



RECORD OF DISCUSSION

Planning & Zoning Commission

Thursday, October 14, 2021 | 6:30 pm

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

**2. Bremlee Estates
21-147INF**

Informal Review

Proposal: Subdivision of 4.70 acres to facilitate development of four, single-family lots, 0.51 acre reserve, and dedication of a right-of-way for a cul-de-sac.

Location: North of the intersection of Nature Drive with Forest Run Drive and zoned Limited Suburban Residential District.

Request: Informal Review seeking non-binding feedback under the provisions of Zoning Code.

Applicant: Ron and RJ Sabatino, T&R Properties

Planning Contact: Chase Ridge, Planner II, AICP Candidate

Contact Information: 614.410.4656, cridge@dublin.oh.us

Case Information: www.dublinohiousa.gov/pzc/21-147

RESULT: The Planning and Zoning Commission provided non-binding feedback on a proposed plat to establish four lots for single-family residential development, one open space lot for stormwater management, and the cul-de-sacing of one public street. The Commission discussed the open space and stormwater management, expressing concern regarding the usage of dry basins. Members discussed the proposed cul-de-sac, the previous approval for the site, and the potential for development to the north. The Commission also discussed the impacts of traffic, should the roadway be extended and stubbed rather than terminate in a cul-de-sac.

MEMBERS PRESENT:

Jane Fox	Yes
Warren Fishman	Yes
Mark Supelak	Absent
Rebecca Call	Yes
Leo Grimes	Absent
Lance Schneier	Yes
Kim Way	Yes

STAFF CERTIFICATION

DocuSigned by:

 B1050D11513A490...
 Zachary Hounshell, Planner I





MEETING MINUTES

Planning & Zoning Commission

Thursday, October 14, 2021

CALL TO ORDER

~~Ms. Call, Chair, called the meeting to order at 6:30 p.m. and welcomed everyone to the October 14, 2021 Planning and Zoning Commission meeting. Tonight's meeting can also be accessed at the City's website. Public comments on the cases are welcome. To submit any questions or comments during the meeting, please use the form under the streaming video on the City's website. Questions and comments will be relayed to the Commission by the meeting moderator. The City desires to accommodate public participation to the greatest extent possible.~~

PLEDGE OF ALLEGIANCE

~~Ms. Call led the Pledge of Allegiance.~~

ROLL CALL

~~Commission members present: Rebecca Call, Warren Fishman, Kim Way, Jane Fox, Lance Schneier~~

~~Commissioners absent: Mark Supelak, Leo Grimes~~

~~Staff members present: Jennifer Rauch, Nichole Martin, Thaddeus Boggs, Chase Ridge, Zak Hounshell, Michael Hendershot, Aaron Stanford, Brian Gable~~

ACCEPTANCE OF DOCUMENTS AND APPROVAL OF MINUTES

~~Mr. Way moved, Mr. Fishman seconded acceptance of the documents into the record.~~

~~Vote: Mr. Schneier, yes; Mr. Fishman, yes; Mr. Way, yes; Ms. Fox, yes; Ms. Call, yes.
[Motion approved 5-0.]~~

~~Ms. Call stated that the Planning and Zoning Commission is an advisory board to City Council when rezoning and platting of property are under consideration. In such cases, City Council will receive recommendations from the Commission. In other cases, the Commission has the final decision-making responsibility. Anyone who intends to address the Commission on administrative cases must be sworn in. Ms. Call swore in those individuals intending to give testimony at the meeting.~~

NEW CASES

2. Bremlee Estates, Informal Review, 21-147INF

Subdivision of 4.70 acres to facilitate development of four, single-family lots, 0.51 acre of open space, and dedication of a right-of-way for a cul-de-sac. The site is zoned Limited Suburban Residential District and is north of the intersection of Nature Drive with Forest Run Drive.

Staff Presentation

Mr. Hounshell stated that this is a request for nonbinding feedback for an Informal Review of the Bremlee Estates application. The 4.7-acre site is zoned R-2, which is a Limited Suburban Residential District and is located within the City. The site is vacant and is located north of the Woods of the Indian Run Planned Unit Development District (PUD). To the east, west and north is Washington Township, and are located outside of the City's jurisdiction. An application for a Rezoning and Preliminary Plat for this site were reviewed and approved by the Commission and City Council in 2014. Council approved rezoning the site from R to R2, Limited Suburban Residential District, the current zoning. The Preliminary Plat established four lots and the extension of Nature Drive from the current stub at the south property line to the north property line, in anticipation of the extension of Nature Drive for future development north of the site. As the history provided indicates, the Commission added a condition of approval with the Preliminary Plat requiring that the applicant provide a note on the Final Plat that Nature Drive could be extended further north, should the adjacent land develop. However, the Final Plat was not pursued, and the site has remained vacant. The Community Plan Land Use Map designates the site as Suburban Residential, Low Density. This designation allows for one-two dwellings/acre with an average lot size of 0.25 acres. The Woods of Indian Run, located immediately south of the site, is also designed as such. The current lots adjacent to this site are 0.25 – 0.32 acres, so they meet the designation. Similar to the previous application, this proposal is for four single-family lots, varying in size from 0.5 and 1.38 acres. The extension of Nature Drive would be the sole access; however, differing from the previous 2014 proposal, this proposal is to terminate the Nature Drive extension into a cul-de-sac. Additionally, Lot 4, located in the northeast corner of the site plan, is a passive open space. It will provide no amenities but does include their stormwater basin as well as the limits of the floodplain. Should a formal application be filed, the designation of Lot 4 would need to be changed to an Open Space Reserve. With residential development proposals, site layouts are typically required to accommodate future internal street connections. It is common to have the appropriate infrastructure in place to create future consistency and connection throughout the many residential subdivisions within the City. Staff requests that the Commission determine whether a cul-de-sac terminating at the center of this site or the extension of Nature Drive to the north property line would be more appropriate. Access to utilities for that northern site would come through Nature Drive. Therefore, Engineering will require that water and sewer utilities be extended to the north property line. This is a Standard Zoning, and should this application move forward, all that the Commission would have purview over is the Preliminary and Final Plats, which would be recommended to City Council for approval. Per the R2 zoning district development standards, these lots would be required to meet the minimum standards, as listed.

The Commission is requested to consider the following three discussion questions:

- 1) Is the Commission supportive of the layout of lots in varying sizes?
- 2) Is the Commission supportive of the proposed open space reserve location and programming?
- 3) In regard to Nature Drive, would a cul-de-sac bulb or the extension of Nature Drive to the northern property line be appropriate?

Commission Questions for Staff

Ms. Fox stated that the earlier approval of the Preliminary Plat contained a condition related to Nature Drive. There was also discussion regarding a bioswale; there is no mention of that in the new plat proposed.

Mr. Hendershot responded that with the 2014 application, the stormwater management was a bio retention area basin. It was proposed to be located within easements on private property. City staff's recommendation is to have that located within a specific reserve, not on private property. The applicant is proposing a dry retention basin.

Ms. Fox inquired about the size of the dry basin. It is indicated that there would not be much water in it. The Commission has previously discussed the unattractive nature of dry basins.

Mr. Hendershot responded that they pose a nuisance problem with mosquitos. Ideally, Engineering would try to encourage a different stormwater management control measure, but a dry basin is permitted by the City's stormwater management design manual. Staff would work with the applicant and attempt to minimize the nuisance component, should that option move forward.

Ms. Fox inquired what the other options were.

Mr. Hendershot responded that the applicant could include a wet basin, a bio retention basin, a rain garden, or an underground storage. The latter is less typical for residential developments.

Ms. Fox inquired if the costs are essentially the same for the other options. Although seen frequently, dry basins tend to be mucky.

Mr. Hendershot responded that a wet basin is more expensive than a dry basin. From a maintenance standpoint, a dry basin is easier because there is not a permanent pool of water to maintain. Wet basins are more attractive so are preferred.

Ms. Call inquired if there is a proposed homeowner association. Will they be dedicating the open space?

Mr. Hendershot deferred the question to the applicant for a detailed response; however, the City recommends that reserves be City owned, so that the stormwater functionality of the basin would be the City's maintenance responsibility. The surrounding open space could be maintained by the HOA.

Ms. Fox requested clarification of the City's maintenance of wet and dry basins.

Mr. Hendershot responded that the most significant component of a wet basin is the long-term dredging of the pond. The City is experiencing that need with the older basins, and it is the more significant cost. Over the lifespan of a wet basin, there is more maintenance cost than with a dry basin.

Mr. Way stated that the basin originally proposed appears to have been larger than what is now proposed. Is there a reason for that?

Mr. Hendershot responded that this is the Informal Review step, so no formal stormwater management calculations have been submitted. We cannot verify if the proposed size is adequate. If the application moves forward, detailed calculations would be made. In regard to the reserve, it will be important to ensure there will be sufficient distance for City access for maintenance purposes. The question is if the reserve is an open space, would it serve more purpose than stormwater management only. As currently laid out, it seems to be solely for stormwater management.

Mr. Way inquired if it is likely that the open space reserve, or Lot 4, would need to be larger to permit the basin size to be increased.

Mr. Henderson responded that is potentially the case, as the basin needs to be fully within the reserve space.

Mr. Way inquired if the 20-foot open space easement in the new proposal connects the open space to a public right-of-way.

Mr. Hendershot responded that in the current proposal, the 20-foot parcel is Lot 4, although it should be called a reserve. It is not an easement.

Mr. Way inquired if it is part of the open space calculation.

Mr. Hendershot responded affirmatively.

Mr. Way inquired if it is intended to be a pathway linked back to the open space.

Mr. Hendershot responded that the intent of the reserve needs to be clarified. Commission input is sought on whether it should be an active open space intended for more than just stormwater management.

Mr. Way stated that he is curious if this would link to any proposed trail system within the area.

Mr. Hendershot responded that, as proposed, there is no opportunity for a connection in that area.

Mr. Fishman inquired if the reason dry basins require less maintenance is due to the fact that the practice is not to maintain them. Consequently, they are filled with weeds and mosquitoes. If they were maintained the same as the wet basins, there may be less difference.

Mr. Hendershot responded that the need for dredging is the reason for the more significant cost of wet basin maintenance. The recommendation is that the reserve be owned by the City and that the City be responsible for stormwater function of the basin. It can be determined whether the maintenance of the rest of the reserve should be the responsibility of the City or the HOA.

Mike Close, 5622 Pressmill Way, Dublin, attorney for the applicant, stated that with him tonight is the applicant, R.J. Sabatino. The original Final Development Plan (FDP) approval is long expired. There is a clean slate on the site that is before the Commission. The proposal exceeds Code requirements; the only real issue is the intent regarding a road. In the past, when developments occurred, it was necessary to ensure that there would be adequate connectivity between developments. While that once made sense, it no longer makes sense with this piece of property today. Behind this site, floodplain exists south of the Baptist Church's Ark property and north of this property. It is very unlikely the Baptist Church will be going away, so there is no need for connectivity through that site. He understands that Engineering does not desire any additional curbcuts onto Coffman Road, but it is very unlikely that any additional development will occur on the property between the Baptist Church's Ark property and this property. That land lies within Washington Township, so it first would need to be annexed and zoned. It is long and narrow strip of land, so would be difficult to develop. It will be expensive to develop this site, because the land consists of rock. Earlier development of the nearby neighborhoods of Forest Run and Woods of Indian Run involved the use of rock grinders.

