

# RECORD OF ORDINANCES

Ordinance No. 21-14

Passed \_\_\_\_\_, 20\_\_\_\_

**AN ORDINANCE REZONING APPROXIMATELY 4.6 ACRES ON THE EAST SIDE OF COFFMAN ROAD, NORTH OF FOREST RUN DRIVE, AT THE CURRENT TERMINUS OF NATURE DRIVE, FROM R, RURAL DISTRICT TO R-2, LIMITED SUBURBAN RESIDENTIAL DISTRICT AND A PRELIMINARY PLAT TO CREATE FOUR RESIDENTIAL LOTS REQUIRING A PRELIMINARY PLAT VARIANCE TO THE REQUIRED RIGHT-OF-WAY AND PAVEMENT WIDTHS (CASE 13-115Z/PP).**

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Dublin,   9   of its elected members concurring, that:

Section 1. The following described real estate, (see attached legal description), situated in the City of Dublin, State of Ohio, is hereby rezoned R-2, Limited Suburban Residential District, and shall be subject to regulations and procedures contained in Ordinance No. 21-70 (Chapter 153 of the Codified Ordinances), the City of Dublin Zoning Code and amendments thereto.

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

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

Passed this 5th day of May, 2014.

  
\_\_\_\_\_  
Vice Mayor - Presiding Officer

ATTEST:

  
\_\_\_\_\_  
Clerk of Council

- **Ordinance 33-14 (Introduction/first reading)**  
Authorizing the City Manager to Execute Necessary Conveyance Documents to Acquire 0.086 Acre, More or Less, Permanent Easement and 0.097 Acre, More or Less, Temporary Easement from Paul Null, Jr. for the Property Located at 15 Grandview Drive for the Construction of a Multi-use Path as Part of the Dublin Road South Phase 3 Project. (Second reading/public hearing May 19 Council meeting)
  
- **Ordinance 34-14 (Introduction/first reading)**  
Appropriating a 0.045 Acre, More or Less, Permanent Easement and a 0.052 Acre, More or Less, Temporary Easement from Adam P. Johnson for the Property Located at 5851 Dublin Road for the Construction of a Multi-Use Path as Part of the Dublin Road South Phase 3 Project. (Second reading/public hearing May 19, 2014)
  
- **Ordinance 35-14 (Introduction/first reading)**  
Authorizing the City Manager to Accept and Receive a 0.002 Acre, More or Less, Permanent Storm Water Easement Donated by Jack M. McKittrick and Sue E. McKittrick, for the Property Located at 5945 Dublin Road for the Improvements of a Multi-use Path as Part of the Dublin Road South Phase 3 Project. (Second reading/public hearing May 19 Council meeting)
  
- **Ordinance 36-14 (Introduction/first reading)**  
Authorizing the City Manager to Accept the Dedication of 0.104 Acre, More or Less, for Fee Simple Interests for a Multi-use Path Easement, 0.096 Acre, More or Less, for Fee Simple Interests for a Multi-use Path, Drainage, and Utilities Easement, and 0.002 Acre, More or Less, for Fee Simple Interests for Sanitary Sewer Easement from Dublin Senior Community DVR, LLC; and 0.10 Acre, More or Less, for Fee Simple Interests for a Multi-use Path, Drainage, and Utilities Easement, and 0.103 Acre, More or Less, for Fee Simple Interests for Sanitary Sewer Easement from Dublin Senior Community LSP, LLC, Located North of Post Road and West of Avery-Muirfield Drive, City of Dublin, County of Franklin, State of Ohio. (Second reading/public hearing May 19 Council meeting)

**POSTPONED ORDINANCE**

**Ordinance 21-14**

**Rezoning Approximately 4.6 Acres, Located on the East Side of Coffman Road, North of Forest Run Drive at the Current Stub of Nature Drive from R, Rural District to R-2, Limited Suburban Residential District and Approving a Preliminary Plat to Create Four Residential Lots Requiring a Preliminary Plat Variance to the Required Right-of-Way and Pavement Widths.** (Case 13-115Z/PP) (Bremlee Estates)

Ms. Husak stated that Council had requested follow-up on some items at the introduction of the ordinance.

1. Maintenance of the bioswale
2. Homeowner Association membership as it pertains to the Woods of Indian Run.

Staff has included information regarding the maintenance of the bioswale, as well as some description of that provided by the applicant. The estimate is that the cost to maintain the bioswale is \$800-1,000 annually that would be split among the four proposed lots.

