



Logan-Union-Champaign regional planning commission

Director: Bradley J. Bodenmiller

*****This meeting will take place by remote access only. Please see page 2 of this agenda for information required to join this virtual meeting.*****

Zoning & Subdivision Committee

Thursday, March 11, 2021, 12:30 pm

- Minutes from last meeting of February 11, 2021
- 1. Review of Dublin Green Preliminary Plat (Union County) – Staff Report by Brad Bodenmiller
- 2. Review of Millcreek Township Zoning Text Amendment (Union County) – Staff Report by Aaron Smith

Members:

Tyler Bumbalough – City of Urbana Engineer
Scott Coleman – Logan County Engineer
Weston R. Dodds – City of Bellefontaine Code Enforcement
Ashley Gaver – City of Marysville
Steve Robinson – Union County Commissioner
Steve McCall – Champaign County Engineer
Bill Narducci – Union County Engineer's Office
Tammy Noble – City of Dublin Planning
Tom Scheiderer – Jefferson & Zane Township Zoning Inspector
Jeff Stauch – Union County Engineer
Robert A. Yoder – North Lewisburg Administrator
Brad Bodenmiller – LUC
Heather Martin – LUC
Aaron Smith – LUC

10820 St. Rt. 347, PO Box 219

East Liberty, Ohio 43319

• Phone: 937-666-3431 •

• Email: luc-rpc@lucplanning.com • Web: www.lucplanning.com



Logan-Union-Champaign regional planning commission

Director: Bradley J. Bodenmiller

Access to anyone wishing to attend this meeting
will be remotely/virtually only using zoom.

Go to	https://us02web.zoom.us/j/81930223083
Meeting ID	819 3022 3083
Participant ID	n/a
Passcode	630811

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Logan-Union-Champaign regional planning commission

Staff Report – Dublin Green

Applicant:	Jerome I Associations, LTD c/o Gus Crim 383 S. Third Street Columbus, OH 43215 gcrim@jskillken.com EMH&T c/o Patricia Brown, PE 5500 New Albany Road Columbus, OH 43054 pbrown@emht.com
Request:	Approval of Dublin Green – Preliminary Plat.
Location:	Located in the northwest corner of the intersection of State Route 161 and Industrial Parkway in Jerome Township, Union County.

Staff Analysis:	<p>This Preliminary Plat involves 24.68 acres of land and proposes 9 lots for [an ongoing] commercial retail shopping center and stormwater management.</p> <p>Acreages:</p> <ul style="list-style-type: none">○ 24.68 acres in site development○ A portion which is 0.38 acres in right-of-way dedication○ A portion of which is 4.211 acres in area reserved for stormwater management <p>Proposed utilities:</p> <ul style="list-style-type: none">○ Public waterline○ Private sanitary sewer with pump station to City of Marysville <p>Prior Action:</p> <ul style="list-style-type: none">○ The Preliminary Plat was originally approved in April 2016 and subsequently extended in April 2018.○ That Preliminary Plat expired in April 2020.○ A new Preliminary Plat was denied in July 2020.
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• Union County Engineer's Office

- The Engineer's Office submitted comments in a letter dated 03-05-21. The Engineer's Office recommended denial, at this time, until and unless the pending variance request regarding §408, 5. is approved by the County Commissioners (§705). **Some** of those comments are listed below and summarized for reference. (Please refer to letter for all comments.)
 1. During the timeframe detailed in the letter from the Engineer's Office (also see "Prior Action" above), Construction Drawings have been submitted, approved, and constructed for much of the subdivision.
 2. The County has obtained the necessary right-of-way and easements from the developer to construct improvements and this satisfies previous comments on prior iterations of the Preliminary Plat.
 3. In this most recent iteration of the Preliminary Plat, the developer now wishes to use the platting process to further subdivide the property to create fee simple lots for several of the outlot parcels along State Route 161. These outlots were initially intended to be leased. Because these proposed parcels would not have direct access to a public roadway, an easement providing access from the public roadway to these will be necessary.
 4. There is an existing access easement between the developer and Costco agreed upon and recorded prior to the desire to split these outlot parcels. This easement is 30' in width, but the requirement for a marginal access street right-of-way is 40' (§408, 5.). The developer's engineer has submitted a variance to this requirement, but the County Commissioners have not acted on the request yet.

• Union County Soil & Water Conservation District

- No comments received as of 03-03-21.

• Union County Health Department

- No comments received as of 03-03-21. Standard comments from the Health Department are below:



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Staff Report – Dublin Green

1. "All efforts should be made to provide a point of connection (via easements and/or service lines) to both water and sewer to any adjacent home, business, or any other facility that is serviced by a private water system (PWS) and/or sewage treatment system (SWS)."
2. Any home, business, or other structure that is currently being serviced by a private sewage treatment system (STS) and ends up being situated within 200' of a sanitary sewer easement, shall be brought to the attention of the Union County Health Department."
3. "If at any at time during development of the subdivision a private water system (PWS) (well, cistern, etc.) or sewage treatment system (STS) is found, our office shall be immediately contacted for inspection. Proper permitting must be obtained for sealing and/or abandonment of a private water system (PWS) and sewage treatment system (STS)."

• City of Marysville

- The City submitted comments in a letter dated 03-04-21. **Some** of those comments are listed below and summarized for reference. (Please refer to letter for all comments.)
 1. General: A Property Owner's Association (POA), or similar, shall be established and include an operations and maintenance (O&M) agreement for the Dublin Green private pump station and gravity sewers. All parcels/properties tributary to the private pump station shall be included in the POA and shall sign such O&M agreement. The City provided additional information from the Developer's Agreement for the Private Improvements between the City and Jerome I Associations, LTD.
 2. Sheet 1: Provide a typical title sheet with applicable information (vicinity map, index, standards, easement language, development summary, etc.).
 3. Sheet 2: Please turn-off non-applicable information to make sheet more legible. Clearly