Commission Questions for the Applicant

Ms. Fox requested clarification of the church location.

Mr. Close responded that the Baptist Church is located on the west side of Coffman Road, but its Ark activity building is across the street, on the east side of the road. The floodplain extends near the rear of that building.

Ms. Fox inquired about the one residential structure north of the site.

Mr. Close responded that it is the Goebel family home, which lies within the Township jurisdiction.

Mr. Schneier inquired what is the applicant's concern with a potential road extension to the north.

R.J. Sabatino, Development Administrator, T&R Properties, 3895 Stoneridge Lane, Dublin, 43017, responded that the concern with extending the street is that it does not make sense for future connectivity. The land directly to the north is not within the City's jurisdiction, and the church will never move. This cul de sac is the best layout for the proposed development of four large lots. He is aware of one neighbor, who is present tonight, who has expressed support for the proposed cul de sac.

Ms. Call inquired what would the impact be on the neighborhood of four homes if the street were to be extended through it.

Mr. Sabatino responded that if that were to occur, they would need to revise their site plan and likely would add more lots. More traffic would be created for the existing Forest Run and Indian Run neighborhoods. They would prefer, however, to have only four lots with four Romanelli & Hughes homes.

Mr. Close stated that if someone were to purchase the church facility and the Goebel property, they could create a larger subdivision. That would generate a large degree of traffic through the residential neighborhood.

Mr. Sabatino responded that people prefer to live on a cul de sac.

Mr. Schneier stated that what might happen to the north is speculative. We are looking at this one application. He requested the reason that a potential extension would require the applicant to add more lots.

Mr. Sabatino responded that it would become a "might as well" scenario.

Mr. Schneier stated that more lots also could be created with a stub street. This is not necessarily a causative situation, i.e., a potential road extension would not cause them to create more lots. The most salient point is that the applicant believes the prospective homeowners would prefer to live on a cul de sac.

Mr. Sabatino responded affirmatively.

Mr. Fishman stated that he has visited the site and noticed that the church is quite some distance away. What is the extent of that distance?

Mr. Hounshell responded that it would be 300 feet between the north and south property lines. The site, which is in Washington Township, is approximately 6.7 acres.

Mr. Fishman inquired the size of the vacant area between the church property and the applicant's property.

Ms. Martin responded that there is a distance of 300 feet between the two parcels, per her measurements. The Goebel parcel is 6.67 acres; combined with the Eggspuehler property, the total would be 8.84 acres. That acreage would be in addition to the Nature Drive parcel, if development were ever to occur.

Mr. Sabatino reiterated that floodplain lies north of their site, so most of it is not usable.

Mr. Fishman stated that when the previous application for this site was reviewed, it was important to the City that the road extension be preserved. It does not seem it would have a large amount of traffic as it would be generated only by the Indian Run residents.

Mr. Hendershot pointed out that as reflected in the 2014 history, the Planning Commission stated that there was misunderstanding regarding stub streets for future developments. A condition was added that a note be included on the plat that "Nature Drive may extend further north." There was

a consensus of City Council and the Planning Commission that the public street extension with right-of-way extended to the north property line. Staff's recommendation for this 2021 application is the same as it was in 2014.

Ms. Call stated that currently there is a stub street at the edge of the site plan. What was the City's intention with the original application concerning a possible stub extension?

Mr. Hendershot responded that the expectation was for the stub street to extend through the site and northward for any future development.

Mr. Fishman stated that the adjacent land lies within the township jurisdiction, but if it were ever to develop, most likely it would be annexed into Dublin in order to have City water/sewer.

Mr. Hendershot confirmed that is correct. It is important to think forward 20-30 years, if the church and Goebel properties were to redevelop. Staff is not supportive of unnecessarily creating a need for any additional access points on Coffman Road.

Mr. Fishman stated that having a stub street included does not mean that it would ever be extended. If an adjacent development were to occur, any potential traffic issues that might result from the road extension would be re-evaluated. The stub street might not ever be extended.

Mr. Way referred to the 2014 plan and inquired the reason the road was curved, not straight. Was it intended to intersect with something?

Mr. Hendershot responded that it might have been in consideration of the floodplain. There is floodplain, but there is also a large amount of developable land on the parcel to the north. It appears that the intent was to provide more space away from the floodplain.

Mr. Way inquired if the parcel to the north were to develop, would it be necessary to create an intersection and access point with Earlington Parkway.

Ms. Martin responded that if it were to develop, staff would work with the developer to identify a site layout that permits a T-intersection, which would minimize traffic conflicts.

Mr. Way inquired about the offset -- would be possible to add another access point that close to Earlington Parkway?

Mr. Hendershot responded that it would not. The intent is to minimize access points onto Coffman Road to maintain the existing capacity of Coffman Road. Introducing additional access points also introduces additional conflict points on the roadway, which would be a safety concern. Engineering recommends avoiding any need for additional access points.

Ms. Call inquired if the vehicle turnaround factor would be mitigated in a future review, ensuring that all safety concerns will be met.

Mr. Hendershot responded affirmatively. The 2014 proposal reflected the ability for fire/emergency service turnaround.

Ms. Call stated that the applicant commented on the potential need for rock blasting, which would be of concern to the neighbors. Would this be addressed in a future application review, as well?

Mr. Hendershot responded affirmatively. At this point, there is no verification of the existence of bedrock on the site. If there is, staff would ensure that any impact on surrounding residents would be minimized.

Mr. Sabatino stated that the intent is construct a high-end ranch product on a slab base, so that would not involve rock blasting.

Public Comment

Mike Anania, 5216 Forest Run Drive, Dublin stated that he is a resident but also as a board member of The Woods of Indian Run homeowners association (HOA). Several homeowners have approached the HOA with concerns about the proposed development. The residents who back up to this property would much prefer a cul de sac versus a road extension, especially given the City Engineer's statement regarding no additional access on Coffman Road. That would mean that Forest Run Drive would be the only connection in/out of the neighborhood, which would add additional traffic from any new development for the residents at the front of their neighborhood. In addition to that, the HOA is concerned, because there has been no effort made by this developer to contact their HOA. With the previous effort to develop this area, soil tests discouraged that development. They have concerns about safety and disruption to their homeowners, if this land is now developed. Because their neighborhood is the single access point, their question is if this new development will have its own HOA. If the developer's intent is to combine with their existing HOA, there are concerns about any additional areas of care for which their HOA would be responsible. Their HOA dues are very low, and they would like to keep it that way. If there will be a separate HOA, they would like to know how they will work in conjunction with theirs. It would be very easy for the developer to contact their HOA, as they have a public website, which provides an email address. Their request is that no action be taken regarding this property until the developer has spoken with their Board and addressed their concerns.

Mr. Sabatino stated that in regard to the HOA's question, it would be their preference that these four lots have their own HOA, which will maintain the reserve open space; that HOA will require high standards. They appreciate the comment regarding their neighbors' preference for a cul de sac here.

Commission Discussion

Mr. Way stated that the difficulty for the Planning Commission is that we do not know what the future plans are for the surrounding site. Although frustrating, it is typical. He would like to have some idea regarding what might occur to the north and if there might be a connection to Earlington Parkway on that parcel. What are the limitations to access from Coffman Road north of this site? This information would enable the Commission to think more broadly and long term. The Woods of Indian Run is somewhat a cul de sac neighborhood, so in terms of the neighborhood character, it is consistent. However, he would not want to cut off connectivity for whatever development opportunity there may be to the north. The open space reserve appears to be somewhat isolated; that needs to be looked at in more detail. There is a trail that extends outward from Forest Run Drive that runs along the North Fork of Indian Run. Because of that trail, there is the need to consider pedestrian connectivity for this site. That open space could become part of a larger community connectivity. A cul de sac versus a road extension could drive the lot configuration. He appreciates the prospect of a series of larger lots.

Ms. Fox stated that The Woods of Indian Run is a cul de sac community, and she understands the residents' not wanting to increase the traffic through their one access at Coffman Road. However, if the land to the north were to develop, there would be more opportunity for pedestrian access to the trails along the creek. She is curious why the previous application was intended to go forward with potential road extension.

Mr. Sabatino stated that they recently became the landowners. They had no involvement with the previous application.

Ms. Fox stated that her preference would be to provide the potential road extension; however, there are questions as to whether that connection might benefit this development or be to their disadvantage. The Commission needs to understand that better. If the Commission approves a cul de sac, could that potentially cut this community off from access to neighboring sites. There are too many unanswered questions here. However, connectivity is always a priority, and the previous plan was to extend the roadway, if needed. She is concerned about potentially creating a burden for the City to maintain the open space for four lots.

Mr. Fishman stated that a dry basin in the open reserve would create a burden for the City to maintain. A wet pond, however, would add beauty. He is concerned about the Indian Run HOA being negatively impacted. They would provide and maintain the entrance to this subdivision and maintain it. There is no vote with an Informal Review, so there is opportunity for the applicant to contact the HOA and provide clarity and fairness. Because the proposed development would be using the same access, perhaps they should become part of the existing HOA and contribute dues toward the maintenance of that access. He has mixed feelings about the cul de sac. The applicant does not need to extend the roadway to the church. They need only extend the stub, which has been in existence for many years and might never be extended any further. He has confidence that any future Commission would not approve a road extension that would cause issues. The property to the north lies within the Township's jurisdiction and might never be developed, in which case, the stub street would never be used. He would be supportive of retaining the stub and reconfiguring the lots to make the open space more accessible and avoid an issue with an overgrown dry pond.

Mr. Schneier stated that he shares fellow Commissioners' concerns about the open space maintenance. In regard to the desired cul de sac issue – the Nature Drive stub has been there since the original plat. All of the residents should have been aware of its existence and that it could serve some future purpose. It would appear that development to the north was always contemplated, and the City accounted for that. The Commission would be retaining that opportunity by determining that the stub street extension to the northern terminus of the property should remain. Does the proposed cul de sac provide sufficient emergency vehicle turnaround area?

Mr. Hounshell responded that should the application move forward, the Fire Department would provide input to ensure sufficient emergency vehicle access.

Mr. Schneier inquired if the stub was extended to the northern boundary, would that really be a stub or would it be a turnaround.

Mr. Hounshell responded that it would be a turnaround until future development to the north occurred.

Ms. Call stated that she understood the desire of the neighborhood residents to minimize traffic issues, because at this time, it is not known what other development might occur subsequent to these four proposed lots. They do not want an entire neighborhood emptying their neighborhood. When/if the Commission sees this application again, the City Transportation Plan and Community Plan should be provided, so the Commission can understand the vision. Although this applicant was not involved with the 2014 application, the City was, and the Commission at that time had similar conversations regarding the City's long-term plans for community development. This Commission will need to use the same reference documents. She is interested in the layout and lot sizes, the cul de sac, open space location, and how that would benefit the community, not just the four homeowners. She inquired if Commissioners had further guidance for the applicant.

Mr. Way stated that he has raised his main concerns. When this application comes back to the Commission, he would like more insight to be shared regarding potential future development. It is helpful in making the short-term decisions. The open space reserve needs to be reconsidered from the aspect of how it contributes to the larger community.