In addition, she provided a locator map for the proposed rezoning, which lies just north of Nature Drive. The Bremlee Estates residents would have access to their lots via the main entrance for the Woods of Indian Run at Coffman Road and Forest Run Drive. The Woods of Indian Run also has an entry feature at Coffman Road. The applicant's representative is present to respond to any further questions.



Staff recommends approval of the plat with the rezoning; a condition is proposed to ensure the HOA membership and maintenance of the bioswale issues are addressed.

Jack Reynolds, Smith & Hale, 37 W. Broad Street, representing the applicant stated that they are hopeful that all questions concerning the development of these four lots have been resolved. At the last hearing, he made the representation that they would ensure that the deed restrictions affecting these four lots would work in conjunction with those of the Woods of Indian Run. He has spoken to the attorney working on the deed restrictions, and they will be ready for the final plat review. He offered to respond to any questions, noting that Jeff Strung of EMH&T is present to respond to questions about the bioswale.

There were no further questions or comments.

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

#### **SECOND READING/PUBLIC HEARING – ORDINANCES**

##### **Ordinance 24-14**

##### **Amending Section 2 (Wage and Salary Structure/Administration), Paragraph A, of Ordinance No. 73-06 ("Compensation Plan for Non-Union Personnel") for the Purpose of Incorporating Certain Job Classifications and Corresponding Pay Grades as Addressed in the 2014 Operating Budget.**

Mr. Wagner stated that he could respond to any questions regarding the amendments.

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

Ms. Grigsby asked for confirmation that the approval of the ordinance also includes waiving the competitive selection process for this position.

Council concurred.

##### **Ordinance 26-14**

##### **Authorizing the Appropriation of a 0.155 Acre, More or Less, Present Road Occupied Fee Simple Interest; a 0.045 Acre, More or Less, Permanent Slope, Grading And Drainage Easement; and a 0.037 Acre, More or Less, Temporary Easement from Jack K. Beatley, for the Property Located at 6713 Glick Road for the Construction of a Multi-Use Path as Part of the Glick Road Phase 3 Project.**

Ms. Grigsby stated that the easements and right-of-way from this property are needed for the construction of a portion of the Glick Road Multi-Use Path. Discussions with the property owner have continued, but terms have not been agreed upon at this point. Staff therefore recommends approval of the legislation in order to continue the eminent domain process. Staff will continue to work with the property owner in the hope of coming to agreement at a future date.

Vice Mayor Gerber invited public testimony.

Kevin Humphreys, 332 West Sixth Avenue, Columbus, OH 43201 noted that he is present on behalf of Mr. Beatley. He stated that they learned of this issue about a year ago when the stakes were placed on the property. They had some discussions with Ms. Grigsby and Ms. Ott at that time and met with them on site to show them various characteristic issues that were unique about Mr. Beatley's home that he has owned for 18-19 years. The home is within 15 feet of the proposed path. In a more recent discussion with Mr. Hartmann, the City's legal counsel, they have talked of the City purchasing the entire property. When he spoke with Mr. Hartmann today, he indicated that alternatively, it was Mr. Beatley's intention to develop the property at some point. He is potentially considering this alternative. Another way to resolve with

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

**INTRODUCTION/FIRST READING – ORDINANCES**

**Ordinance 21-14**

**Rezoning Approximately 4.6 acres, Located on the East Side of Coffman Road, North of Forest Run Drive at the Current Stub of Nature Drive from R, Rural District to R-2, Limited Suburban Residential District and Approving a Preliminary Plat to Create Four Residential Lots Requiring a Preliminary Plat Variance to the Required Right-of-way and Pavement Widths. (Case 13-115Z/PP) (Bremlee Estates).**

Vice Mayor Gerber introduced the ordinance.