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Staff Report – Dublin Green

	<p>show and dimension all easements. Clearly label all easements.</p> <p>4. Sheet 3: See Sheet 2 comments.</p> <p>• Jerome Township</p> <ul style="list-style-type: none">○ Jerome Township submitted comments in a letter dated 03-04-21. Some of those comments are listed below and summarized for reference. (Please refer to letter for all comments.)1. This Preliminary Plat appears to be in compliance with approved Development Plans.2. Sheet 1: The zoning district labels are incorrect. Where indicated, “PUD” should be “PD”. Three parcels labeled “U-1” should be “RU”. Applicant should confirm zoning districts for the parcels in Washington Township, Franklin County.3. Sheet 2: Zoning staff suggested replacing the note “Permissible build area as long as parking ratios and restrictions of PUD text are maintained” with “Site development subject to compliance with additional provisions of the approved PD District regulation text.”4. Sheet 2: Zoning staff suggested numbering of notes. <p>• ODOT District 6</p> <ul style="list-style-type: none">○ No comments received as of 03-03-21. <p>• American Electric Power</p> <ul style="list-style-type: none">○ No comments received as of 03-03-21. <p>• Franklin County Economic Development & Planning</p> <ul style="list-style-type: none">○ No comments received as of 03-03-21. <p>• LUC Regional Planning Commission</p> <ol style="list-style-type: none">1. If variances are granted to allow the existing easement (and any related extension of it to Lot 2), the area needs to be depicted on the Final Plat and dimensions/widths provided (§313, 12.). Location of access from lots to proposed streets shall be shown; meaning, the rear lot lines need to extend to the right-of-way running behind them (§313, 15.).2. If a subdivision is located in Brookston soils, the Regional Planning Commission may approve the
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Staff Report – Dublin Green

	<p>subdivision provided the subdivider agrees to perform such improvements as will render the area acceptable for the intended use. In the past, applicants have provided a letter about this. Please provide soil types/limits with this (§313, 8.; §416).</p> <ol style="list-style-type: none">3. Easements for water and sewer must be a minimum of 20' and 10' for other utilities (§313, 12.; §414).4. All variances or exceptions shall be approved by the County Commissioners before any action by the Regional Planning Commission. Add all variances or exceptions and their resolution number and date to Sheet 1 of the Final Plat (§705).5. A letter from Jerome Township certifying that the Final Plat conforms with the Township's zoning is required before any approval of the Final Plat may be granted (§313, 9., §401; §412, 1.; §413, 2.).6. All bonds, surety, letters of credit, etc. shall be approved by the County Commissioners before any approval of the Final Plat may be granted (§324, 2.; §326; §330).
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Staff Recommendations:	<p>Staff recommends <i>DENIAL</i> of the Dublin Green – Preliminary Plat. This is recommended with the understanding the Zoning & Subdivision (Z&S) Committee may wish to make a different recommendation if the following occurs:</p> <ul style="list-style-type: none">○ Evidence is provided to LUC that all variances or exceptions were approved by the County Commissioners.
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Z&S Committee Recommendations:	
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Application for Preliminary Plat Approval

Date: 02/18/2021

Name of Subdivision: Dublin Green

Location: NW Corner of SR 161 & Industrial Pkwy

Township: Jerome

Military Survey: 6420 and 6748

Complete Parcel(s) Identification Number (PIN): 1500310180040, 1500310180030,
1500310182010

Have **ALL** Sketch Plan review letters been obtained? Yes (Engineer, SWCD, Board of Health)

Name of Applicant: Gus Crim (Owner Rep)

Address: 383 S. Third Street

City: Columbus

State: OH

Zip: 43215

Phone: (614) 221-4547 Fax: (614) 221-3091 Email: gcrim@jskilken.com

Name of Owner of property to be subdivided: Jerome I Associates, LTD

Address: 383 S. Third Street

City: Columbus

State: OH

Zip: 43215

Phone: (614) 221-4547 Fax: (614) 221-3091 Email: gcrim@jskilken.com

Name of Applicant's Surveyor or Engineer: Patricia Brown, PE

Address: 5500 New Albany Rd

City: Columbus

State: OH

Zip: 43054

Phone: (614) 775-4396 Fax: (614) 775-4804 Email: pbrown@emht.com

Proposed Acreage to be Subdivided: 24.68

Current Zoning Classification: PUD

Proposed Zoning Changes: _____

Proposed Land Use: Commercial Retail Shopping Center

Development Characteristics

Number of proposed lots: 9

Typical lot width (feet): Varies

Number of proposed units: _____

Typical lot area (sq. ft.): Varies

Single Family Units: _____

Multi-Family Units: _____

Acreage to be devoted to recreation, parks or open space: 4.2±



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Recreation facilities to be provided: _____

Do you propose deed restrictions? (If yes, attach a copy): Yes _____ No X

1. Proposed method of Supplying Water Service: Public waterline
Private sanitary sewer w/ pump

2. Proposed method of Sanitary Waste Disposal: station to the City of Marysville
(If on-site disposal systems are proposed, please attach letter certifying the County Board of Health approval)

3. Requests for Variances from Subdivision Regs: None
(If yes, please explain variances and reason for variances)

List all proposed improvements and utilities and state your intention to install or provide a guarantee prior to final plat approval:

	Improvement	Installation	Guarantee
a.	<u>Private sanitary</u>	<u>Installed</u>	
b.	<u>Public water</u>	<u>Installed</u>	
c.	<u>Private storm sewer</u>	<u>Installed</u>	
d.	<u>Retail development</u>	<u>Partially installed</u>	<u>X</u>
e.	_____		

For Official Use

Date filed: _____ Filing Fee: _____

Date of Meeting of Planning Commission: _____

Action by Planning Commission: _____

If rejected, reason(s) for: _____

10820 St Rt 347, PO Box 219
East Liberty, Ohio 43319
• Phone: 937-666-3431 •

• Email: luc-rpc@lucplanning.com • Web: www.lucplanning.com

J:\A\20140452\Draw\04\Sheets\1\Existing Conditions Plan - 2016.dwg, Last Saved By: dbrun, 2/17/2021 2:20 PM
J:\A\20140452\Draw\04\Sheets\1\Existing Conditions Plan - 2016.dwg, Last Saved By: dbrun, 2/15/2021 1:46 PM



LEGEND	
	Existing Contours
	Existing Waterline
	Existing Storm Sewer
	Existing Sanitary Sewer
	Existing Forcemain Sanitary
	Existing Fiber Optic
	Existing Underground Electric
	Existing Gasline
	Existing Electric
	Existing Telephone
	Existing Ditch
	To Be Removed
	To Be Abandoned
	Do Not Disturb

NOTES:
EXISTING UTILITIES
THE EXISTING SANITARY SERVICES AND MAINLINE SHALL BE REMOVED IN COMPLIANCE WITH THE CITY OF MARYSVILLE SPECIFICATIONS.