Ms. Fox stated that she is attempting to visualize this development with just a street stub. She appreciates the fact that what might occur to the north is unknown. She has no concern with the varying lot sizes; she does have an issue with open spaces hidden in the corner that serve no purpose. Maybe there is the possibility for a bulb-like center. It would achieve the desired look and yet provide the road extension without it seeming to be a dead-end. The bulb would create the needed vehicle turnaround. With some open space incorporated around it, it would give the interior a much better image than that of a concrete cul de sac.

Mr. Fishman stated that the Indian Run subdivision is laid out beautifully. The proposed development should take advantage of an opportunity that is a blend of that, as well as blend with any future development to the north. The applicant should reach out to the existing HOA and work out those concerns. This is a great opportunity and he wishes the applicant well with it.

Mr. Schneier stated that he agrees. This is a great location and great plan. The City has high expectations, but he is confident the applicant will meet them.

Ms. Call inquired if the applicant sought any additional clarification. The applicant indicated they did not.

3. ~~Deer Run Lift Station at 8588 Dublin Road, Amended Final Development Plan, 21-018AFDP~~

~~Replacement of an existing structure with a new lift station to mitigate sanitary sewer overflow. The site is zoned Planned Unit Development – Muirfield Village and is west of the intersection of Dublin Road with Glenaire Drive.~~

Staff Presentation

~~Mr. Hounshell stated that this is a request for review and approval of an Amended Final Development Plan for the Deer Run Lift station. The 0.18-acre site, which is zoned PUD, Planned Unit Development (PUD) District, Muirfield Village, is located southwest of the intersection of Dublin Road and Glenaire Drive. The site includes an existing mechanical structure that is proposed to be removed with this application. The heavily wooded site is currently owned by Muirfield Village, but is in the process of being transferred to the City of Dublin for the purposes of constructing and maintaining the proposed facility. Floodplain exists on much of the site. A shared use path wraps around the rear side of the property. The lift station is part of a larger CIP project to improve the City sanitary sewer system along Dublin Road. The lift station is the starting point for that project. It will be an emergency only facility, running only in severe or emergency operations, which are infrequent throughout the year. The applicant is proposing a 312-square-foot, emergency only facility to help mitigate potential sanitary overflow from the future sanitary gravity main along Dublin Road. [Site plan shown.] The lift station will be contained within a pre-fabricated structure approximately 14 feet in height, which is fully customizable to meet the character and quality of the community. The lift station building is sited approximately 4 feet from the front property line,~~

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).

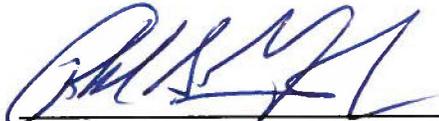
NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Dublin, 5 of its elected members concurring, that:

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

Held _____ 20_____

- **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. McKitrick and Sue E. McKitrick, 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



City of Dublin

Land Use and Long Range Planning

5800 Shier Rings Road
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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 13-115Z/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

~~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
13-115Z/PP**

**7250 Coffman Road
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 Krumb 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 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 t 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 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.

Ms. Willis explained the outcomes from the studies after they were each evaluated and reviewed over a year's time. She reported the grid works using the numbers from the land use side of the Goody Clancy study for their model. She said it will support density of mixed-use development on both sides of the river, not parcel by parcel mixed-use, but with the district operating as whole, and creating a 40 percent internal trip capture, expected at build-out.

Richard Taylor asked Ms. Willis if that was her working definition for mixed use or was she using that for the basis of the transportation study. She responded yes to the latter.

RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc., Form No. 30045

55-13

Resolution No. _____

Passed _____

, 20 _____

A RESOLUTION ADOPTING A STATEMENT OF SERVICES FOR A PROPOSED ANNEXATION OF 4.6 ACRES, MORE OR LESS, FROM WASHINGTON TOWNSHIP, FRANKLIN COUNTY, TO THE CITY OF DUBLIN

WHEREAS, an Expedited Type II annexation petition for 4.6 acres, more or less, from Washington Township, Franklin County to the City of Dublin was filed in the offices of the Franklin County Commissioners on September 9, 2013 by Jackson B. Reynolds, III, agent for Petitioner Jay B. Eggspuehler, 7250 Coffman Road, Dublin, Ohio 43017 ; and

WHEREAS, Section 709.023(C) of the Ohio Revised Code requires that, prior to the hearing of the annexation petition, the legislative authority shall adopt a statement indicating what services the municipal corporation will provide to the territory proposed for annexation and an approximate date by which it will provide services to the territory proposed for annexation, upon annexation; and

WHEREAS, the area proposed for annexation lies within Dublin's exclusive water and sewer service extension area, as provided under the agreements with the City of Columbus; and

WHEREAS, the proposed annexation is in conformance with the annexation expectations of the City Community Plan.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Dublin, 7 of its elected members concurring, that:

Section 1. The City of Dublin will provide the following municipal services for the 4.6 acres, more or less in Washington Township, Franklin County immediately upon the annexation of the area to the City of Dublin, Ohio:

Police. The City of Dublin has five police districts and deploys a minimum of five cruisers. The subject annexation is located approximately 1.3 driving miles from the Justice Center, the Division of Police headquarters. The annexation area will be fully served with police and communications services at the same or similar level now being provided to other areas of the City with similar land use and population.

Fire and EMS. The City of Dublin will provide, cause to provide, or contract with Washington Township to provide fire protection and EMS services to this area of Dublin at the same or similar level now being provided to other areas of the City with similar land use and population. The closest Washington Township station is 1.2 driving miles away on Brand Road.

Solid Waste Collection. Residential refuse collection services are contracted by the City and will be currently provided at no additional charge.

Street Maintenance. The City's Streets and Utilities Division provides excellent service in the area of street and road maintenance. The City already maintains right-of-way near this annexation for snow and ice and will continue to do so at the same levels as other similar streets in the City.

Section 2. The City has Water and Sanitary Sewer Service Agreements with the City of Columbus, and the subject property is within the exclusive service area of the agreements. Conditioned upon the ability of the City of Columbus to provide water supply and to provide sufficient sanitary sewerage disposal capacity,

RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc., Form No. 30045

55-13

Page 2 of 2

Resolution No. _____

Passed _____

, 20____

sufficient public water distribution and sanitary sewer collection systems exist in this area to serve this property. Water distribution, Sanitary Sewer and Wastewater collection are available to this location at the present time.

Section 3. This resolution shall be effective immediately upon passage, as provided under Section 4.04(a) of the Revised Charter.

Passed this 23rd day of September, 2013.



Mayor - Presiding Officer

ATTEST:



Clerk of Council

RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc., Form No. 30045

56-13

Resolution No. _____ Passed _____, 20 _____

**A RESOLUTION ADOPTING A STATEMENT REGARDING
POSSIBLE INCOMPATIBLE LAND USES AND ZONING BUFFER
FOR A PROPOSED ANNEXATION OF 4.6 ACRES, MORE OR
LESS, FROM WASHINGTON TOWNSHIP, FRANKLIN COUNTY,
TO THE CITY OF DUBLIN, OHIO AS REQUIRED BY SECTION
709.023(C) OF THE OHIO REVISED CODE.**

WHEREAS, a petition for an Expedited II method of annexation of 4.6 acres, more or less, from Washington Township, Franklin County was filed in the offices of the Board of County Commissioners of Franklin County, Ohio on September 9, 2013 by Jackson B. Reynolds, III, agent for Petitioner Jay B. Eggspuehler, 7250 Coffman Road, Dublin, Ohio 43017; and

WHEREAS, the Expedited II method of annexation, pursuant to Section 709.023(C) of the Ohio Revised Code, requires that within 20 days of the petition being filed, the municipality to which annexation is proposed must adopt an ordinance or resolution relating to land uses and buffers if the territory proposed to be annexed is currently subject to either county zoning pursuant to Chapter 303 of the Ohio Revised Code or township zoning pursuant to Chapter 519 of the Ohio Revised Code; and

WHEREAS, the territory proposed for annexation is currently subject to township zoning, pursuant to Chapter 519 of the Ohio Revised Code; and

WHEREAS, pursuant to Section 709.023(C) of the Ohio Revised Code, this resolution must state that should (a) the territory be annexed and (b) subsequently becomes subject to municipal zoning, and (c) the municipal zoning permits uses in the annexed territory that the municipal corporation determines are clearly incompatible with the uses permitted under current county or township zoning in the adjacent land remaining in the township from which the territory was annexed, then the Dublin City Council will require, in the zoning ordinance permitting the incompatible uses, the owner of the annexed territory to provide a buffer separating the use of the annexed territory and the adjacent land remaining within the township; and

WHEREAS, pursuant to Section 709.023(C) of the Ohio Revised Code, "buffer" includes open space, landscaping, fences, walls, and other structured elements; streets and street rights-of-way; and bicycle and pedestrian paths and sidewalks; and

WHEREAS, Section 153.004(D) of the Dublin Codified Ordinances requires that upon annexation, the annexed territory be automatically rezoned to R Rural District subject to regulations and procedures contained in the City of Dublin Zoning Code and amendments; and

WHEREAS, the territory proposed for annexation is adjacent to the City of Dublin to the south and, adjacent areas to the north and south and east are unincorporated Washington Township territory.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Dublin, 7 of its elected members concurring, that:

Section 1. The City of Dublin adopts the following statement for the 4.6 acres, more or less, in Washington Township, Franklin County:

Should the territory (a) be annexed and (b) subsequently become subject to zoning pursuant to the Dublin Codified Ordinances, and (c) the municipal zoning permits uses in the annexed territory that Dublin City Council determines are clearly incompatible with the uses permitted under current county or township zoning in the adjacent land remaining in the township from which the territory was annexed, then the Dublin City Council will require, in the zoning ordinance

RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc., Form No. 30045

Resolution No. 56-13

Page 2 of 2
Passed _____, 20____

permitting the incompatible uses, the owner of the annexed territory to provide a buffer separating the use of the annexed territory and the adjacent land remaining within the township should land adjacent to the territory be determined to be unincorporated territory.

Section 2. This resolution shall be effective immediately upon its passage as provided under Section 4.04(a) of the Revised Charter.

Passed this 23rd day of September, 2013.



Mayor - Presiding Officer

ATTEST:



Clerk of Council

Accepting the Amounts and Rates and Authorizing Tax Levies.

Mr. Gerber introduced the resolution.

Ms. Mumma stated that this is routine legislation brought forward each year. It is based on the Franklin County Budget Commission's determination of what property taxes will be received in the upcoming year based on the inside millage as well as the City's voted millage. It is consistent with the 2014-2018 CIP, which was passed last month, allocating .35 mills to the Parkland Acquisition Fund and the remaining 1.4 of the inside millage to the Capital Improvements Tax Fund for a total of 1.75 mills. The voted millage of 1.2 mills currently in place is for the Police Operating Levy. The effective rate for those residents is .204752. For commercial properties within Dublin, the effective rate of the 1.2 mills Police levy is .314205 mills. Council had no questions.

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

Resolution 55-13

Adopting a Statement of Services for a Proposed Annexation of 4.6 Acres, More or Less, from Washington Township, Franklin County to the City of Dublin. (Applicant: Jay Eggspuehler; agent for applicant, Jackson Reynolds)

Mr. Gerber introduced the resolution.