Ms. Husak stated this is a request for approval of a rezoning of a small parcel of 4.6 acres. The site is located on the east side of Coffman Road, just north of Nature Drive and north of the Woods of Indian Run subdivision. This site is a portion of a 6.8-acre parcel recently annexed into the City of Dublin. The portion of the parcel that has frontage on Coffman Road remains in Washington Township. The surrounding zoning to the south and in the Woods of Indian Run is PUD; some larger residential lots to the north remain in Washington Township; and in the Earlington Village PUD and Hemingway Village, there is a mixture of R-4 and R-2 zoning. The proposal is to zone this 4.6-acre parcel to R-2, the Limited Suburban Residential District. In this District, the permitted uses are Residential, so it fits well within the surrounding neighborhoods. It also meets all the zoning requirements for this District. The R-2 District requires a minimum lot size of 20,000 square feet. The lots range from 20,000 square feet (Lot 4) to 81,000 square feet (Lot 3). The applicant is proposing to extend Nature Drive north to provide access to these lots. All the lots have the required frontage on public right-of-way. Since Nature Drive was developed in a PUD, permission was obtained to allow for 50 feet of right-of-way. A small bio retention basin is planned on Lot 3 in order to manage the stormwater issues of the site. The expectation is that there will be a small homeowners association for these four lots, which will take care of the maintenance of the bio retention basin.

Vice Mayor Gerber inquired about the association. Will it be forced and funded? He does not want the Association to come to Council in four years because it has run out of funds and needs assistance.

Jack Reynolds, Smith and Hale, 37 W. Broad Street, Columbus, Ohio, representing the applicant stated that it will be a forced and funded homeowner association (HOA) and will take care of the maintenance of the bioswale. Discussions have occurred with staff concerning whether the bioswale should be in an easement or on the owner's lot, and that will be worked out during the final plat process. They have been working with the Woods of Indian Run HOA, which is south of this site, and the applicant has agreed to develop deed restrictions that will mimic theirs in order to provide commonality. The applicant has agreed that the Bremlee HOA will assist in funding some of the costs for maintenance of the entryway and roadway into the Woods of Indian, because Bremlee Estates will be using their entrance and roadway to access their subdivision. He noted that the service resolutions for annexation of this property were approved by Council last September, and he had shared the applicant's plans at that time.

Ms. Chinnici-Zuercher inquired if the bio retention basin is the reason Lot 3 is so much larger than the other lots.

Mr. Reynolds stated that Lot 3 is larger because it belongs to the individual developing this site, and his preference is for a larger lot.



Ms. Chinnici-Zuercher stated that she is disappointed that the property owner in front of the site did not request annexation into the City. As a result, part of the site will be in the City, and the northern portion of the site will be in Washington Township.

Vice Mayor Gerber inquired if the agreement to share the entry costs is in writing and in the deed restrictions.

Mr. Reynolds responded that it would be incorporated into the deed restrictions. They discussed this intent with an attorney who specializes in deed restrictions. This attorney recommended a formal agreement between the two entities, which would address the annual cost.

Vice Mayor Gerber inquired if this is also included in the PUD text. Deed restrictions last a limited number of years; PUD text remains in place.

Ms. Husak responded that can be the case, but since this is being rezoned to a standard district, there will not be that opportunity.

Vice Mayor Gerber stated that he would prefer to see this as a condition in the PUD, because, recently, several HOAs have come before Council with requests for financial assistance with maintenance costs.

Mr. Reynolds clarified that, actually, it is Bremlee Estates who will be using the Woods of Indian Run entranceway. In return, they have agreed to provide some financial assistance to assist in maintaining their entryway.

Mr. Keenan inquired if it would be possible to have this agreement in writing at the second reading/public hearing of this ordinance.

Ms. Husak responded that another approval step is forthcoming – that of the Final Plat. They intend to have a review of those deed restrictions prior to the Final Plat filing.

Vice Mayor Gerber inquired if Bremlee Estates would own the land at its entranceway.

Mr. Reynolds responded that the applicant does not want to put an entryway feature on four lots. There is an entryway that already exists in the Woods of Indian Run subdivision, which Bremlee Estates can use. In return, as a good neighbor, they will assist with the maintenance of it.

Mr. Lecklider inquired whose responsibility it would be to maintain the bio retention basin – the residents?

Mr. Reynolds responded affirmatively – the four residents will maintain it. It will be in their deed restrictions and funded through their HOA.

Mr. Lecklider inquired if the property owners have a good sense of what maintenance is required for such a facility. Typically, the financial burden is shared by a larger group of homeowners; in this case, there are only four.

Mr. Reynolds responded that they asked EMHT that question, and were told that this will be a very low maintenance type of bioswale. It will primarily be an area that will be mowed. Water will collect in it and release into the nearby creek. They were not able to tie into the existing storm water detention that exists in the Woods of Indian Run; it was necessary to do something separate. However, they were assured that because the need was only to service four lots, and they would be servicing only a small portion of the right-of-way, there is very little water that will run into the bioswale. There are catch basins in the Woods of Indian Run at Nature Drive, which will address their storm water.

