommendation of the traffic consultant be incorporated to provide optimal traffic flow and circulation;
3. That the bridge, grading and improvements be designed and installed in compliance with FEMA regulations regarding flood hazard areas;
4. That the plan be resubmitted for amendment if determined to be inconsistent with the final recommendations of the Coffman Park Master Plan;
5. That an application be filed with the Board of Zoning Appeals if determined to be an appropriate measure by the Law Director, with regard to the floodway plus 20 feet regulations.

Doyle Clear, Barton-Aschman stated that he was asked by staff to review traffic impact and parking associated with the proposed Recreation Center. He looked at three different possible maximum use scenarios and came up with a maximum parking demand of about 350 to 360 cars. He is recommending the full maximum number of parking spaces be built in phase one because the need will be there. He noted that the access point from Tara Hill is a critical one for the site, estimated to serve about 25 percent of the people coming to the Center. Eliminating the access point on Tara Hill will not reduce the traffic volumes using Tara Hill to get to another entrance to the Center from Coffman or Post. The Tara Hill entrance will serve as a neighborhood access site, while the Post Road entrance will serve the regional traffic. The access from Coffman Road will be utilized more when the road is improved and a left turn lane is added. In addition, his firm has worked with the site planners to provide adequate turning radii for buses and to provide ample drop-off and pick-up zones at the Center.

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Discussion followed about the traffic patterns, the driving time study, and the update of the Thoroughfare Plan with the Community Plan update.

Mark Gialucca, Myers Schmalenberger noted that the Downpatrick entrance would be a gated neighborhood entrance. The facility administrator would determine whether it is closed each evening or left open. He then provided information on the grading and buffering issues. The finished floor elevation of the building will be about 3 to 4 feet below the elevation of the north property line. The slope will be south toward the Indian Run, and thus the parking lot will be about 3 feet lower than the property line. This will prevent the car lights from shining in the windows of the neighbors to the north. He then described the buffering to be installed on the site.

At this point, Mayor Campbell invited the public to testify.

Mitchell Grant, 6699 Willow Grove Lane stated that he is the Vice President of the Willow Grove Condominium Owners Association and represents 103 unit owners. The Association's number one concern is traffic and the difficulty in making a left turn out of Willow Grove. He asked that Council keep in mind the 103 unit owners in planning for the Coffman Road widening and the Recreation Center.

Janet Jordan, Parks & Recreation Director stated that she is present to answer any questions from Council.

Mr. Zawaly asked what would be in the space that will ultimately be occupied by Phase 2 during the interim period between Phase 1 and 2.

Ms. Jordan responded that it will be lawn space and some minor landscaping that will be movable.

Mr. Kranstuber asked her to confirm the groundbreaking date for the site as Memorial Day.

Ms. Jordan responded that late spring or early summer is still the targeted timeframe.

Mark Bodgin, Moody Nolan, architects for the Center, stated that they are very pleased with the way the plan has developed. He offered to answer any questions.

William Zimlich, 5431 Tara Hill, stated that he has delivered a letter to the Mayor from a neighbor, Mr. and Mrs. Lee.

Mayor Campbell responded that the letter will be included in the package of letters on the rezoning issue. The Lees are concerned about the traffic issues involving Tara Hill.

Mr. Zimlich expressed concern about the traffic issues and volumes of existing traffic from the high school. He and his neighbors have existing problems with drainage around their homes and are concerned that mounding could worsen the problem. They look forward to having a "good neighbor" in their back yard, but don't want any more associated traffic problems.

S.N. Goyal, 5407 Tara Hill stated that Council should consider building a walkway or bicycle path instead of a roadway from Tara Hill. He is very concerned with existing traffic problems on Tara Hill, and the Center would add to them. He noted that his sump pump is running around the clock and has been replaced twice. With the added lot coverage of the Center, he is afraid that his drainage problems will worsen.

R.L. Gofitz, 5617 Tara Hill stated that the Community Center makes sense overall, but he has concerns with the volume of traffic entering the Center from Tara Hill and the possibility of difficulty in parking along Tara Hill. Dropping off children at the Center could cause congestion problems on Tara Hill. He is also looking for some assurances from the city about resolution of the drainage situation.

Mr. Gialucca responded, stating that existing drainage will be improved along the property line during the construction process. Most of the project will drain to the south.