Mr. Gunderman stated that the applicant has filed a petition for annexation, and it is necessary for the City to approve these two resolutions within 20 days of the filing date so that they will be available for the hearing on October 15. This acreage is east of Coffman Road, north of Forest Run, but accessed from Nature Drive, which may mean a future extension of that road. If this annexation is approved by the Franklin County Commissioners, the transcript will be sent to the City of Dublin and, per the statute, no action will be taken for 60 days after receipt of the transcript. At the next Council meeting after expiration of the 60 days, Council will consider first reading of an ordinance to accept the annexation.

Vice Mayor Salay stated that the Community Plan designation for this land indicates medium density. What will the actual dwelling units per acre be for this level of density?

Mr. Gunderman responded that he does not recall the actual density cited in the Community Plan for this area, but it will be a single-family density.

Mr. Reiner stated that Washington Township's zoning provided for four single-family homes on this property, but he assumes the City's zoning would allow more density.

Mr. Gunderman responded that the Rural zoning category that will automatically apply to this property once it is annexed would allow four units. The owner may desire to rezone the property at a later date, but it likely would not allow for more than four units.

Mr. Reiner stated that he was primarily interested in the income tax implications.

Ms. Chinnici-Zuercher inquired about the density in the Woods at Indian Run, which is immediately adjacent to this property.

Mr. Gunderman responded that, including the green space, it is approximately 2.0 – 2.5 units per acre.

Ms. Chinnici-Zuercher asked if the expectation would then be that a developer would request the same density level for the annexed area.

Mr. Gunderman responded that it is likely the most density the City would permit.

Ms. Chinnici-Zuercher stated that this property is adjacent to the Gabel property. Have there been any discussions with the Gabels about annexation?

Mr. Gunderman responded that the City has not had any discussions with the adjacent properties, but the applicant may have had such discussion.

RECORD OF PROCEEDINGS
Dublin City Council

Minutes of

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DAYTON LEGAL BLANK, INC., FORM NO. 10148

September 23, 2013

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Held _____

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Ms. Chinnici-Zuercher inquired if the church property next to the Gabel property was annexed into Dublin.

Mr. Gunderman responded that the church property did annex into the City.

Mr. Reiner stated that the access to the property is in Washington Township. Will the City have to purchase right-of-way from the property owner?

Mr. Gunderman responded that if the density were low on this property, as expected, the extension of Nature Drive would be adequate to serve the property. In the future, should the other property owner seek annexation, it may be necessary to extend a street from Coffman – a more difficult process.

Ms. Chinnici-Zuercher stated that the applicant is requesting a waiver of the annexation fee, and staff recommends approval as that has occurred in the past. What are the statistics regarding the number of times the City has approved or disapproved these waiver requests?

Mr. Gunderman responded that he does not have statistics. Since the time of a large number of annexations on the west side of the City occurred approximately six years ago, many of the small annexations have been in islands of township, such as this. He believes all of those requested and received waivers.

Ms. Chinnici-Zuercher stated that she does not view this as an island, as it is a fairly large piece of property. However, her understanding was that this property was split and sold off. It was a vacant lot.

Mr. Gerber stated that he does not believe it has yet been split off.

Mrs. Boring inquired if the owner does request a rezoning, how would they obtain access to Coffman Road?

Mr. Gunderman responded that, initially, such access would be from Nature Drive.

Mrs. Boring noted that the City does not waive annexation fees for larger properties, only for the smaller pockets, which are encouraged to annex to the City for efficiency of service delivery.

Mr. Keenan stated that the City established a policy to that effect several years ago.

Ms. Grigsby added that the policy has actually been in place for 10-15 years. For all of the island areas of township within the City, the fee waivers have been approved by Council.

Ms. Chinnici-Zuercher asked if the front property is within Dublin.

Mr. Gunderman responded that it is not.

Ms. Chinnici-Zuercher asked for clarification of whether this front portion is included in the annexation petition.

Mr. Gunderman responded that it is not included in the request.

Mrs. Boring noted that during a future rezoning process, all of the residents of Forest Run Drive would likely voice their objections to the traffic generated by this development. This does not seem very practical from the aspect of safety concerns. All of those people will have only one way in and out.

Mr. Keenan stated that ingress/egress off Coffman Road will be difficult, due to the curb cuts in that area.

Ms. Chinnici-Zuercher stated that it might not be problematic if there are only four homes, but there may be three times that number.

Mayor Lecklider requested the applicant's representative to comment.

Jack Reynolds, Smith & Hale, 37 W. Broad Street, Columbus Ohio stated that the portion of the property to the rear is being split from the front property. The intention is to extend Nature Drive and develop a small subdivision with four lots. That should alleviate concerns regarding density. They have shared with Planning staff their

RECORD OF PROCEEDINGS
Dublin City Council

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

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concepts regarding the lot layout. The purchaser of the property is a resident of Dublin, has children in Dublin Coffman High School, and would like to maintain his residency within this school area. The access to the four units on the 4.6-acre tract will be from Nature Drive. They have heard Council's concerns, had anticipated them, and have taken them under advisement.

Mr. Gunderman asked if they will request a rezoning for the four lots.
Mr. Reynolds responded affirmatively.

Vote on Resolution 55-13: Vice Mayor Salay, yes; Mrs. Boring, yes; Mayor Lecklider, yes; Mr. Keenan, yes; Ms. Chinnici-Zuercher, yes; Mr. Reiner, yes; Mr. Gerber, yes.

Resolution 56-13

Adopting a Statement Regarding Possible Incompatible Land Uses and Zoning Buffer for a Proposed Annexation of 4.6 Acres, More or Less, from Washington Township, Franklin County to the City of Dublin, Ohio as Required by Section 709.023(C) of the Ohio Revised Code. (Applicant: Jay Eggspuehler; agent for applicant, Jackson Reynolds)

Mr. Gerber introduced the resolution.
Council had no additional questions.

Vote on Resolution 56-13: Mayor Lecklider, yes; Mr. Keenan, yes; Ms. Chinnici-Zuercher, yes; Mr. Reiner, yes; Mr. Gerber, yes; Vice Mayor Salay, yes; Mrs. Boring, yes.

Mayor Lecklider noted that action on the fee waiver request is scheduled for later on the agenda.

Resolution 57-13

Authorizing the City Manager to Execute a Cooperative Agreement with the Village of Shawnee Hills for the Construction of Intersection Improvements at Dublin Road and Glick Road.

Mr. Gerber introduced the resolution.

Ms. Grigsby stated that this resolution provides for the execution of a cooperative agreement between the City of Dublin and Shawnee Hills for the intersection improvements at Dublin and Glick Roads. The memo outlines the terms of the agreement, including the contributions from the entities. Engineering staff has been working with representatives from ODOT, Delaware County and the Village of Shawnee Hills in determining a solution for this intersection. Shawnee Hills will also be filing an OPWC grant application and loan application. They have received positive feedback from their discussions with Delaware County. The City contribution is estimated at approximately \$550,000, and the City currently has \$500,000 programmed in the five-year CIP. The additional \$250,000 loan that Shawnee Hills is requesting is a no-interest loan. The City is committed to retire that debt at \$25,000/year over the next 10 years through the State Highway Fund. They are hopeful of a speedy acquisition of the necessary right-of-way, so they can move forward with the intersection improvements. She is uncertain when the OPWC will make their decision on the grant.

Mr. Hammersmith responded that, typically, an initial indication is received in December or January.

Mayor Lecklider asked when construction could begin.

Mr. Hammersmith responded the earliest would be after July 1, 2014.

Mrs. Boring asked where in the language it indicates that Delaware County would sign on to this agreement.



C I T Y O F D U B L I N
Department of Planning & Development

RECORD OF ACTION
DUBLIN PLANNING AND ZONING COMMISSION
JUNE 4, 1992

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

9. **Final Development Plan - The Woods of Indian Run**
Location: 47.761 acres located on the east side of Coffman Road, approximately opposite Adventure Drive.
Existing Zoning: PUD, Planned Unit Development.
Request: Approval of Final Development Plan under PUD regulations.
Proposed Use: Single-family subdivision of 96 lots.
Applicant: S&H Development, c/o David E. Haid, 941 Chatham Lane, Suite 315, Columbus, OH 43221 and property owners Bonna B. and Walter L. Starkey, 7000 Coffman Road, Dublin, OH 43017.

MOTION: To approve this application was the following conditions:

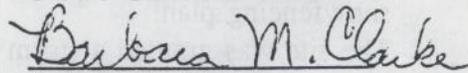
- 1) That a sidewalk be constructed along Coffman Road and along the park access with bikepath ramp to street as part of the road construction;
- 2) That the bikepath easement between Lots 67 and 68 be corrected and that the path with ramp be installed at the same time as the streets are constructed;
- 3) That street tree plan be submitted and Coffman landscape plan be detailed;
- 4) That the lot line for Lot 13 be extended to property line and reserves be established on Lots 1 and 96;
- 5) That the snow fencing plan be submitted and approved by Planning and Parks Staff;
- 6) That the back of the lots abutting the park and the walkway easement be marked in the field in an unobtrusive manner;
- 7) That all floodway and floodway fringe information be added to the plat;
- 8) Submitting fence restrictions for the subdivision; and
- 9) Subject to the entrance street being centered within the right-of-way and the detailed plans being subject to the City engineer's approval.

Mr. Haid accepted these conditions.

VOTE: 5-0-1 (5-Yes, 1-Abstain)

RESULT: This application was approved.

STAFF CERTIFICATION:


Barbara M. Clarke
Acting Planning Director

~~Mr. Rauh seconded the motion. The vote was as follows: Mr. Fishman, yes; Mr. Geese, yes; Mrs. Stillwell, yes; Mr. Campbell, yes; Mr. Manus, yes; and Mr. Rauh, yes. (Approved 6-0.)~~

~~Mr. Ebbing said Mr. Shumate is looking forward to developing in Dublin.~~

8. Final Development Plan - The Woods of Indian Run

Ms. Clarke presented the staff report and slides of the site. The wooded area will be subdivided into lots that are 100-feet in width, and the others are 80 feet wide. The parkland is being dedicated back along the Indian Run. This site did receive a stormwater/detention waiver from City Council at the last Council meeting. The overall density of this application is two units per acre. It conforms with the requirements of the PUD. The Starkey residence will end up on the Lot #25.

Staff recommends approval of this application subject to the following conditions:

- 1) That a sidewalk be constructed along Coffman Road and along the park access with bikepath ramp to street as part of the road construction;
- 2) That the bikepath easement between Lots 67 and 68 be corrected and that the path with ramp be installed at the same time as the streets are constructed;
- 3) That street tree plan be submitted and Coffman landscape plan be detailed;
- 4) That the lot line for Lot 13 be extended to property line and reserves be established on Lots 1 and 96;
- 5) That the snow fencing plan be submitted and approved by Planning and Parks Staff;
- 6) That the back of the lots abutting the park and the walkway easement be marked in the field in an unobtrusive manner;
- 7) That all floodway and floodway fringe information be added to the plat; and
- 8) Submitting fence restrictions for the subdivision.