Ms. Salay stated that she wants to ensure that Planning staff is confident that in perpetuity this has been addressed properly.

Ms. Husak responded affirmatively.

Mayor Keenan stated that there would be a second reading/public hearing on April 28.



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**PLANNING AND ZONING COMMISSION**

**RECORD OF ACTION**

**FEBRUARY 20, 2014**

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

- 1. Bremlee Estates 13-1152/PP 7250 Coffman Road Standard District Rezoning/Preliminary Plat**
- Proposal:** A rezoning from R, Rural District to R-2, Limited Suburban Residential District for a 4.6-acre site that was recently annexed to the City of Dublin. This is also a proposal for a preliminary plat for four single-family lots for land located north of Forest Run Drive and east of Coffman Road to be accessed by the extension of Nature Drive.
- Request:** Review and approval of Standard District Rezoning under the provisions of Zoning Code Section 153.232 and 153.234 and a Preliminary Plat under the provisions of the Subdivision Regulations.
- Applicant:** Jay B. Eggspuehler; represented by Jackson Reynolds, Smith and Hale LLC.
- Planning Contact:** Claudia D. Husak, AICP, Planner II
- Contact Information:** (614) 410-4675, chusak@dublin.oh.us

**MOTION #1:** Mr. Fishman moved, Mr. Hardt seconded, to recommend approval to City Council of the Standard District Rezoning request.

**VOTE:** 5 – 0 – 1.

**RESULT:** To forward the Standard District Rezoning application was approved.

**RECORDED VOTES:**

Chris Amorose Groomes	Yes
Richard Taylor	Abstain
Warren Fishman	Yes
Amy Kramb	Yes
John Hardt	Yes
Joseph Budde	Yes
Victoria Newell	Absent

**MOTION #2:** Mr. Fishman moved, Mr. Hardt seconded, to recommend approval to City Council of the Preliminary Plat Variance for the provision of 50 feet of right-of-way and 26 feet of pavement for the extension of Nature Drive.

**VOTE:** 5 – 0 – 1.

**RESULT:** To forward the Preliminary Plat Variance was approved.



City of Dublin

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**PLANNING AND ZONING COMMISSION**

**RECORD OF ACTION**

**FEBRUARY 20, 2014**

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

- 1. **Bremlee Estates** **7250 Coffman Road**  
**13-115Z/PP** **Standard District Rezoning/Preliminary Plat**

**RECORDED VOTES:**

Chris Amorose Groomes	Yes
Richard Taylor	Abstain
Warren Fishman	Yes
Amy Kramb	Yes
John Hardt	Yes
Joseph Budde	Yes
Victoria Newell	Absent

**MOTION #3:** Ms. Kramb moved, Mr. Hardt seconded, to approve the Preliminary Plat application and recommendation to City Council with four conditions:

- 1) That the applicant ensure that any minor technical adjustments to the plat should be made prior to City Council submittal;
- 2) That the applicant clarify the maintenance responsibility of the stormwater basin on the final plat;
- 3) That the drainage easement shown along the northern edge of Lot 3 should be simplified in alignment so that it may be more easily interpreted by any future homeowner;
- 4) That the applicant pays a fee in lieu of dedicating open space; and
- 5) That the applicant include a note on the final plat stating Nature Drive may extend farther north should adjacent land develop.

\*Jack Reynolds agreed to the above five conditions.


**VOTE:** 5 - 0 - 1.

**RESULT:** The Preliminary Plat application was approved and forwarded to City Council.

**RECORDED VOTES:**

Chris Amorose Groomes	Yes
Richard Taylor	Abstain
Warren Fishman	Yes
Amy Kramb	Yes
John Hardt	Yes
Joseph Budde	Yes
Victoria Newell	Absent

**STAFF CERTIFICATION**

  
 Claudia D. Husak, AICP  
 Planner II

**Motion and Vote**

~~Mr. Hardt moved, Mr. Taylor seconded, to accept the January 9, 2014, meeting minutes as amended. The vote was as follows: Ms. Amorose Groomes, yes; Mr. Taylor, yes; Mr. Fishman, yes; Ms. Kramb, yes; Mr. Hardt, yes; and Mr. Budde, yes. (Approved 6 – 0)~~