Discussion followed about the possibility of patrons of the Center parking on Tara Hill and walking to the Center.

Ms. Clarke commented that the distance from the Center's front door to Tara Hill will discourage parking on Tara Hill. During major events such as the Irish Festival, the City may have to monitor parking and possibly use the high school parking lot. Parking could be prohibited on Tara Hill during these events.

Mr. Hodel, 5587 Tara Hill commented that he sees the Tara Hill access point not as a neighborhood access but rather as a "funnel" for large amounts of traffic. He does not believe 45 feet is an

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adequate buffer for 350 cars and buses. During the peak usage time in the winter, there will be no foliage on the trees. He trusts the City and Council to take care of the drainage problem and the traffic concerns. The proposed Rec Center building is beautiful.

Eric Silver, 6933 Ernest Way stated that he has lived in Dublin 10 days. Before purchasing a home in Dublin, he checked with the City regarding plans for the park. He was told that there would not be an access from Tara Hill at that time, but he understands that things can change. He has concerns with the quality of life issue for residents of Tara Hill. He believes there will be much more traffic through Tara Hill than has been estimated by the City's traffic consultant.

Tom Buchan, 5729 Tara Hill stated that he has recently purchased his home. He, too, has concerns with the access from Tara Hill and the safety issues which will result for the small children living in the area. He suggests moving the parking area to the Post Road entrance instead of adjacent to the Tara Hill entrance. He would prefer that the Tara Hill entrance be a pedestrian accessway. He also requests that a green area be maintained in the park area behind the homes on Tara Hill.

Bill Jurasek, 5677 Tara Hill stated that he has nothing further to add to what has been testified.

Mrs. Boring asked if consideration was given to moving the parking lot to the Post Road entrance. Ms. Clarke responded that it was considered but did not fit in that area.

Mrs. King suggested adding a Condition #6 stating that the drainage at the northern boundary of the site will be improved, or whatever language would be appropriate to make this commitment to the residents of the adjacent properties.

Mayor Campbell indicated that he would favor adding such a condition.

Mr. Kranstuber commented that some of the existing problems do not relate to the Recreation Center, but to the extent that they can be improved, he would support such a condition.

Ms. Clarke noted that insofar as it is within the City's ability to regrade the area to improve the drainage, this would be possible. Many areas of Dublin, however, have high ground water resulting in continual operation of sump pumps. The City cannot change the ground water level with the regrading.

Mrs. King noted that she is referring not to subterranean drainage but to surface drainage. She is hopeful that regrading the area can improve the surface drainage.

Mr. Kranstuber suggested that the added condition include language, "to the extent possible to improve the situation, but in any case, not making the situation worse."

There will be a third reading of the ordinance at the April 4 Council meeting.

~~Ordinance No. 106-93 - An Ordinance to Accept an Annexation of 26.976 +/- Acres in Jerome Township, Union County to the City of Dublin. (Tabled Ordinance) (Applicant: Harrison W. Smith, Jr., Agent for Petitioner Shawnee Hills Land Company, 5131 Post Road, Dublin, OH 43017)~~

~~Mayor Campbell noted that he has been given a copy of a letter sent to Steve Smith by Harrison Smith requesting that this item be left on the table and held over until the second April meeting of Council.~~

~~Mrs. King asked why this item should not be tabled indefinitely. In this way, Council can determine at which point to take it off the table.~~

~~Steve Smith stated that Council can table this indefinitely if they wish. He noted that Council has 120 days following the first reading to take action on an annexation petition. Harrison Smith has requested the later April meeting date in order to respond to issues previously raised by Council.~~

~~Mayor Campbell commented that any item that is tabled requires action from Council to remove it from the table. Thus, procedurally, he believes it would be appropriate to table items indefinitely since they will always require action from Council to remove them from the table. Tabling until a certain date does not necessarily indicate that Council will choose to remove the item on that date.~~

~~Following brief discussion, Mayor Campbell stated that Council may choose to take items off the table, but in order to provide adequate notice to affected parties, Council should then set the~~

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RECORD OF ACTION

DUBLIN PLANNING AND ZONING COMMISSION

March 10, 1994

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

9. Rezoning Application Z94-001 - Combined Concept and Preliminary Development Plans - Community Recreation Center - Coffman Park

Location: 46 acres located on the northwest corner of Post and Coffman Roads.