Mr. David Haid, applicant, said he is in agreement with conditions 3 and 7 and needs clarification on the others. He said he has met with staff, Council, and P&Z and this is the first time he has seen anything about a sidewalk on Coffman Road. He said Coffman Road will be widened. One of the comments of people looking at the lots in the subdivision is that they like the idea that their children can cross Coffman Road to access the bikepath and travel to the pool area, etc. He said there is no other sidewalk on Coffman Road on his side of the road. There is a bikepath on the other side. He doesn't see the necessity of it. He will be putting mounding and screening along his entryway. Ms. Clarke said the Subdivision Code was amended about six years ago with one sentence that says that sidewalks will now be required both sides of all streets unless specifically waived by Council. In the case of the elementary school at Brandonway, the school administration asked City Council for a sidewalk waiver that wouldn't connect anything along Dublin Road, and did not get it (tie vote). Mr. Haid said the City Administration building does not have a sidewalk. He will install a sidewalk in front of his development.

Regarding condition #2, he did not agree to a bikepath between 67 and 68. A walkway easement was discussed. The plan will show bollards at the end of it so no bikes can cross it. He doesn't want children to ride their bikes along a walkway that is established from Coffman Road to the park and exit between these lots. Mr. Olausen said on the detailed plan there is a bikepath between lots #67 and #68 that is detailed and has bollards at both ends with a bike ramp down the cul-de-sac. He said it was never intended for a bikeway. It has been called a walkway easement. Mr. Geese asked how wide it is. Mr. Haid said eight feet is requested. Ms. Jordan said this is the standard bikepath width.

Regarding condition #5, Ms. Clarke mentioned that Mr. Haid has a couple of utility easements going through the park and the City wants to ensure that not more of what will eventually become the City's woods is destroyed than is necessary. The City wants to ensure that the area where those easements are, one for sanitary and one for storm, is staked. There is a no-build zone along the rear of these lots and staff wants to see that area snowfenced. She asked that Mr. Haid work with Ms. Jordan on those issues. The other issue has to do with the construction of the roads through the project. This will be coordinated through the Planning office. The area will have to be fenced as the utilities and roads are constructed. Fencing should go in before construction starts and stay there during construction to keep the equipment out of the woods. Mr. Haid asked if plastic snowfencing is acceptable. Ms. Clarke said yes.

Regarding condition #6, he asked if this means during or after construction. He understood it to mean that staff wants the rear of the lots abutting the park and walkway easement to be marked in the field. Ms. Jordan said a marking is needed along the entire expanse of park along the Indian Run (from lot #25 to the north where the access easement is.) Mr. Haid suggested having a sign every 100 feet that says "private property." Ms. Jordan agreed. The narrow walkway extending immediately behind the Starkey residence will need to be defined better. Mr. Haid agreed.

Regarding condition #8, he asked what is meant by fence restrictions. Around the lot? Ms. Clarke said whatever the restrictions are for the subdivision, she wants a clear zoning record. All of the subdivisions have different regulations with regard to fencing. Mr. Haid agrees to this.

Mr. Haid said he is now in agreement with conditions 1-8.

Mr. Olausen said Engineering has reviewed the sanitary plans the revisions are acceptable. The review of the street plans are finished and some corrections are yet to be made. Mr. Olausen added another condition which said that the street plans are subject to the final approval of the engineering on the detail drawings. Mr. Haid asked Mr. Olausen if he has discussed any of this with his engineer, Jason Coffee, and if any of them substantial. Mr. Olausen said there are a couple that are of medium quality. He said he would like the entrance street coming off of Coffman Road moved and centered within the right-of-way. Mr. Geese said this will be condition #9.

Mr. Fishman made a motion to approve this application with the following conditions:

- 1) That a sidewalk be constructed along Coffman Road and along the park access with bikepath ramp to street as part of the road construction;
- 2) That the bikepath easement between Lots 67 and 68 be corrected and that the path with ramp be installed at the same time as the streets are constructed;
- 3) That street tree plan be submitted and Coffman landscape plan be detailed;
- 4) That the lot line for Lot 13 be extended to property line and reserves be established on Lots 1 and 96;
- 5) That the snow fencing plan be submitted and approved by Planning and Parks Staff;
- 6) That the back of the lots abutting the park and the walkway easement be marked in the field in an unobtrusive manner;
- 7) That all floodway and floodway fringe information be added to the plat;
- 8) Submitting fence restrictions for the subdivision; and
- 9) Subject to the entrance street being centered within the right-of-way and the detailed plans being subject to the City engineer's approval.

Mr. Haid accepts all of the above conditions.

Mr. Rauh seconded the motion. The vote was as follows: Mrs. Stillwell, yes; Mr. Geese, yes; Mr. Manus, abstain; Mr. Campbell, yes; Mr. Fishman, yes; and Mr. Rauh, yes. (Approved 5-0-1 - Yes - 5; Abstain - 1.)

9. Revised Preliminary Plat - Coventry Woods

~~Ms. Clarke presented the staff report and showed slides of the site. At the time that it was being zoned, this property was called Starkey-Blackford. Coventry Woods Drive was to be continued and stubbed into the south property line to be continued within the McKitrick office park. The applicant would like to alter that plan, make it a double-loaded street and cul-de-sac it. This area is zoned Planned Low Density Residential District, PLR, and is zoned for 160 lots on 95 acres with 11.3 acres of parkland, most of which is located along the Indian Run. Immediately across the Indian Run is the Woods at Indian Run, the subdivision that was called Starkey-Coffman. There is a park band on both sides of the Indian Run. The applicant wants a revision in the street system. The streets were connected initially so that this neighborhood would not have to use the arterial street system (Coffman and Brand Roads) in order to get to the high school. There was to be a connection through the office park with a bridge across the Indian Run. The McKitrick office park is zoned for over a million square feet of offices. Office traffic could become a big disruption to the existing neighborhood. From a street perspective, staff supports closing this road. However, it interferes with the original park concept, which was to have 1,600 feet of unloaded street along the Indian Run park that would provide parking. Most of the parking for the park was to be provided within the McKitrick office park and not within the subdivision. Ms. Clarke tried to reaffirm that commitment for parking today and was told there was no such recollection of it. This makes the parking along Coventry Woods Drive more critical. It will be three lanes wide and unloaded on the south and west side so that you could have one lane of parking comfortably along the~~

RECORD OF ORDINANCES

Dayton Legal Blank Co.

Form No. 30043

Ordinance No. 01-92

Passed

19

AN ORDINANCE PROVIDING FOR A CHANGE OF ZONING OF A 46.369 ACRE TRACT LOCATED ON THE EAST SIDE OF COFFMAN ROAD, APPROXIMATELY OPPOSITE ADVENTURE DRIVE. TO BE REZONED FROM: R, RURAL DISTRICT (PUD ZONING LAPSED) TO: PUD, PLANNED UNIT DEVELOPMENT DISTRICT.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Dublin, State of Ohio, 7 of the elected members concurring:

Section 1. That the following described real estate (see attached legal description marked Exhibit "A"), situated in the City of Dublin, State of Ohio, is hereby rezoned to PUD, Planned Unit Development District, and shall be subject to regulations and procedures contained in Ordinance No. 21-70 (Chapter Eleven 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 16th day of March, 1992.


Mayor, Presiding Officer

Attest:


Clerk of Council

Sponsor: Planning Division

I hereby certify that copies of this Ordinance/Resolution were posted in the City of Dublin in accordance with Section 731.25 of the Ohio Revised Code.


Clerk of Council, Dublin, Ohio

RECORD OF PROCEEDINGS

Minutes of

Dublin City Council Meeting

Meeting

DAYTON LEGAL BLANK CO., FORM NO. 10148

Held March 16, 1992

19

The regularly scheduled meeting of the Dublin City Council was called to order by Mayor Jan Rozanski at 7:30 p.m. on Monday, March 16, 1992 and Mrs. King led the Pledge of Allegiance.

Members of Council present for roll call were: Mr. Sutphen, Mr. Strip, Mr. Amorose, Mr. Campbell, Mr. Kranstuber, Mrs. King and Mayor Rozanski.

Mr. Hansley, City Manager, and Mr. Stephen Smith, Law Director, were also present.

Mr. Amorose moved to approve the minutes of the March 2, 1992 meeting. Mr. Sutphen seconded the motion.

Vote on the minutes: Mr. Amorose, yes; Mr. Kranstuber, yes; Mr. Campbell, yes; Mrs. King, abstain; Mayor Rozanski, yes; Mr. Strip, yes; Mr. Sutphen, yes.

Correspondence

The Clerk announced that a notice was sent to Council from the Ohio Department of Liquor Control regarding a new D5 liquor permit application for a restaurant located at 6627 Dublin Center Drive. There were no objections to this permit.

Comments from Visitors

Bill Chambers, President of the Dublin Board of Education, addressed Council. He stated that he was speaking in his capacity as liaison for the school board with the City Council. He expressed his anger at not being consulted in regard to the recent Council decision eliminating the school district resident category for pool memberships and other Parks & Recreation programs. He added that the school board will have a statement in regard to this issue during next Monday night's meeting. He expressed concern about the impact of Council's action on the upcoming bond issue and levy. He stated that he believes this action has created more division between the east and west portions of the school district. He stated that the City cannot afford to do without the school district support anymore than the school district can operate without the support of the City. He concluded by saying that he will have to redouble his efforts to diffuse the anger which has resulted from Council's actions in regard to pool memberships. He asked that he be given the opportunity to provide input to Council on these types of issues in the future.

Proclamation

Mayor Rozanski presented a proclamation declaring March 21, 1992 as "D-Day" or Household Hazardous Waste Disposal Day in the City of Dublin. Council Member Denise King, a board member of the Franklin County Regional Solid Waste Authority, accepted the proclamation. He asked that Mrs. King present copies of this proclamation to Ashland Chemical, host site, as well as to the Authority.

Ordinance No. 01-92 - An Ordinance Providing Change of Zoning of a 46.369 Acre Tract on the East Side of Coffman Road Approximately Opposite Adventure Drive to be Rezoned from: R-Rural District (PUD Zoning Lapsed) to: PUD, Planned Unit Development District.

Third Reading.

Mr. Foegler commented that the detention basin issue should be addressed at the time of final development plan for this rezoning application.

RECORD OF PROCEEDINGS

Minutes of

Dublin City Council Meeting

Meeting

DAYTON LEGAL BLANK CO. FORM NO. 10148

Held March 16, 1992

19

Page 2

Mr. David Haid, applicant, had no further comments in regard to his application.

Vote on the Ordinance - Mr. Amorose, yes; Mr. Kranstuber, yes; Mr. Campbell, yes; Mrs. King, yes; Mayor Rozanski, yes; Mr. Strip, yes; Mr. Sutphen, yes.

Ordinance 12-92 - An Ordinance Amending Certain Sections of the "Compensation Plan" (Ordinance 17-90).

Second Reading.

Mr. Hansley and Ms. Grigsby stated that they had no further comments on the Ordinance at this time.

There will be a third reading of the Ordinance at the April 6, 1992 Council meeting.

Resolution No. 02-92 - A Resolution Authorizing Change of Ownership of the Cable Television Franchise Servicing the City of Dublin.

First Reading.

Mr. Amorose introduced the Resolution.