**Motion and Vote**

~~Mr. Hardt moved, Mr. Budde seconded, to accept the January 23, 2014, meeting minutes as presented. The vote was as follows: Mr. Taylor, yes; Mr. Fishman, abstain; Ms. Kramb, yes; Ms. Amorose Groomes, yes; Mr. Budde, yes; and Mr. Hardt. (Approved 5 – 0 – 1)~~

~~Ms. Amorose Groomes noted there were no cases eligible for consent agenda and already announced the Tuller Flats case was postponed. [The minutes reflect the order of the published agenda.] She briefly explained the rules and procedures of the Planning and Zoning Commission.~~

**1. Bremlee Estates 7250 Coffman Road  
13-115Z/PP Standard District Rezoning/Preliminary Plat**

Chair Chris Amorose Groomes introduced this application for a request for rezoning from R, Rural District to R-2, Limited Suburban Residential District for a 4.6-acre site that was recently annexed to the City of Dublin. She said this is also a proposal for a preliminary plat for four single-family lots for land located north of Forest Run Drive and east of Coffman Road to be accessed by the extension of Nature Drive. She said the Commission will need to forward this case to City Council and will need to make three motions.

Richard Taylor stated he had an interest in the case and asked to recuse himself.

Ms. Husak described the parcel that contains a single family home. She said the rear portion was annexed into the City recently, and with all annexations within the City of Dublin they are automatically designated as R, Rural District zoning. She said the south side is adjacent to the Woods of Indian Run subdivision, which will be the main access point into this small subdivision via the current stub of Nature Drive. She said there are religious institutions in the vicinity as well as the Earlington/Brandon subdivision across Coffman Road and Hemingway Village, a little bit to the south. She stated the surrounding zoning is varied, there are parcels that have also been annexed into the City more recently, which are zoned R and the Woods of Indian Run were zoned a Planned Unit Development (PUD). She said the residential portions of the Hemingway Village are R-4 and R-2, Earlington/Brandon PUD, and the City of Dublin school district has a suburban office district zoning there. She said the applicant is proposing to rezone this site to R-2 and all of the development requirements of that district are met with the proposal.

Ms. Husak said the applicant has proposed to subdivide the parcel into four lots; each lot meets the size requirement for the R-2 District, which is 20,000 square feet minimum. She said the lots range from 20,000 square feet to the largest lot at 81,000 square feet and the right-of-way for the plat is Nature Drive. She noted a 20-foot tree preservation zone along the southern boundary of Lots 1 and 3 to serve as a natural buffer adjacent to the residential homes within the Woods of Indian Run. She said the applicant proposed a temporary hammerhead turnaround in the northern portion to provide fire trucks the ability to turn around as there is no other way out of this little subdivision. She said the expectation is that if land to the north were to annex into the City and develop, Nature Drive could extend farther and provide access to those lots.

Ms. Husak explained the plat has several requirements that if you are proposing a PUD, you can waive those requirements. She said in this instance, the subdivision regulations require 60-feet of right-of-way and 32-feet of pavement for the road. She said the applicant is extending a public road that already exists that has the typical 50-feet of right-of-way and 26-feet of pavement, proposing to do the same. She said Staff recommends approval to City Council of the rezoning from the Rural District to the Limited



Suburban Residential District (R-2); recommends approval of variance to the plat for the right-of-way; and recommends approval of the preliminary plat that include conditions for the Commission to carry forward to City Council as follows:

- 1) That the applicant ensure that any minor technical adjustments to the plat should be made prior to City Council submittal;
- 2) That the applicant clarify the maintenance responsibility of the stormwater basin on the final plat;
- 3) That the drainage easement shown along the northern edge of Lot 3 should be simplified in alignment so that it may be more easily interpreted by any future homeowner; and
- 4) That the applicant pays a fee in lieu of dedicating open space.

Ms. Husak said there have been some questions raised by the adjacent homeowners association regarding the maintenance of that basin. She said the applicant is here to address those but essentially, it will be the responsibility of those lot owners.

Ms. Husak said when land is subdivided, park land is dedicated or a fee is paid in lieu of as in this instance where the lot is so small, it is insignificant. She said the applicant has agreed to pay the fee in lieu of dedicating open space and is here to address any questions.

Ms. Amorose Groomes invited the applicant to step forward and state his name and address for the record.