THE EXISTING TELEPHONE, GAS AND CABLE LINES SHALL BE HANDLED IN ACCORDANCE WITH THE RESPECTIVE UTILITY COMPANY REQUIREMENTS.

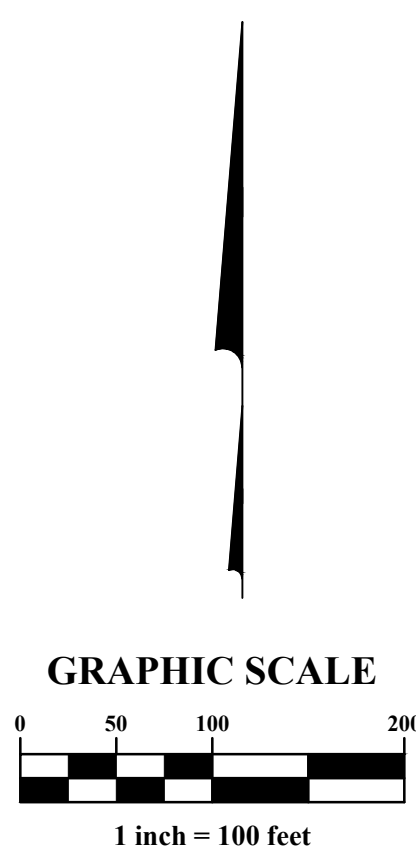
EXISTING UTILITIES AND ASSOCIATED SOFT TRENCH BACKFILL TO BE REMOVED SHALL BE PROPERLY BACKFILLED IN ACCORDANCE WITH THE RECOMMENDATIONS OF A REGISTERED GEOTECHNICAL SOILS ENGINEER.

EXISTING TREES
THE EXISTING TREES THAT WILL BE IMPACTED BY CONSTRUCTION SHALL BE REMOVED IN ACCORDANCE WITH UNION COUNTY.

ENVIRONMENTAL CONCERNS
WATER WELLS ARE LOCATED ON THE PROPERTY. THE WATER WELLS SHALL BE ABANDONED WITH ALL APPLICABLE REQUIREMENTS OF UNION COUNTY HEALTH DEPARTMENT. CONTRACTOR SHALL SECURE PERMIT FROM UNION COUNTY HEALTH DEPARTMENT.

EXISTING STRUCTURES
EXISTING BUILDINGS, INCLUDING BASEMENT WALLS (IF APPLICABLE) SHALL BE COMPLETELY REMOVED AND BASEMENTS SHALL BE BACKFILLED IN ACCORDANCE WITH UNION COUNTY.

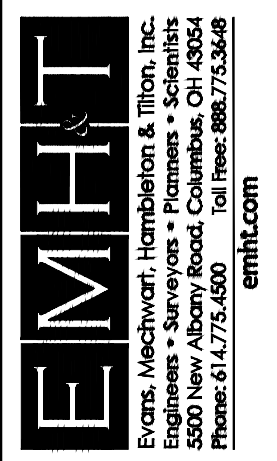
SURVEY
SURVEY WAS PREPARED BY EMH&T ON MARCH 20, 2015. PROFESSIONAL SURVEYOR MATTHEW A. KIRK, SURVEYOR NUMBER S-7865.



REVISIONS	
MARK	DATE DESCRIPTION

Joseph Skilken Organization
Surveyor
380 S. 11th St. Suite 200
Dublin, OH 43015
Tel: (614) 221-4547
Fax: (614) 221-3091

VIRGINIA MILITARY SURVEYORS AND SURVEYORS
JEROME TOWNSHIP, FRANKLIN COUNTY, STATE OF OHIO
PRELIMINARY PLAN
FOR
DUBLIN GREEN
EXISTING CONDITIONS PLAN - 2016



DATE
FEBRUARY 18, 2021

SCALE
1" = 100'