Existing Zoning: R-1, Restricted Suburban Residential District.

Request: To rezone the property to the PUD, Planned Unit Development District; this is a request for a combined review of the Concept Plan and the Preliminary Development Plan under the PUD regulations of Section 1181.07.

Proposed Use: Proposed community center of over 100,000 square feet in addition to park uses, Fletcher Coffman homestead and Dublin Municipal Building.

Applicant: City of Dublin, c/o Parks and Recreation Department, 6665 Coffman Road, Dublin, OH 43017.

MOTION: To approve this rezoning application with the following five conditions:

- 1) That the text and plan information be reconciled to be consistent;
- 2) That the recommendations of the traffic consultant be incorporated to provide optimal traffic flow and circulation;
- 3) That the bridge, grading and improvements be designed and installed in compliance with FEMA regulations regarding flood hazard areas;
- 4) That the plan be resubmitted for amendment if determined to be inconsistent with the final recommendations of the Coffman Park Master Plan; and
- 5) That an application be filed with the Board of Zoning Appeals, if determined to be an appropriate measure by the Law Director, with regards to the floodway plus 20 feet regulations.

The four bases for this motion are:

- 1) The proposal is consistent with the purpose and approval criteria of Section 1181.07 governing Planned Unit Developments in the Planning and Zoning Code.
- 2) The plan uses and maintains the site's natural environmental features.
- 3) The proposal conforms to the recommendations of the Community Plan and the Coffman Park Master Plan.

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RECORD OF ACTION
DUBLIN PLANNING AND ZONING COMMISSION

March 10, 1994

**9. Rezoning Application Z94-001 - Combined Concept and Preliminary Development Plans
- Community Recreation Center - Coffman Park (Continued)**

- 4) The design is sensitive to the residential surroundings and neighborhood into which it will be placed.

*Barbara M. Clarke, representing the City of Dublin, agreed to the above conditions.

VOTE: 7-0.

RESULT: This rezoning application was approved.

STAFF CERTIFICATION:



Barbara M. Clarke
Director of Planning

The bases for this recommendation are as follow:

- 1) The preliminary plat as modified above meets the requirements of the Subdivision Code and the PIP District.
- 2) The plat promotes the coordinated development of the area as a sports park which is compatible with the surrounding development.
- 3) The preliminary plat conforms to the goals of the Community Plan and the Southwest Area Plan.

Mr. Shepherd accepted the above conditions.

Mr. Kranstüber seconded the motion and the vote was as follows: Mr. Ferrara, yes; Mr. Peplow, yes; Mr. Sutphen, yes; Mr. Kranstüber, yes; Ms. Chinnici-Zuercher, yes; Mr. Rauh, yes; Mr. Fishman, yes. (Approved 7-0.)

9. Rezoning Application Z94-001 - Combined Concept and Preliminary Development Plans - Community Recreation Center - Coffman Park

Bobbie Clarke presented this case and area slides. This is a rezoning application with a combined concept and preliminary development plan. Coffman Park is currently zoned R-1, restricted Suburban Residential District, which permits churches, schools, parks and one-acre single-family residential development. The City is undertaking to rezone this property to a PUD, Planned Unit Development District, in order to set forth its ultimate development proposal for the park and to provide a measure of certainty for the abutting neighborhood.

Ms. Clarke said the existing 28-acre park is only half developed with all the facilities on the southern end along the Indian Run. The City is buying more land to the west to bring the overall acreage of the park to approximately 46 acres. A main entry is proposed along Post Road and a neighborhood entrance for the Tara Hill neighborhoods will be through Downpatrick Drive. Play areas for children are planned along with shelterhouses, and a community stage. Ms. Clarke indicated on a slide a landmark oak tree which will be located at the main driveway and a new pond. She said approximately 250 parking spaces are planned for the ±70,000 square foot Community recreational center.

Phase I is proposed to have a senior citizens activity room, a competitive swimming pool and a leisure pool, several classrooms, a gym, and administrative offices. The second phase will include a blackbox theater and a major community room. Only the first phase is currently funded. A lawn will be maintained for community events. The major feature of the overall architecture will be a slide into the pool, and in the second phase the slide will be repeated at the opposite end. The interior of the building will include a lot of timber. The exterior materials will be mainly stone and dryvit, wood trim, and a standing seam metal roof.