Jack Reynolds, attorney with Smith and Hale, LLC, representing Jay Eggspuehler, the property owner, said the applicant wanted to build a new house in Dublin after residing for 10 years on Bellaire Avenue. He said he located the vacant lot that was owned by Mr. Eggspuehler, which then had to be split and annexed on January 27, 2014. He said they met with staff to discuss rezoning and confirm they met requirements. He said they talked to the Woods of Indian Run Homeowners Association who asked if they would be willing to participate in the fee structure to maintain the stormwater basin. Mr. Reynolds explained they plan to form a Homeowners Association comprised of the four owners, will have deed restrictions that will mimic the Woods deed restrictions, form alliance with their subdivision to accumulate dues, and give to HOA of the Woods of Indian Run to maintain our detention facility as well as ingress and egress features of the Woods of Indian Run. Mr. Reynolds said the applicant agrees with staff's recommendations and conditions.

Ms. Amorose Groomes invited public comment.

Albert Gabel, 7190 Coffman Road, north of Mr. Eggspuehler's property, said they moved there in 1965, was a college professor and raised seven kids. He stated they were much in favor of this development as it will produce a large amount of tax because of the value of the property, now zoned with low density. He said the proposal is for large expensive homes to be built on these four lots, will generate very little traffic and will not burden the Dublin schools. Mr. Gabel urged the Commission to recommend to City Council to approve with lots of green space included since several of the residents have had horses there.

Bridget Dritz, 5174 Forest Run Drive, President of the Homeowner's Association, reported concern about Forest Run Drive being the only entrance/exit to the neighborhood. She said they have a lot of children in the neighborhood and those with special needs residing in the front part, which causes concern about construction, traffic, and the blasting out for basements for homes that back up to the river bed. She wants it on the record that the developers would pay any damages as a result of blasting.

Andrew Dendinger, 5240 Forest Run Drive that borders the proposed property. He said they moved there about 9 - 10 months ago and hate to see the horse farm go but does not have a problem with this proposal. He expressed desire to obtain more information on the houses and the orientations on the green space along with tree preservation for trees that border his property.

Ms. Amorose Groomes stated she would need to refer him to someone on staff as this is not information the Commission has. She assured him there is a buildable zone of which Ms. Husak could contact him about later to provide the footprint. Ms. Husak confirmed they would have to be a minimum of 20-feet away from the lot line plus the 20-foot tree preservation.

Mr. Dendinger asked for clarification on the trees. Ms. Husak confirmed trees could not be removed and building could not be permitted in the tree preservation area.

Ms. Amorose Groomes thought that Ms. Husak could keep in touch with Mr. Dendinger as the property is developed.

Munjal Sanghavi, 5246 Forest Run Drive has resided there for 20 years. He said he would hate to see the horse farm go away. He stated he had all the same comments as Mr. Dendinger except he would like to see orientation of the proposed houses.

Ms. Husak said they do not have a requirement that the houses are fronted a certain way but maybe the applicant has more information on the progress of the home plans. Mr. Sanghavi asked if they could see the plans before they begin construction. Ms. Husak said she could email him a copy of the building permit when it comes in. Ms. Amorose Groomes said it would not be a public meeting such as this but when they go in for permits, Ms. Husak can assemble a list and as permits come in, can further supply information.

Ms. Amorose Groomes asked if anyone else would like to make public comment with respect to this application. [Hearing none.]

Ms. Amorose Groomes asked if there were any discussion points from Ms. Husak to which she responded there were not.

Amy Kramb said she was glad to see only four houses being fit on this parcel. She said she envisions great homes on very nice lots and agreed with the suggestions and conditions.

John Hardt said he was pleasantly relieved by the proposal. He inquired about the stormwater plans; the western half of the site for lots 1 & 2, appear to tie into the existing stormwater system and the right half relies on a bio-retention basin. He asked why the differing approaches.

Aaron Stanford explained it was being broken drainage-wise by the roadway and utilizing the infrastructure already in place. He said from a stormwater management perspective, this is a pretty minor site, considering how much will be undeveloped land.

Mr. Hardt asked if it was possible for the whole site to be tied into the existing stormwater system. Mr. Stanford responded affirmatively that it would be possible. Mr. Stanford said there was a larger area to the right of the roadway, so they want to treat as much of that as they can on that side and said he was in favor of this setup. He said there will be some EPA requirements to meet with their disturbance.