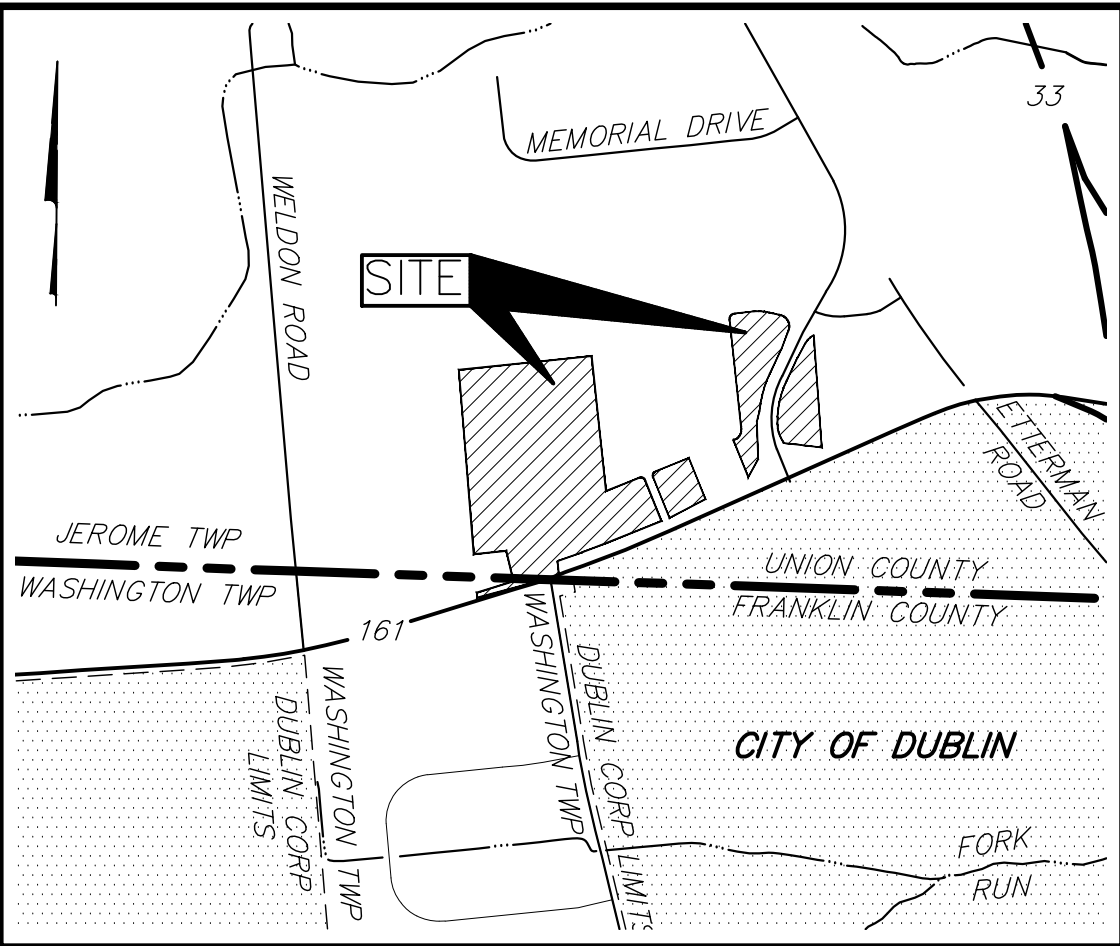
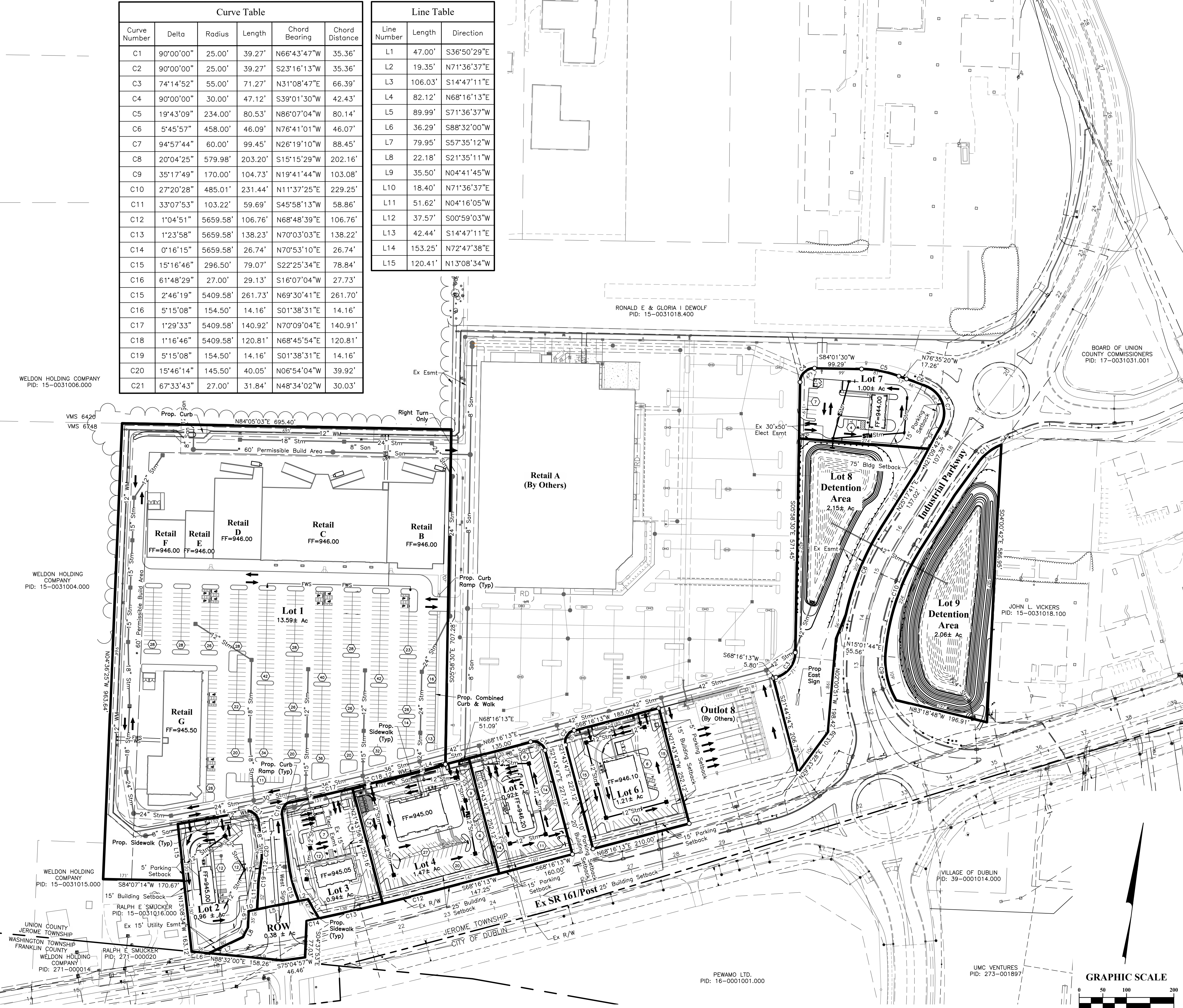
JOB NO.
20140452

SHEET
1/3

J:\20140452\DWG\04Sheets\preliminary plot - amended\1 Site Plan.dwg Last Saved By: jmilligan, 10/21/2020 4:34 PM Last Printed By: Brin, Daniel, 2/15/2021 1:44 PM (1 Xref: 20140452--CS-REFR--B)

Curve Table					
Curve Number	Delta	Radius	Length	Chord Bearing	Chord Distance
C1	90°00'00"	25.00'	39.27'	N66°43'47"W	35.36'
C2	90°00'00"	25.00'	39.27'	S23°16'13"W	35.36'
C3	74°14'52"	55.00'	71.27'	N31°08'47"E	66.39'
C4	90°00'00"	30.00'	47.12'	S39°01'30"W	42.43'
C5	19°43'09"	234.00'	80.53'	N86°07'04"W	80.14'
C6	5°45'57"	458.00'	46.09'	N76°41'01"W	46.07'
C7	94°57'44"	60.00'	99.45'	N26°19'10"W	88.45'
C8	20°04'25"	579.98'	203.20'	S15°15'29"W	202.16'
C9	35°17'49"	170.00'	104.73'	N19°41'44"W	103.08'
C10	27°20'28"	485.01'	231.44'	N11°37'25"E	229.25'
C11	33°07'53"	103.22'	59.69'	S45°58'13"W	58.86'
C12	1°04'51"	5659.58'	106.76'	N68°48'39"E	106.76'
C13	1°23'58"	5659.58'	138.23'	N70°03'03"E	138.22'
C14	0°16'15"	5659.58'	26.74'	N70°53'10"E	26.74'
C15	15°16'46"	296.50'	79.07'	S22°25'34"E	78.84'
C16	61°48'29"	27.00'	29.13'	S16°07'04"W	27.73'
C15	2°46'19"	5409.58'	261.73'	N69°30'41"E	261.70'
C16	5°15'08"	154.50'	14.16'	S01°38'31"E	14.16'
C17	1°29'33"	5409.58'	140.92'	N70°09'04"E	140.91'
C18	1°16'46"	5409.58'	120.81'	N68°45'54"E	120.81'
C19	5°15'08"	154.50'	14.16'	S01°38'31"E	14.16'
C20	15°46'14"	145.50'	40.05'	N06°54'04"W	39.92'
C21	67°33'43"	27.00'	31.84'	N48°34'02"W	30.03'