Dana McDaniel provided a brief summary to Council on this Resolution. He stated that the Resolution is necessary because of a change of ownership of Warner Cable to the Time-Warner Entertainment Company - a merger between Time-Warner, the Toshiba Corporation, and C. Itoh & Company. This change of ownership will not affect the local operations of the cable franchise.

Mayor Rozanski commented on the cable reception problems in the Council meeting room. Mr. McDaniel acknowledged that this unit is moved around frequently and sometimes not hooked up again properly.

Mr. Sutphen reminded City staff that this unit belongs in the Council meeting room. He requested that staff members who use the equipment ensure that it is returned and hooked up again properly.

Mayor Rozanski agreed, and added that staff members are welcome to use this meeting room, but that the equipment should be maintained in proper working order.

There will be a second reading of this Resolution at the April 6, 1992 Council meeting.

Ordinance No. 13-92 - An Ordinance Amending Sections 929.05 and 929.06 of the Codified Ordinance Establishing the User Fees and Capacity Charges for the Water System.

First Reading.

Mr. Amorose introduced the Ordinance.

Mr. Foegler commented that there have been a couple of minor modifications to the draft Ordinance previously submitted to Council. It basically incorporates the study done by Coopers & Lybrand on proposed water and sewer rates increases.

RECORD OF PROCEEDINGS

Minutes of Dublin City Council Meeting

Meeting

DAYTON LEGAL BLANK CO., FORM NO. 10148

Held March 2, 1992

19

The regularly scheduled meeting of the Dublin City Council was called to order by Mayor Jan Rozanski at 7:30 p.m. on Monday, March 2, 1992 and Mr. Amorose led the Pledge of Allegiance.

Members of Council present for roll call were: Mr. Sutphen, Mr. Strip, Mr. Amorose, Mr. Campbell, Mr. Kranstuber, and Mayor Rozanski. Mrs. King was absent (excused).

Mr. Hansley, City Manager, and Mr. Stephen Smith, Law Director, were also present.

Mr. Amorose moved to approve the minutes of the February 17, 1992 meeting. Mr. Sutphen seconded the motion.

Vote on the minutes: Mr. Kranstuber, yes; Mr. Campbell, yes; Mayor Rozanski, yes; Mr. Strip, yes; Mr. Sutphen, yes; Mr. Amorose, yes.

Correspondence

The Clerk announced that a notice was sent to Council from the Ohio Department of Liquor Control regarding a new C-1 and C-2 liquor permit application at 7030-84 Muirfield Drive, a commercially zoned property owned by Seanachie Consulting, Inc. Council members expressed concern about the issuance of this permit in such close proximity to a school.

Barbara Clarke, Acting Director of Planning, agreed to provide additional information to Council prior to the next meeting regarding this application.

The Clerk was directed to request a hearing on the issuance of this permit from the State of Ohio Department of Liquor Control.

Comments from Visitors

There were no comments from visitors.

Ordinance No. 01-92 - An Ordinance Providing Change of Zoning of a 46.369 Acre Tract on the East Side of Coffman Road Approximately Opposite Adventure Drive to be Rezoned from: R-Rural District (PUD Zoning Lapsed) to: PUD, Planned Unit Development District.

Public Hearing.

Mayor Rozanski asked all proponents and opponents of the rezoning to sign in. David Haid, 5200 Locust Hill Lane, Dublin, and Jason Coffee, 1237 Dublin Road, Columbus, registered as proponents of the rezoning. There were no registered opponents to the rezoning.

Ms. Clarke gave the staff presentation on the rezoning, showing slides of the site and surrounding areas. She stated that the Planning Commission has unanimously recommended approval with the following conditions as outlined in the staff report:

1. Working with staff to realign the entry road for better traffic safety. (This is reflected in the present design.)
2. Design of stormwater conveyance through the site.
3. Widening the park access to at least 80 feet from the subdivision. (This has been accomplished in the present plan.)
4. Widening the easement behind the Starkey residence as requested by the Parks Director. (The applicant has agreed to this.)

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5. Improving the tree preservation plan and no-build zone or other protections in wooded area subject to the approval of the staff.
6. Provision of a 20-foot access through to the high school site between lots to be paved at the developer's expense.
7. Submission of consistent landscape treatment and development restrictions for lots abutting Coffman Road and increasing their depth to equal the lots of the west side of Coffman Road. This will be accomplished at the final plan stage.

The Planning Commission made a second motion in regard to this rezoning, recommending that a stormwater waiver or retention waiver would be appropriate for this site. A formal application has not yet been made for this waiver; it will require submission of an application to the City Engineer along with appropriate data.

This subdivision will contain single family homes, with 80 and 100-foot lots, 96 lots in total, with no-build zones along the back of lots. There are 6.2 acres of dedicated parkland along the creek.

In response to Mr. Sutphen's question, Ms. Jordan confirmed that the proposed easements between the lots will be paved at the time streets and sidewalks are put in. Mr. Sutphen requested that pathways to the park be installed at the same time as the roads and sidewalks. Ms. Jordan stated that the pathway will probably be mulched in the area by the stream and not paved. Mr. Sutphen requested that the home buyers be made aware that these pathways will be installed in easement areas.

Mr. Strip asked about parking provisions for the proposed park. Ms. Jordan stated that a tentative verbal agreement exists with the school administration for park visitors to use the parking lot behind the school administration building.

Mr. Strip stated that he doesn't believe this parking plan would be appropriate for access as it is too far away. He asked if Bill Chambers, Board of Education president, would comment on the status of the proposed easement agreement with the school board.

Bill Chambers, President of the Board of Education, stated that the board was notified of this proposed perpetual easement at their meeting last Monday night. The Board elected to table this for two weeks to allow time to study the issue.

Mr. Campbell commented that the Planning Commission did not make the easement to be obtained from the school board a part of the conditions, as they felt the applicant was dependent upon the school board's decision in this regard. The Commission, instead, required a 20-foot park access easement in an area of the property controlled by the developer, adjacent to the present Starkey driveway. This provides some access to the southern portion of this park. Regarding the detention pond, the Commission recommended that the requirement be waived, adding the detention pond acreage to the parkland.

Mr. Amorose expressed concern about waiving upstream detention on the Indian Run, which potentially contributes deposits of mud, stone, etc. where the stream enters the Scioto River, creating a delta. The upstream detention effectively slows this stormwater.

Mayor Rozanski stated that this topic cannot be addressed tonight as there has been no application for waiver of stormwater detention.

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David Haid, applicant, said that he was not aware that it was necessary to make formal application for the waiver. He stated that his engineer, Jason Coffee, representing R.D. Zande, was present for the discussion on the waiver which he thought would take place tonight.

Mr. Smith responded that there will be no decision rendered on the rezoning tonight, as this is a second reading or public hearing. Secondly, he stated that the vote on the waiver by the Planning Commission was intended as a straw vote to inform Council of their position regarding the waiver. Council is the only body that can authorize this type of waiver. He suggested that Mr. Haid meet with Mr. Foegler in regard to pursuing a formal application for a waiver.

Mr. Haid gave his presentation to Council on the rezoning. He stated that the easement walkway will be installed when the subdivision street is put in. The 20-foot easement from Coffman Road is intended to provide public access for the parking; the school board has been supportive of this arrangement in their discussions with Mr. Haid. The area is presently a driveway to the Starkey house and will remain so until the property is developed. Mr. Haid stated that he has pursued the easement with the school board and has had several discussions with Dr. Fink. He attended the school board meeting last Monday where the request was tabled for two weeks. He requested that City Council approve the rezoning of the property as presented tonight.

Council members expressed concern about the parking availability on the west side of the proposed park if the easement is not granted by the school board. This could result in cars parking on the street in the subdivision.

Mr. Kranstuber stated that the developer was required to move the entrance to the subdivision further north than first planned. The engineer advised that unless the entrance was located opposite Adventure Drive, it should be moved further north for traffic ease.

Mr. Amorose commented that the use of this park would be mainly by residents, not by outsiders who would require parking space. Ms. Jordan agreed that this would be considered a neighborhood park.

In response to Mayor Rozanski's question, Mr. Chambers stated that the school board would address this issue on March 9.

Mr. Haid commented that Council had approved an earlier rezoning of this property calling for easements to parklands along the north side of this property. Mr. Haid had proposed moving the easements to the south in order to provide parking with the cooperation of the school board. Now, unfortunately, this has become an issue.

A third reading of the Ordinance will be held at the Council meeting on March 16, 1992.

Ordinance 80-91- An Ordinance to Authorize the City Manager to Enter Into a Sewer and Water Line Extension Agreement with Evergreen Land Company.
Tabled Ordinance.

At Mayor Rozanski's suggestion, Mr. Strip moved that this Ordinance be taken off the table, and then tabled again until the first meeting in April. Mr. Kranstuber seconded the motion.



C I T Y O F D U B L I N
Department of Planning & Development

RECORD OF ACTION
DUBLIN PLANNING AND ZONING COMMISSION
FEBRUARY 6, 1992

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

2. **Rezoning Application - Z91-015 - Starkey-Coffman (Single-Family Plan)**
Location: 46.369 acres located on the east side of Coffman Road, approximately opposite Adventure Drive.
Existing Zoning: R, Rural District (PUD zoning lapsed due to failure to submit Final Development Plan by November, 1991)
Request: PUD, Planned Unit Development District. Approval of Preliminary Development Plans under PUD regulations.
Proposed Use: Single-family subdivision of 96 lots with a 6.2 acre park.
Applicant: David E. Haid, c/o S&H Development, 941 Chatham Lane, Suite 315, Columbus, OH 43221 and property owners Bonna B. and Walter L. Starkey, 7000 Coffman Road, Dublin, OH 43017.

MOTION #1: To approve this application subject to the following conditions:

- 1) Working with the Staff to realign the entry road for better traffic safety;
- 2) Design of stormwater conveyance through the site;
- 3) Widening the park access to at least 80 feet from the subdivision;
- 4) Widening the easement behind the Starkey residence as requested by the Parks Director;
- 5) Improving the tree preservation plan and no-build zone or other protections in wooded area subject to the approval of the staff;
- 6) Provision of a 20-foot access through to the high school site between lots to be paved at the developer's expense; and
- 7) Submission of consistent landscape treatment and development restrictions for lots abutting Coffman Road and increasing their depth to equal the lots on the west side of Coffman Road.

VOTE: 7-0

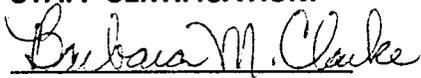
RESULT: This application was approved. It will be forwarded to City Council with a recommendation that this rezoning application be approved. A public hearing will be scheduled through the Clerk of Council's office.

MOTION #2: To recommend to City Council that it consider a waiver to the MORPC standards for on-site detention.

VOTE: 7-0

RESULT: This recommendation for a detention waiver will be forwarded to City Council.