Mr. Hardt explained the reason for his question was that he was concerned with the current set up, expecting a public street, and the rain water will go in the catch basins and ultimately end up in the yard of a single family home. Mr. Stanford said there is storm pipe that would route the water to that catch basin. Mr. Hardt said the catch basin itself is on a private lot, to which Mr. Stanford agreed. Mr. Hardt asked if this situation was elsewhere in the City. Mr. Stanford responded affirmatively. He said the option of putting this on City-owned land was discussed but opted not to do so, given the small size of land. Mr. Stanford explained that once this is accepted and constructed it would be inspected annually to see if it was still operational and that is why the easement is placed over that facility and storm sewer system to it.

Mr. Hardt asked if it was ultimately the responsibility of all four landowners or just the two. Mr. Stanford assumed it would be all four. Mr. Hardt said he would sleep better if he knew they were all tied into the existing sewer system and not have to rely on maintenance. Mr. Stanford thought the issue might be if tied directly to the system, there would be no treatment per se before it would enter the system, which they are trying to address. Mr. Hardt said he understood it was an issue of water quality.

Warren Fishman asked if the water is not clean before it goes into the stormwater system for the whole street existing now. Mr. Stanford said it depends on the installment age; may not have that stormwater system and he was not familiar with the area. Mr. Stanford explained that older subdivisions did not have a requirement when they were constructed.

Ms. Amorose Groomes noted they ran into the same thing across the street.

Mr. Hardt inquired about Indian Run, itself. He said over a period of time, the City has taken advantage of woods along our streams by adding multi-use paths parallel to the waterways. He asked if there were any plans in long-range forecasting to do anything like that along Indian Run. Ms. Husak recalled part of our greenway in the Community Plan but does not believe a path was identified.

Mr. Hardt said if an easement was needed now was the time to identify it. Ms. Husak offered to double check with our park staff but thought this could be done as part of the final plat. Mr. Hardt admitted there may not be immediate plans but asked that it be considered in this case since a very small corner of the property touches the creek. Ms. Husak confirmed she would check with Mr. Hahn and see if it could be incorporated in the final plat.

Joseph Budde agreed with what had been said so far. He said two of the lots are twice the size of the minimum lot requirement, and one of the lots is four times the minimum lot size. He inquired that after this plat is completed if any of those three lots could be split into smaller lots some day in the future or would this preclude that. Ms. Husak responded that the zoning district has requirements for lot size, the width, and frontage at the street, so they would not be able to split the lot and still meet all the requirements. Mr. Budde was satisfied with her response.

Mr. Fishman said he was confused about the association and asked for clarification. Ms. Husak suggested letting the applicant answer.

Jack Reynolds said they would have their own homeowners association with an agreement with the Woods of Indian Run to share association dues they collect to maintain the entry way features and go towards any special activities that are taking place in the Woods.

Ms. Amorose Groomes asked if it would be a forced association. Mr. Fishman suggested a sub association, which is a common way to handle this.

Mr. Reynolds said he would work with the folks to come up with an answer. Mr. Fishman asked if this would be established on the final.

Jennifer Readler said this is a rezoning to a straight district so the Commission will not see it again. Mr. Fishman asked that they make sure that happens. Ms. Husak said they will see a final plat.

Mr. Fishman said sometimes these agreements become problematic in the future. He said he was a little confused by the street. He asked if their extension was going to be the same as Nature Drive is now – width, easement, and so on. Ms. Husak confirmed.

Mr. Fishman said within the City of Dublin there is a history of misunderstandings with dead end streets. He said when the next subdivision comes in, and do not want it open, as it had been a stub for 10 years.



He said to make sure that it is recorded on the plat for the street to go through. He asked if this could be done and Ms. Husak answered yes. Mr. Fishman clarified that each person's lot reflects the street going thru if the site to the north is developed. Ms. Husak confirmed it would be reflected in the plat.

Mr. Fishman said it makes sense for lot owners to tie into storm sewer, whether it is filtered or not filtered. Ms. Amorose Groomes said the EPA requirements have changed and cannot do that anymore. Mr. Hardt said the water has to be filtered before it goes in.

Mr. Fishman said he did not want to put an extra burden on the lot owners if they did not have to. Ms. Amorose Groomes said it was the EPA's burden.

Ms. Amorose Groomes said she was pleased to see this come in with four lots. She said it is a beautiful piece of property with lovely lots. She said traffic could be the best anyone could hope for in terms of development. She explained that when Nature Drive was stubbed, the intention was that it would extend, ultimately. She wanted the residents to know that typically, when a development comes adjacent to property, the Commission asks for the adjacent lots to be a little bit bigger, building materials a little bit nicer, and increment it up so that at a minimum, you have better than what you are in, behind you. She said this was the best we could hope as a Commission. She said as we continue to develop to the north, Commission will hold them to the standard that has been set. She said this will go a long way to keeping the density very low. She believes this will be a lovely small development that will have a minimum impact on its neighbors.