Line Table		
Line Number	Length	Direction
L1	47.00'	S36°50'29"E
L2	19.35'	N71°36'37"E
L3	106.03'	S14°47'11"E
L4	82.12'	N68°16'13"E
L5	89.99'	S71°36'37"W
L6	36.29'	S88°32'00"W
L7	79.95'	S57°35'12"W
L8	22.18'	S21°35'11"W
L9	35.50'	N04°41'45"W
L10	18.40'	N71°36'37"E
L11	51.62'	N04°16'05"W
L12	37.57'	S00°59'03"W
L13	42.44'	S14°47'11"E
L14	153.25'	N72°47'38"E
L15	120.41'	N13°08'34"W



PROJECT DATA TABLE

Total Development Site Area:	24.68 Ac
Right of Way Dedication	0.38 Ac
No. of Buildings:	8 Buildings
Approximate Retail Space:	146,029 SF
No. of Lots:	9
Area Reserved for Stormwater Management: (Lots 8 & 9)	4.211 Ac
Total Parking Provided:	886 Spaces
Handicap Parking Provided:	27 Spaces

* Area Does Not Include Retail "A" & Outlot 8

NOTE:

Site layout is conceptual and subject to change during final engineering.

* Permissible build area as long as parking ratios and restrictions of PUD text are maintained.

* All building setbacks shall be per PUD zoning text.

All of Dublin Green is in the Flood Hazard Zone X as shown on the Federal Emergency Management Agency Flood Insurance Rate Maps, Map Number 39049C0127K and 39049C0131K, effective date June 17, 2008.

The purpose of this plot is to show certain property, rights of way, and easement boundaries at the time of platting. At the request of the zoning authority at the time of platting, this plot shows some of the limitations and requirements of the zoning regulations in effect at the date of filing of the plot. Such limitations and requirements are shown for informational purposes only, and should be verified with the zoning authority prior to the construction of any private improvements on the lot. This note should not be construed as creating plot or subdivision restrictions, private use restrictions, covenants running with the land or title encumbrances of any nature, except to the extent specifically identified as such.

Proposed Use of Lots: Commercial Retail Shopping Center

Proposed Covenants and Restrictions: None

Proposed Zoning Changes: None

LEGEND	
→	Traffic Circulation Arrow

BENCH MARKS (NAVD 1988)

Source	Aluminum Plug in the southwest corner of the south headwall of Cosgray Road culvert WAS 39-4.98 over Schoby and Sharp Ditch, 0.30 miles south of Dublin-Plain City Road, 20 feet west of the centerline of Cosgray Road.
BM HI-1	Elev. = 941.545
BM#1	Chiseled square on the northeast corner of a concrete light pole base located at the northeast corner of the intersection of Industrial Parkway and Plain City-Dublin Road (State Route 161). Elev. = 945.65
BM#2	Chiseled square on the south corner of a concrete light pole base located at the northwest corner of the intersection of Industrial Parkway and Old Industrial Parkway. Elev. = 943.74
BM#3	Railroad spike in the northeast side of a wooden utility pole being the second pole west of the intersection of Cosgray Road and Plain City-Dublin Road (State Route 161). Elev. = 944.44

REVISIONS

MARK	DATE	DESCRIPTION

Joseph Skilken Organization


Contact: Gas Ctrm
380 S. Third Street
Dublin, OH 43015
Tel: (614) 221-4547
Fax: (614) 221-3091

VIRGINIA MILITARY SURVEY 6420 AND 6428
JEROME TOWNSHIP, FRANKLIN COUNTY, STATE OF OHIO

PRELIMINARY PLAT FOR DUBLIN GREEN SITE PLAN

EMHT
Evans, Mechwart, Hamblin & Thon, Inc.
Engineers • Surveyors • Planners • Scientists
5000 North Main Street, Suite 200
Columbus, OH 43230
Phone: 614.775.4300
emht.com

DATE	FEBRUARY 18, 2021
SCALE	1" = 100'
JOB NO.	20140452
SHEET	2/3

 <p>Events, Media/air, Transportation & Trade, Inc. 5900 New Albany Road, Columbus, OH 43254 Phone: 614.775.4000 Fax: 614.775.3448 emh.com</p>	
DATE	FEBRUARY 18, 2021
SCALE	1" = 60'
JOB NO.	20140452
SHEET	3/3

PUD Zoning Text for Jerome I Associates, LTD
PROPOSED DISTRICT: Permitted Uses of B-11, B-12, B-13, and B-14
PROPERTY ADDRESS: State Route 161
OWNER: Jerome I Associates, LTD.
APPLICANT: Jerome I Associates, LTD.
DATE OF TEXT: 2/21/07
AMENDED: 3/15/07; 3/28/07; 4/11/07; 5/7/07
APPLICATION NUMBER: PUD-06-112

INTRODUCTION

The property, as described in the legal description* submitted with the zoning application, is located north of State Route 161, east of Weldon Road, and west of Industrial Parkway (the "Property"). The Property consists of 46.244 +/- acres with 35 +/- acres of the Property currently zoned for general retail uses (33 +/- acres is zoned B-14, 2 +/- acres is zoned B-13). The remaining 11 +/- acres of the Property are zoned for recreational uses with a retail orientation, including uses such as basketball, hockey, and tennis. The property can be developed pursuant to such classifications without the development standards contained in this Text. The purpose of this PUD rezoning application is to bring the Property under the Planned Unit Development (the "PUD") zoning classification, as provided in Article II of the Zoning Resolution of the Township of Jerome, Union County, Ohio (the "Resolution") and to set forth development standards for the Property.