Ms. Clarke presented a slide indicating the buffers between the park and the neighbors. Ms. Clarke felt that the City wants to be a good neighbor and would go through the same test as a developer. The preliminary development plan is the rezoning document. She said City Council

desired to get the administrative paperwork underway quickly, and the public hearing for this rezoning application is scheduled for March 21.

Staff recommends approval of this combined Concept Plan and Preliminary Development Plan with the following five conditions:

- 1) That the text and plan information be reconciled to be consistent;
- 2) That the recommendations of the traffic consultant be incorporated to provide optimal traffic flow and circulation;
- 3) That the bridge, grading and improvements be designed and installed in compliance with FEMA regulations regarding flood hazard areas;
- 4) That the plan be resubmitted for amendment if determined to be inconsistent with the final recommendations of the Coffman Park Master Plan; and
- 5) That an application be filed with the Board of Zoning Appeals, if determined to be an appropriate measure by the Law Director.

Staff believes this is an enormous recreational opportunity for the Community and hopes that by this application the City will meet every reasonable standard.

Ms. Clarke accepted all the conditions listed above on behalf of the City.

Mr. Kranstuber reviewed the application process to date. He said on March 7 City Council signed off subject to the Parks Committee's review. The Parks and Recreation Committee had a public hearing on March 9 at which a number of residents were present. The Committee signed off on behalf of Council at that meeting.

Mr. Satya Goyal, 5407 Tara Hill Drive, said he chose his house because it was next to a park, not a building. He objected to the building because it would add additional traffic on his street. Mr. Goyal said he had signed a petition and is getting the runaround. Mr. Fishman said the neighborhood would not have good access without that entrance.

Mr. Sutphen said that was a park entrance as far back as 1983.

Ms. Clarke said last month all the contiguous neighbors on Valleydown, Shannon Park Drive, and Tara Hill Drive were invited to meeting a to discuss their concerns. The neighbors felt impacted by the traffic created by the high school and did not want cut-through traffic. Barton-Aschman Associates, Inc. of Ohio has specifically been hired to address access traffic issues.

Mr. Sutphen made the motion to approve this combined Concept and Preliminary Development Plan with the following five conditions and based on the following four bases:

- 1) That the text and plan information be reconciled to be consistent;
- 2) That the recommendations of the traffic consultant be incorporated to provide optimal traffic flow and circulation;
- 3) That the bridge, grading and improvements be designed and installed in compliance with FEMA regulations regarding flood hazard areas;

- 4) That the plan be resubmitted for amendment if determined to be inconsistent with the final recommendations of the Coffman Park Master Plan; and
- 5) That an application be filed with the Board of Zoning Appeals, if determined to be an appropriate measure by the Law Director; with regards to the floodway plus 20 feet regulation.

Bases:

- 1) The proposal is consistent with the purpose and approval criteria of Section 1181.07 governing Planned Unit Developments in the Planning and Zoning Code.
- 2) The plan uses and maintains the site's natural environmental features.
- 3) The proposal conforms to the recommendations of the Community Plan and the Coffman Park Master Plan.
- 4) The design is sensitive to the residential surroundings and neighborhood into which it will be placed.

Ms. Chinnici-Zuercher seconded the motion. The vote was as follows: Mr. Ferrara, yes; Mr. Peplow, yes; Mr. Kranstuber, yes; Mr. Rauh, yes; Ms. Chinnici-Zuercher, yes; Mr. Sutphen, yes; and Mr. Fishman, yes. (Approved 7-0.)

Mr. Kranstuber said the bridge ground breaking was scheduled to be around Memorial Day and building ground breaking by the end of 1994 with occupancy by the end of 1995.

10. Discussion - Sign Code Update

Ms. Clarke announced that Thomas McCash of the Board of Zoning Appeals would fill the vacancy on the Sign Code Sub-Committee (in lieu of Becky Saylor) along with Marilee Chinnici-Zuercher and Daniel Sutphen.

Mr. Ferrara asked if banners such as those in Old Dublin were considered for the east side of Dublin across the river. Ms. Clarke said those banners were to replace the one that went across Bridge Street at the Old Firehouse location. She understood the concern about the east side being part of Dublin and felt it should be considered. Mr. Ferrara felt the exposure for Dublin would be greater in an area such as Dublin Village Center.

Respectfully submitted,

Libby Farley
Planning Division Secretary