Ms. Amorose Groomes asked if there were further comments or questions to be addressed. [Hearing none.]

### **Motion and Vote – Standard District Rezoning**

Mr. Fishman wanted to make sure all the notes are on the plat.

**MOTION #1:** Mr. Fishman moved, Mr. Hardt seconded, to recommend approval to City Council of the Standard District Rezoning request.

The vote was as follows: Ms. Kramb, yes; Mr. Budde, yes; Ms. Amorose Groomes, yes; Mr. Hardt, yes; and Mr. Fishman, yes. (Approved 5 – 0 - 1)

### **Motion and Vote – Preliminary Plat Variance**

**MOTION #2:** Mr. Fishman moved, Mr. Hardt seconded, to recommend approval to City Council of the Preliminary Plat Variance for the provision of 50 feet of right-of-way and 26 feet of pavement for the extension of Nature Drive.

The vote was as follows: Ms. Amorose Groomes, yes; Ms. Kramb, yes; Mr. Budde, yes; Mr. Hardt, yes; and Mr. Fishman, yes. (Approved 5 – 0 - 1)

### **Motion and Vote – Preliminary Plat**

Ms. Amorose Groomes asked the applicant to step forward. She stated there were originally four conditions and a fifth has been added. She asked him if he agreed to the five conditions as written. Jack Reynolds agreed to the five conditions.

**MOTION #3:** Ms. Kramb moved, Mr. Hardt seconded, to approve the Preliminary Plat application and recommendation to City Council with five conditions:

- 1) That the applicant ensure that any minor technical adjustments to the plat should be made prior to City Council submittal;
- 2) That the applicant clarify the maintenance responsibility of the stormwater basin on the final plat;
- 3) That the drainage easement shown along the northern edge of Lot 3 should be simplified in alignment so that it may be more easily interpreted by any future homeowner;
- 4) That the applicant pays a fee in lieu of dedicating open space; and
- 5) That the applicant include a note on the final plat stating Nature Drive may extend farther north should adjacent land develop.

The vote was as follows: Mr. Fishman, yes; Mr. Budde, yes; Ms. Amorose Grooms, yes; Mr. Hardt, yes; and Ms. Kramb, yes. (Approved 5 – 0 - 1)

Ms. Amorose Grooms said they would take a moment and would resume once Mr. Taylor was back in place.

## **2: Engineering Presentation: Bridge Street District – Transportation Network Overview**

~~Chris Amorose Grooms introduced the presentation by Engineering Staff providing an overview and addressing some of the questions raised by the Commission regarding the Bridge Street District Transportation network. She stated it is being heard before the next case as it is located within the Bridge Street District.~~

~~Steve Langworthy explained this will be in three parts and tonight's presentation by Jeannie Willis is an introduction and network overview. He stated that City Council's annual retreat is next week and a main focus is the Bridge Street District. He said they will discuss the transportation network and elements of the residential development, as well as timing of public improvements that will be needed. Mr. Langworthy said Jeannie and staff are working on a response to Amy Kramb's letter to him. He said they hope to have some comments and conclusions from the discussions held at the retreat for the Commission.~~

~~Jeannie Willis thanked the Commission for allowing her the opportunity to speak and to share the history of transportation planning in the Bridge Street District (BSD). She provided the key transportation features as pertained to BSD:~~

- ~~1. Grid – creates multiple redundant connections, many travel paths, which is why turn lanes are not required at individual intersections. The grid will be more accommodating to pedestrians, cyclists, and transit. She said the grid will take time to be completed and early on there will be less than ideal connections as it develops.~~
- ~~2. Developers will not be required to submit individual Traffic Impact Studies.~~
- ~~3. The information is based upon multiple studies starting with the Vision for BSD in 2010, with the Goody Clancy Corridor Study. From that, the grid was developed. We as a City, were not comfortable with Goody Clancy's word for it. They decided to review the grid and determine if the number of lanes would be sufficient as written in that study and handle the density of development. They analyzed the Nelson/Nygaard Study from 2011-2012, the BSD rezoning in 2012, Community Plan update that included the Thoroughfare Plan update, and the BSD Area Plan in 2013, that lead to the LJB Transportation Plan.~~