PART ONE – DEVELOPMENT STANDARDS

A. Permitted Uses:

1. All uses contained in Sections B-11, B-12, B-13 and B-14 of the Resolution, except those uses set forth in Part One, Section B.
2. No more than two (2) drive-up, freestanding ATMs shall be permitted.
3. The "Restrictions" set forth in Sections 251, 252, 253 and 254 of the Resolution shall not apply to the uses permitted under this Part One, Section A of the Text.

B. Prohibited Uses:

1. Auto dealer.

*The final legal description is subject to the Ohio Department of Transportation's ("ODOT") determination of the final location of relocated Industrial Parkway (see note below). All land east of the western right-of-way line of relocated Industrial Parkway and south of the proposed State Route 161 will be excepted from this zoning. After ODOT's appropriation of the right-of-way for relocated Industrial Parkway and the widening of State Route 161, Applicant intends to use the 2.1 acre portion of the excepted land (the "Remaining Land") for storm water detention as shown on the Site Plan. When the Remaining Land is improved for storm water detention, Applicant shall further improve the Remaining Land as depicted on the Site Plan. Furthermore, once improved with the detention pond and upon the request of the Township Trustees, Applicant agrees to rezone the Remaining Land PUD in accordance with the Site Plan and Landscape Plan.

(The legal description of the Property consisting of 38.1 +/- acres was presented and accepted by the Township as the property being zoned to the PUD zoning classification for Application Number PUD-06-112.)

2. Hotel/motel.
3. Body Shop.
4. Night club.

C. Development Standards:

1. The development standards shall be those set forth in: The Resolution as amended and supplemented by this Text; the Conceptual Detailed Site Plan dated February 22, 2007 (the "Site Plan") (note that building layout may be adjusted to accommodate user needs as long as all buildings are within the permissible building areas shown on the Site Plan. If building configurations change within the permissible building areas, vehicular and pedestrian access shall be provided in a manner similar to that shown on the Site Plan); the **Overall Landscape Plan dated March 9, 2007** (the "Landscape Plan"); the Materials Board dated March 9, 2007 (the "Materials Board"); and the Proposed Building Elevations dated (4 pages) February 22, 2007, which are representative of the type of architecture and materials to be used (the "Elevations"); (the Text, Site Plan, Landscape Plan and Elevations shall hereinafter be referred to collectively as the "PUD Plan"). If any conflict between the Resolution and the PUD Plan, the PUD Plan shall prevail.

D. Density, Height, Lot and/or Setback commitments:

1. Setbacks:
 - (a). The setback from State Route 161 shall be a minimum of fifteen (15) feet for parking, loading and maneuvering and a minimum of twenty-five (25) feet for buildings.
 - (b). The setback from the relocated Industrial Parkway shall be a minimum of fifteen (15) feet for parking, loading and maneuvering and a minimum of seventy five (75) feet for buildings.
2. **Outparcels:** The side yard setback for outparcels shall be a minimum of five (5) feet for parking, loading and maneuvering and a minimum fifteen (15) feet for buildings. **The parking setback areas shall be landscaped in compliance with Part One, Section G.** The landscaping for the ten (10) foot minimum landscape islands between outparcel parking areas created by contiguous outparcels (5' parking setbacks on each outparcel) shall be landscaped with a combination of grass, shrubs and/or trees. The setbacks from the internal access drive shall be ten (10) feet for parking, loading and maneuvering and twenty (20) feet for buildings. The size, number and configuration of outparcels will depend on end users. The maximum number of outparcels shall be six (6). No outparcels shall be permitted along Industrial Parkway north of the proposed pond located west of relocated Industrial Parkway without resubmittal to the Jerome Township Zoning Board.

3. Maximum Building Area: For the entire Property the total building square footage permitted per acre shall not exceed 12,000 square feet for commercial uses and 20,000 square feet for office uses.
4. Height limitations: The following building height limitations shall apply to non-outparcel buildings on the Property. The height of a building shall be defined as the vertical distance from grade to the highest point of the parapet of a flat roof or on a sloped roof shall be measured to the mean height of the sloped roof element.
 - a. Any building exceeding 25,000 square feet in size (the "Anchor Store"), shall have a maximum building height of forty-five (45) feet, excluding architectural tower elements.
 - b. Any building greater than 5,000 square feet and less than 25,000 square feet in size (the "Junior Anchor") shall have a maximum building height of thirty-six (36) feet, excluding architectural tower elements.
 - c. Any building less than 5,000 square feet in size (the "In-line Retail") shall have a maximum building height of twenty-eight (28) feet, excluding architectural tower elements.

E. Access, Loading, Parking and/or other Traffic related commitments:

1. Access points shall be permitted as shown on the Site Plan.
2. All uses, shall have a minimum parking ratio of one (1) parking space for every 250 square feet of building floor area except uses providing seating for more than twenty (20) customers consuming food or drink prepared on the premises, shall provide a minimum of one (1) parking space for every 100 square feet of building floor area. Parking ratios shall not be required for garden centers, outdoor sale areas and outdoor patios.
3. Standard parking spaces shall be a minimum of 9' x 19'. Parking area tree diamonds located within a parking field may encroach into a portion of the adjacent parking spaces and such spaces shall be deemed standard parking spaces for purposes of satisfying the parking requirements of Section 2 of this Part One (E). Handicapped parking spaces shall be in compliance with applicable standards.
4. Off-street Loading Requirements

Each commercial use shall provide loading spaces based on gross floor area as follows:

 - (i) Under 5,000 square feet – No loading spaces required
 - (ii) 5,000 square feet or more but less than 10,000 square feet
– One (1) loading space required.
 - (iii) 10,000 square feet or more but less than 30,000 square feet – Two (2) loading spaces required.
 - (iv) 30,000 square feet or more but less than 90,000 square feet – Three (3) loading spaces required.
 - (v) 90,000 square feet or more but less than 150,000 square feet – Four (4) loading spaces required.
 - (vi) 150,000 square feet or more but less than 250,000 square feet – Five (5) loading spaces required.

(vii) 250,000 square feet or more – Five (5) loading spaces plus one (1) for each 80,000 square feet or fraction thereof in excess of 250,000 square feet.