STAFF CERTIFICATION:


Barbara M. Clarke
Zoning Administrator

4. Rezoning Application Z91-015 - Starkey-Coffman (Single-Family Plan)

Ms. Clarke presented the staff report and slides of the site. The site is ± 46.5 acres located on the east side of Coffman Road, just to the north of Adventure Drive. A revised copy of the proposed layout was given to the Commission members at the meeting. This was zoned PUD previously, and included 1.7 acres located immediately opposite Adventure Drive. The 1.7 acres is not part of this application. This tract was known as the Starkey-Coffman tract and was zoned in the PUD classification. The PUD regulations require that the Final Development Plan be presented within 240 days. This time limit was extended by six months and that lapsed, as well. In November, the zoning on this property lapsed back from PUD to R. The open field will be laid out in 80-foot lots and the treed area will be laid out in 100-foot-wide lots. An area along the north fork of Indian Run will be dedicated as park. Since the unit count has been lowered in this plan, the amount of park acreage has decreased to 6.2 acres. The site wraps around the school administration building and the house owned by Epcon. The Starkey driveway extends back from Coffman Road to the creek where the house is located. This house will no longer be serviced by the driveway but by the internal street system. A walking path is planned along the edge of the stream. The Starkey house is located very near the stream.

The proposal is for 96 lots plus 6.21 acres of parkland. The lots are split up with half of the lots being 80-foot lots and the other half being 100-foot lots. This is a rezoning application from R, Rural to the PUD, Planned Unit Development district. The gross density across the site will be 2.1 dwelling units per acre. This is lower than almost all of the surrounding developed areas with the exception of Coventry Woods. The area to the north of the site is located within unincorporated Washington Township. Ms. Clarke referred to the plat given to the Commission this evening and said there are a number of issues which the developer has specifically been able to address in terms of development standards, sideyards, the setbacks which he intends to employ, compliance with MORPC standards, and that there will be sidewalks and street trees within the subdivision.

There are still several outstanding issues:

- o The park has two access points, one being the existing driveway along the south property line which abuts the high school property, and the other is a 35-foot wide access near the north end of the creek property. The Parks Director and the Parks and Recreation Committee have requested that there be a wider access. A minimum of 80-feet of frontage along the internal road is being requested. The high school is a major destination point immediately to the south of the subject site and an easement has been requested between the two lots.

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- o The City Engineer is concerned with where the entry street intersects with Coffman Road. On a previous plan, there was a direct alignment with Adventure Drive. Since the immediate parcel across the street is not part of the application, the entrance here has been shifted to the north. The offset between the two streets is 190 feet. The engineer would encourage there would be negotiations to include the Epcon property so this could align with Adventure Drive. Failing that, the offset be significantly greater by shifting the entrance road farther to the north.
- o The Parks Director has asked for the access behind the Starkey residence to be demonstrated to assure access along the stream. Regarding the access that is shown along the south property line, the driveway dead-ends at the house. It is requested that this driveway be extended to the stream for park access.
- o Dedication of right-of-way on Coffman Road has been included on the revised plat. An appropriate setback of 40 feet from the new property line is included in the configuration of the lots along Coffman Road. This leaves a very limited developable portion for these lots. Widening of these lots has been considered.

Staff recommends approval of the Concept Plan. The applicant has submitted the revised plat in order to address as many items in the staff report as possible. After reviewing the revised plat with the Parks Director and the Engineering staff, the staff recommends that the Preliminary plan (the actual rezoning document) be tabled until the access problems (both into the park and access from Coffman Road) be resolved.

Mr. David Haid, applicant, said he tried to address the City's concerns. He would prefer not to have the access through to the high school site between lots. The pedestrian access has been increased to 35 feet and he feels this is adequate. He said the street location is within 20 feet of last year's approval and he requests that the present street location remain.

Richard Hollingsworth, 5308 Adventure Drive, said he is pleased to see this plan, but is concerned about the traffic on Coffman Road. He would like to see this plan mesh with Coffman Road improvements. Another concern is the maintenance of Coffman Road during construction with all the dirt and construction materials. He would like to see the preservation of wildlife in the park.

Jay Eggspuehler, property owner directly to the north, said the prior plans to the Commission indicated a 25 ft. access easement along the north boundary to the park. The intent was to preserve the trees along the natural line and he asked if that plan has now been abandoned. Ms. Clarke said when that plan was reviewed, the 25-foot access easement along the north property line was questioned by some. There was disagreement whether it was an asset or a liability. Staff didn't

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consider it, but it will be considered in the future. Mr. Eggspuehler asked if there is a sewer through this property. Ms. Clarke said yes. Mr. Campbell said there was not an access along the southern part of the property to get to the park when this plan was submitted previously. He asked if permission is needed from the school board to gain access. The staff responded that permission is needed for the southern access. Mr. Haid said he has met with Dr. Fink regarding obtaining an easement and he is favorable. He will discuss this issue with the school board on Monday, January 13.

Mr. Campbell said he is surprised that there wasn't any more opposition from the adjoining property owners (Hemingway Village) with respect to Greystone Manor. This is the single-family development that also provides for the park issues and drainage problem. The developers were asked to deal with drainage from the sites to the west because of the long standing drainage easement.

Mr. Campbell said the remaining issues seem to be the width of the park access on the north, the possible relocation of the road problem on Coffman Road and the contingency of obtaining south access on the school property for parking and access to the park. Ms. Clarke said there are two other issues: The easement behind the house and no-build zones. These are shown as areas 15-foot wide along the back of the lots and they need to be wider. Staff feels this will not be adequate in order to assure that we get trees preserved en masse. Mr. Haid said that in order to preserve the trees, the utilities were moved out of the back of the yards to the front. No paths were made through the back. This is why he is requesting the 15-foot no-build zone, instead of the 30-foot no-build zone. He said the tree line along the north property line with the 15-foot no-build zone will be protected.

Mr. Campbell asked if the detention pond takes care of the drainage issue and is it considered part of the parkland. Ms. Jordan said the detention pond is in addition to the parkland. Mr. Mack said the developer is required to, by MORPC guidelines, retain the water on the site and also to continue to carry it. The developer will not be required to retain the water which is coming from the west, but will have to transport it across the property and discharge. This method of discharge would minimize the impact that the water would have on the stream in terms of erosion. It would surcharge through the pond in that general area. The discharge condition of the water will be better. Mr. Haid said the detention area is larger than required. The excess land will be available for parkland which would be above the 6.2 acres required.

Mr. Campbell asked if the staff could support this plan if these issues are included. Ms. Clarke said yes, but parks and access to them are a central issue in rezoning proposals. It is still uncertain whether either access works. The southern access depends upon the school board action and needs to be field-checked at the east end. The other access point is only 35 feet wide, which is 45 feet less than requested. Access into the park has been a big issue on many rezoning requests

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and it has to be resolved as part of the preliminary plan. Requirements for this land need to be included in the preliminary plan. The developer is not amenable to widening the park access and the access onto Coffman Road has not been resolved to the engineer's satisfaction. These are critical issues in terms of how this site gets developed.

Mr. Campbell said that 35 feet should be wide enough for park access. Ms. Jordan said that with the south end of the Dublinshire development, the in-fill between Indian Run Meadows and Hemingway West, the Indian Run greenbelt was continued. Within Indian Run Meadow, one of the major problems was extremely limited access to the park. There were 10-15-foot wide easements in between homes. In the Dublinshire development, one whole lot was dedicated as access to the park. In situations with parkland running behind homes, it is really only a private park unless it is brought out to the street for those who don't have the lots backing up to the parkland. It brings the park out to the street and gives ready access to everyone who lives in the development. A similar situation occurred in the north end of the Dublinshire park where there was a woods which adjoined the existing Scottish Corners school parksite and off of Earlsford Drive. Again, one whole lot on the north part of the subdivision was dedicated for the parkland access. This parkland, by being in the rear of some homes, was not accessible to other homeowners who did not back up to it.

Mr. Kranstuber said a sidewalk can easily fit into this space, but is a wider space needed for aesthetic value? Ms. Jordan said if it is not given, the kids will make their own path. Ms. Clarke said an easement is needed for the kids to walk through to the high school. If there is an easement between two lots and the driveway stays, one can walk around the stadium fence to the high school property. Only the stadium is fenced. Ms. Jordan met with Dr. Fink. Dr. Starkey has requested from the Board of Education, the easement from Coffman Road. She said she would like to see the school board work with her on the plan and utilize their parking lot at the administration building. This is the community's access to the park and not the neighborhood's.

Mr. Kranstuber said this is a nice plan, but the access to the park is bothersome.

Mr. Fishman asked if there are bikepaths in the subdivision? Mr. Haid said there would be the required sidewalks throughout the entire subdivision. Ms. Jordan said bikepaths would disrupt the area and are not necessary in a self-contained subdivision. Mr. Fishman asked if the chainlink fence bordering the high school and the Starkey property stops in front of the Starkey home. Ms. Clarke said that fence surrounds the stadium and stops well before the Starkey home. Mr. Fishman feels the kids will make a path where the fence stops and into the subdivision. The path needs to be wide enough to solve this problem. He said that the entrance to the park should be wider. Mr. Haid said he has no problem with the easement requested for the high school. He will widen the park access to 40 or 45 feet but he feels 80 feet is excessive.

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Mr. Jason Coffee, R.D. Zande & Associates, said the request is to move the entrance as far north as possible. It is requested that the entrance remain where it is to enhance the layout of the subdivision. Mr. Willis said staff requested that Adventure Drive align with the entrance drive. Mr. Haid said he doesn't own the property so the entrance drive can not align with Adventure Drive. As an alternative, it is suggested that the entrance drive be relocated farther to the north to increase the offset from Adventure Drive. Mr. Willis said he is looking at this situation from a traffic standpoint and it is desired that the space be increased between intersections if they can not be aligned. Mr. Haid said that in the last zoning that was approved, there were two roads onto Coffman Road with 154 living units. He has 96. He said his street is close to one of the spots previously approved for access. Mr. Willis said the street which aligned with Adventure Drive had been the primary entrance.

Mr. Manus asked if the purpose of the 80-foot access is to enhance access into this park? Ms. Jordan said it will bring the park out to the street. Mr. Manus said the street might be lined with parked cars. Ms. Jordan suggested no-parking signs.

Mr. Leffler said a wider accessway is needed.

Mrs. Stillwell said the stub street might, in the future, be able to be connected to another street in another development.

Mr. Geese asked if the detention basin is the treed area. Will the trees be torn down to put in a detention basin for 90 houses? Mr. Willis said there are trees in this area which will be destroyed. No detailed design has been done yet. It is possible to do the retention on-site for this development. Mr. Geese said he does not want to see the trees torn down and then have an ugly detention basin site. Is there a need for this detention basin? Mr. Willis said there are detention basins further down stream from this subdivision which are providing retention. Mr. Willis said this will probably be a policy decision. If Dublin chooses to waive requirements for retention it could be done. Mr. Geese asked why it has to be in the treed area that is going to be in the 100-year flood plain. Mr. Mack said the low end of the site is where the detention basin would be and where the trees are. Mr. Bowman said a waiver can be discussed for the future.

Mr. Haid requested that the Preliminary Plan be approved tonight rather than have it tabled. Mr. Bowman said the Concept Plan and Preliminary Plans are considered together if the issues were worked out, but there are some unresolved issues with the Preliminary Plan.