5. No overnight parking of recreational vehicles shall be permitted in the parking lots. No overnight parking of semi-trucks shall be permitted on the site except in the designated loading areas by trucks making deliveries to the Property.
6. Traffic will be internally directed to circulation lanes within the center. No outparcels will have direct access to public right-of-ways other than right-in, right-out limited movements with the reasonable consent of the Township.
7. Drive-through windows/drives shall be permitted on the Property.
8. Curb cuts shall be permitted as shown on the Site Plan. The easternmost curb cut on State Route 161, currently shown as right-in/right-out on the Site Plan, may be moved eastward, if necessary, based on approvals from the appropriate jurisdictional body. No outparcel uses shall have full curb cuts on State Route 161 or Industrial Parkway. Each outparcel shall have no more than two (2) curb cuts onto the internal access drive.

F. Site Lighting:

1. All outdoor lighting shall be cut-off fixtures (down lighting), except there may be accent lighting (up lighting) on landscaping and buildings.
2. All outdoor lighting fixtures to be used shall be similar in design to ensure aesthetic compatibility.
3. The maximum height of a pole mounted light fixture shall not exceed thirty-seven (37) feet above grade (measured at the fixture).
4. Building mounted lighting within service areas shall be designed to avoid offsite light spillage.
5. Any landscape lighting may be provided by up-lighted ground-mounted concealed fixtures.

G. Landscaping, Buffering, Open space and/or Screening:

Landscaping shall be installed and maintained in substantial compliance with the Landscape Plan and the following:

1. Parking areas adjacent to State Route 161 and relocated Industrial Parkway shall be screened by a hedge, mound, shrubs or a combination thereof that are 4' in height as measured from the grade of the parking lot. If a hedge is used, it shall be installed at a height of no less than 2', and achieve 80% opacity in 4 years.
2. Interior green space shall be provided in parking areas at a minimum rate of ten (10) square feet of landscape area per 1,000 square feet of vehicular pavement

area with a combination of landscaped areas, tree diamonds or perimeter landscaped area.

3. A tree row shall be installed within the setback areas along State Route 161 and relocated Industrial Parkway containing one tree for every 40 feet of roadway frontage. Trees may be grouped or evenly spaced. Street trees shall not be located within any established sight triangle. Street trees for each street shall be a consistent species.
4. Any portion of the Property not covered by buildings or pavement shall be landscaped and/or seeded.
5. No chain link or wire fencing shall be permitted on the Property; however, board on board wood or vinyl fences or masonry walls shall be permitted.
6. Unless otherwise specified minimum size of trees at installation shall be 2 ½" caliper.
7. All trees shall be well maintained. Weather permitting, dead plantings shall be replaced within six months or the next available planting season whichever occurs first.
8. On all outparcels, a minimum of one (1) tree per every ten (10) parking spaces shall be provided within the parking islands.
9. Service and delivery areas for any outparcel building will be screened from view from State Route 161 and Industrial Parkway with landscaping, masonry walls, fencing or a combination thereof.
10. The Landscape Plan will be subject to final engineering, allowing for minor adjustments where needed to allow for utility crossings, setbacks, etc. and other requirements of the PUD Plan.

H. Dumpsters and/or other environmental commitments:

1. All utility connections shall be kept to the rear or the side of the buildings.
2. Except as otherwise required by the respective utility company, all utility lines including water supply, sanitary sewer service, and gas, and their connections or feeder lines shall be placed underground. Any above ground utility facilities shall be screened not less than one (1) foot above the height of the facility.
3. No beverage/vending machines shall be permitted outside of the building(s).
4. Dumpsters and compactors for the In-line Retail shops will be located in the service and delivery areas.
5. Dumpsters shall be screened on all four sides by a solid wall or fence with a gate on one side to the height of six (6) feet or to a height of one (1) foot above the dumpster/waste container, whichever is higher.

6. Screening for outparcel dumpsters shall use the same exterior material(s) as the primary building on the outparcel.

I. Exterior Uses:

1. Outdoor storage and display of merchandise associated with a retail use within the shopping center shall be permitted in fenced and/or screened areas.
2. Seasonal sales items, such as pumpkins, flowers, and salt, may be offered for sale in the sidewalk areas along the front façade of the Anchor Stores. Passage along the sidewalk shall not be blocked for pedestrian travel.
3. Sidewalk areas may be used for exterior seating and dining. Seating and table plans shall be submitted to the Township Zoning Inspector for approval relative to sidewalk clearance and pedestrian safety.

PART TWO – ARCHITECTURAL STANDARDS

A. Architectural Requirements

Structures, including the Shopping Center Identification Signs set forth in Part Three, Section B of this Text, shall be designed and constructed in substantial compliance with Elevations and the following:

1. All structures shall be designed to be architecturally compatible with each other by employing similar roof pitches, architectural details and be constructed of compatible exterior building materials. Exterior materials on the front elevations of the buildings shall incorporate brick, brick veneer, stone, stone veneer, stucco or EIFS as listed on the Materials Board. In the event any of the listed exterior materials are not available, materials of comparable quality and appearance may be substituted. The use of CMU shall be permitted on rear building elevations. All buildings and portions thereof shall retain traditional building massing. Large commercial and retail buildings shall incorporate elements and forms that reduce large masses into an assemblage of definable parts. The scale of the building(s) shall be aided through the use of different materials and architectural elements to help reduce the perception of the building mass.
2. Rooftop equipment, antennas, and similar protrusions shall be screened from view from State Route 161 and Industrial Parkway along the frontage of the Property. The buildings shall include parapet walls, individual screens or other architectural building elements to screen equipment from view from the pedestrian walking in front of such buildings. All screening elements shall be consistent with the style of architecture of the center. Satellite dishes shall be consistent with applicable federal law and all applicable provisions of the Resolution.
3. Permitted roof style:

- a. Pitched roofs with gabled or hipped ends.
 - b. Glass roofs are acceptable in portions of a structure
 - c. Mansard roofs
 - d. Flat roofs are permitted but must utilize parapets or cornices.
- 4. Use of roof pitches on outparcel buildings shall be encouraged.
 - 5. Prefabricated metal buildings and untreated masonry block structures are prohibited.
 - 6. In the event no retail shops are constructed to veneer the anchor user on the northeast corner of the Property, the east (side) elevation of the anchor building shall incorporate the same materials used on the south (front) elevation of the anchor store. Additionally, the east elevation of this building shall incorporate architectural features such as belts, soldier courses, articulation, etc. to reduce the mass of the building.