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Mr. Campbell made a motion to approve the Concept Plan subject to the following conditions:

- 1) Improvement of park access from the subdivision and submission of written easement from school system if southern access is to be maintained;
- 2) Staking of easement and park entrance behind Starkey residence for assessment by Parks Director;
- 3) Submission of tree preservation plan and no-build zone or other protections in wooded area;
- 4) Submission of development standards for sideyard, rear yard, height, etc., as well as minimum lot requirements;
- 5) Provision of access through to the high school site between lots;
- 6) Reconfiguration of lots to meet the setback requirement along Coffman Road and entry street;
- 7) Dedication of Coffman Road right-of-way consistent with Community Plan;
- 8) Submission of consistent landscape treatment and development restrictions for lots abutting Coffman Road which may require additional depth to property accomplish;
- 9) Provision of sidewalks and street trees throughout the subdivision in compliance with Code;
- 10) Design of stormwater conveyance through the site and detention for the development in compliance with MORPC standards;
- 11) Provision of direct access to the detention pond between lots by way of easement; and
- 12) Further review by developer and staff of the location of the entrance from Coffman Road as appropriate.

Mr. Manus seconded the motion. The vote was as follows: Mrs. Stillwell, yes; Mr. Geese, yes; Mr. Leffler, yes; Mr. Fishman, yes; Mr. Kranstuber, yes; Mr. Manus, yes; and Mr. Campbell, yes. (Approved 7-0.)

Mr. Leffler made a motion to table the Preliminary Plan for further consideration. Mr. Manus seconded the motion. The vote was as follows: Mr. Kranstuber, yes; Mr. Campbell, yes; Mr. Fishman, yes; Mrs. Stillwell, yes; Mr. Geese, yes; Mr. Manus, yes; and Mr. Leffler, yes. (This Preliminary Plan application was tabled with a vote of 7-0.)

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Resolution 19-91 - A Resolution Adopting the City of Dublin's Goals for 1992 and Adopting a Status Report for Goals Adopted in 1991.

Second Reading.

Mr. Hansley commented that the updated version of this Resolution has not been prepared, but will be prepared and made available to Council prior to the third reading.

Mr. Amorose questioned the incorporation of a "strategic planning process" in the goal-setting process.

Mr. Hansley responded that this statement was an attempt to summarize the concepts Terry Foegler introduced to Council which combine the master plan and the goal-setting process. He requested that Council give staff input regarding all of the stated goals, especially No. 1 to be sure they are in agreement with the goals as stated prior to adoption. Staff's proposal would be to incorporate a strategic plan similar to what private enterprise uses.

Mayor Rozanski asked that Council members study the goals as stated in the resolution prior to the next Council meeting where there will be a third reading of this Resolution. He also asked that Council members review the status of past years' goals for incorporation into this Resolution. If any changes or additions need to be made to the Resolution, Council members can suggest these at the next meeting.

Ordinance No. 01-92 - An Ordinance Providing for a Change of Zoning of a 46.369 Acre Tract Located on the East Side of Coffman Road, Approximately Opposite Adventure Drive. To be Rezoned from: R, Rural District (PUD Zoning Lapsed) to: PUD, Planned Unit Development District.

First Reading.

Mr. Amorose introduced the Ordinance and motioned that it be referred to Planning and Zoning Commission.

Mr. Strip seconded the motion.

Vote - Mrs. King, absent; Mr. Sutphen, yes; Mayor Rozanski, yes; Mr. Kranstuber, yes; Mr. Campbell, yes; Mr. Strip, yes; Mr. Amorose, yes.

Ordinance No. 03-92 - An Ordinance Amending Chapter 1187 (Landscaping) of Part Eleven of the Codified Ordinances

First Reading.

Mr. Amorose introduced the Ordinance.

Mr. Bowman commented that there would be no formal presentation regarding this Ordinance, but stated that this Ordinance addresses the issue of recycling bins added to a site after development and allows a 6-month, one-time exemption from screening required by the Landscape Code. He is requesting that this be referred to the Solid Waste Advisory Committee, the Tree and Landscape Advisory Commission and the Planning and Zoning Commission for their recommendations.

Mr. Amorose suggested that recycling bins possibly be color-coded to designate their purpose, and that permissible numbers



C I T Y O F D U B L I N
Department of Planning & Development

MINUTES OF MEETING

DUBLIN PLANNING AND ZONING COMMISSION

JULY 5, 1990

1. **Rezoning Application - Z90-001 - Starkey/Coffman**
2. **Concept Plan - Proposed Phase 44 of Muirfield Village**
3. **Concept Plan - Proposed Phase 45 of Muirfield Village**
4. **Special Permit - SP90-005 - Satellite Dish - Ashland Chemical Company**
5. **Final Plat - Enterprise Court**
6. **Subdivision Regulation Exception - Tuttle Crossing**
7. **Subdivision Regulation Exception - Coventry Woods, Section 2**
8. **Informal - Rezoning Application - Z90-005 - Windmiller Property**

Mr. Geese called the meeting of the Dublin Planning and Zoning Commission to order at 7:35 p.m. In attendance were Commission members Mr. Campbell, Mr. Berlin, Mr. Geese, Mr. Kranstuber, Mr. Leffler and Mr. Manus. Mrs. Melvin's replacement had not yet been appointed by Council. Staff members in attendance were Mr. Foegler, Mr. Bowman, Mr. Willis, Ms. Clarke, Mr. Mack, Mr. Covey, Mr. Banchevsky.

1. Rezoning Application - Z90-001 - Starkey/Coffman

Ms. Clarke mentioned this application was tabled at the June meeting of the Planning Commission over the issue of dedication of park land. Two letters written by Dr. Starkey were distributed to Commission and Staff members. The first letter discussed the misunderstanding about the missing 1/3 acre of Coventry Woods. The second letter was Dr. Starkey's proposal to dedicate the park land in Phase II within 5 years if Phase II doesn't develop on its own. Ms. Clarke also mentioned that the March and April, 1989 Coventry Woods Planning Commission minutes were on the desk in front of the Commission members for reference.

The proposal for rezoning was heard and discussed at some length at the June 7, 1990 meeting of the Planning and Zoning Commission. It was tabled because of general dissatisfaction with the applicant's proposal to have the park dedicated in phases, even though this would be permitted by Code.

The site is located on the east side of Coffman Road, opposite Adventure Drive. The 48.1 acre tract, which extends from Coffman Road east to the North Fork of Indian Run creek, is mostly wooded with the denser woods toward the interior and creek area. The northwest third of the site is open and was previously used for agriculture. The site is zoned in the R, Rural District, at present. The land to the north is in Washington Township and consists of

single-family homes on very large, deep lots. To the east across the creek is the Coventry Woods subdivision zoned PLR, Planned Low-Density Residential District, and to the south beyond a drainage swale are Dublin City School District's Administration Building and the high school athletic stadium. To the west, across Coffman Road, is a single-family neighborhood zoned R-2, Limited Suburban Residential District and R-4, Suburban Residential District and includes the Church of Jesus Christ of Latter-Day Saints. The Starkey residence overlooks the creek at the southeast corner of the site and is accessed by a long drive from Coffman Road.

The PUD proposal is for a residential development consisting of both multi-family and single-family dwelling units. The overall gross density of the proposal is 3.2 units per acre. The project is divided into three phases. Phase I is a multi-family project of 112 units. Phase II includes 11 single-family lots with 80 to 100 feet of frontage. Phase III includes the remaining 25 single-family lots.

The plan proposes that a total of 9.9 acres be dedicated as park. In conjunction with Phase I, the multi-family portion, 6.5 acres of mostly wooded land along the creek, will be dedicated. The 1.1 acres dedicated as part of Phase II is contiguous with the 6.5 acres of Phase I. The 2.3 acres dedicated as Phase III is separated from the rest of the land on the same side of the creek by the existing Starkey residence. The applicant has agreed to insure that the parkland will be connected before it is all dedicated and accepted. This could be accomplished by a foot bridge.

Ms. Clarke gave a narration of the Staff report dated July 5, 1990. Staff recommends approval of this rezoning application with the following conditions:

1. Additional evergreen buffers be provided along the south property line and along the north side between the single-family lots and the 25-foot access lane;
2. Public easements be provided through the single-family lots to permit access to Phase I of the park. This includes a temporary easement from Coffman Road and a permanent easement to the park from the proposed public road when it is built. The applicant must also provide access to Phase III of the park either by a bridge or pedestrian easement at the time of dedication;
3. The 100-year flood plain must be surveyed and delineated on the final plan to assure that all lots are buildable;
4. Storm water detention within dedicated parkland must be eliminated.
5. Drainage concerns on-site as well as transport of runoff from the west as per previous agreements, consistent with MORPC guidelines and subject to approval of City Engineer;
6. Roadway drainage along Coffman Road and roadway geometry within the site (right-of-way, pavement width, etc.) subject to approval of City Engineer; and
7. Underground utility placement subject to approval by City Engineer.

Mr. Jim Houk with Bohm-NBBJ is the representative for Dr. Starkey. Mr. Houk said he has researched the missing 1/3 acre at Coventry Woods. He said when the developers of Coventry Woods prepared the legal plat, they did not buy sufficient acreage from Dr. Starkey to meet their park requirement. The engineers made an oversight, trying to simplify the legal description and left out the 1/3 acre. When the issue came up, they claimed that they didn't control the acreage so they couldn't dedicate the additional 1/3, which was true. None of the Coventry Woods developers, nor anybody at the City ever approached Dr. Starkey, requesting that the 1/3 acre issue be cleared up. He said an agreement was made between the developer and the City of Dublin to pay \$9,000 to make up for that shortfall in the acreage. Dr. Starkey was not aware of any of that information until two days ago when he talked to the Pete Edwards group to figure out what happened from that standpoint. His position is the same as it was always. He will have the developer of the property dedicate that ground for park land when the development of the single-family lots adjacent to that area comes in. The City will essentially have the park land plus the \$9,000 that was paid from Coventry. His concern, relevant to giving up the property at this time given this situation, is that he then would not be able to sell it to whomever the developer would be and he would essentially have given away 1/3 acre. His desire is that the developer pick up that acreage. Regarding the one acre park within Phase II, Dr. Starkey's intention is to sell that ground with the development of Phase II to the same developer so that the lots will meet their park requirement by the purchase of that property. He has agreed that he will try to find a buyer and if no sale takes place within five years, he will dedicate it to the City so that the City will have the ground in five years. All of the rest of the commitments, as they agreed to last time that were in the Staff report, they still agree to.

Mr. Geese asked for Mr. Banchefsky's recommendation. Mr. Banchefsky recommended that it be included in the record for both subdivision to make sure of the dedication.

Mr. Geese asked if the developer is willing to agree to all of the 7 conditions listed in the Staff report. Mr. Houk said yes.

Mr. Manus motioned to approve this application with the 7 conditions provided by Staff, adding an eighth condition of a 5-year commitment to dedication of Phase II park land and phasing of park land contributions per letter from Dr. Starkey dated July 2, 1990. Mr. Berlin seconded the motion and the vote was as follows: Mr. Geese, yes; Mr. Leffler, yes; Mr. Campbell, yes; Mr. Kranstuber, yes; Mr. Manus, yes; Mr. Berlin, yes. The issues passes 6-0.

2. Concept Plan-- Proposed Phase 44 of Muirfield Village

The proposal for the rezoning and development of this new phase of Muirfield Village was discussed at the April 5, 1990 meeting of the Planning and Zoning Commission. A number of items were at issue which included: protection of the natural stream bed and flooding issues along the North Fork of Indian Run, the setback from Brand Road, street layout and street access onto Memorial Drive, storm drainage and natural wetlands, open space, and inclusion of