B. Architectural Requirements - Outparcel Buildings

- 1. Each outparcel building shall be designed to be compatible with the retail center. Each outparcel building shall employ the same exterior building materials as the retail center (or similar materials if such materials are not available). The maximum height of any outparcel building shall be twenty eight (28) feet except for architectural features such as parapets, cupolas, etc.
- 2. In the event pitched roofs are used on an outparcel building, such pitched roofs shall have a minimum of an 8/12 pitch. Smaller outparcel buildings are encouraged to use pitched roofs.

PART THREE – SIGNAGE

A. Signage - General Requirements:

- 1. These standards shall apply to the following permitted sign types:
 - a. Freestanding Signs
 - b. Wall Signs
 - c. Directional/informational signs
 - d. Canopy signs
 - e. Under-canopy signs
 - f. Nameplate signs
 - g. Window signs.
- 2. The graphic area of a sign shall be defined as the entire area enclosing the limits of wording, representation, emblem, or any figure of similar character, any of which forms an integral part of the display or serves to differentiate such display from the structure to which it is affixed. Any background materials, color or area defined by a border or a frame shall be included as part of the graphic area.
- 3. The sign area shall be defined as the area enclosed by the perimeter of the aggregate sign face. For a sign, composed of letters only, the sign area is the sum

of the area of the smallest contiguous rectangle capable of containing all adjoining letters.

4. Permanent sign type illumination shall be provided by one of the following manners:
 - a. Individually mounted, internally illuminated, face lit, channel letter.
 - b. Individually mounted, internally illuminated reverse channel letter ("halo" illuminated letter).
5. Prohibited graphic types shall include but are not limited to the following:
 - a. Wall mounted enclosed cabinet signs.
 - b. Roof top signs.
 - c. Flashing, traveling, animated, rotating, audible or intermittently illuminated signs.
 - d. Permanent or temporary banners, other than the center's banners and pennants that are described herein.
 - e. The use of building walls for display of advertising.
 - f. Signs or advertising erected and maintained on trees or painted or drawn upon rocks or other natural features.
 - g. No sign shall be attached to any fence within the right-of way of any road.
 - h. Advertising devices that attempt, or appear to attempt, to direct movement of traffic, or which interfere with, imitate or resemble an official sign, signal or device.
 - i. No vehicle, trailer or equipment of any type may be parked on a building premise or lot for the purpose of advertising a business, product, service, event, object, location, organization or the like.
 - j. Exposed neon graphics or text that is mounted to either the exterior face of the building or that is mounted within the building that is visible from the exterior of the building.
 - k. Pole signs.
6. Window Signs shall not exceed 15 square feet per store.
7. Service and Address Signage: Each service/loading dock area is permitted to have the following message area on building elevation centered directly above door access: "Service Entrance", "Exit", etc. maximum letter height to be 6 inches.
8. Building address signage shall be indicated on front storefront glass doors and rear service doors to each individual tenant address by installing 6 inch high, white vinyl letters in Helvetica lettering style.

B. Shopping Center Identification Signs:

1. Developer shall be permitted to have three (3) Shopping Center Identification Signs listing the name of the shopping center and names of selected tenants. The Primary Shopping Center Identification Sign, shown on Sheet A-2.4 of the Elevations, will have a maximum of eight (8) tenants listed on the sign. The two Secondary Shopping Center Identification Signs, shown on Sheet A-2.4 of the Elevations, will have a maximum of fourteen (14) tenants listed on each sign.

2. The Primary Shopping Center Identification sign shall not exceed sixty (60) feet in height. The Secondary Shopping Center Identification Signs shall not exceed fifty (50) feet in height.
3. Tenant panels on the Shopping Center Identification signs shall be internally illuminated.

C. Ground signs:

1. Each outparcel shall be allowed one (1) monument sign per right-of-way frontage. The distance between outparcel monument signs shall not be less than 150 feet.
2. Monument signs shall have a maximum height of six (6) feet and a maximum width of ten (10) feet. The graphic area shall not exceed sixty (60) square feet per sign face.
3. All monument signs are to be constructed with a masonry base that is consistent with the materials used in the main retail center as shown on the exhibits marked Sheet SDA-4 and SDA-5 attached.
4. All monument signs shall be placed in a landscaped area.
5. Each outparcel may provide appropriate directional signage at ingress/egress access points. On site permanent directional signs, e.g. employee and visitor parking, deliveries, etc. will be of a common design, material and size. Maximum height of directional signage shall be four (4) feet and the maximum copy area type face shall be four (4) square feet.
6. Monument signs may be internally or externally illuminated. Light sources to externally illuminate signs shall be shielded from view.
7. The background color of the graphic area for each monument sign shall be a buff color and shall match the background color of the tenant panels of the Shopping Center Identification Signs.

D. Retail Center Tenant Signage – In-line Retail:

1. Use of individually mounted letters shall be limited to the fronts, or with endcap tenants, front and sides of stores relative to each tenant space. In all instances the message area letters and/or its sign panel shall be mounted directly to the building face.
2. All tenant signage shall be internally illuminated. Letter returns shall be dark gray.
3. Graphic area: The maximum graphic area for an in-line tenant shall be two (2) square feet of graphic area for each one (1) linear foot of wall to which the signage is to be mounted.

4. The horizontal width of each tenant's sign shall be a maximum of 80% of the width of such tenant's storefront width. Each tenant sign shall be centered on that tenant's storefront except in the event physical features of the building prevent centering, in which case tenant's sign may be offset to permit the placement of the sign.
5. Sign height: The maximum mounting height of any sign shall not exceed twenty (20) feet above grade and shall not extend above the roof or line of the parapet construction.
6. Maximum letter height shall be 30", except that maximum height of the upper case letters may be 36". Special attention to descent letters will be considered.
7. The sign area must terminate twenty-four inches (24") inside the tenant space side limits or corner of a building.

E. Retail Center Tenant Signage – Anchor Store:

1. Use of individually mounted letters shall be limited to the fronts of stores relative to each tenant space. In all instances the message area letters and/or its sign panel shall be mounted directly to the building.
2. All tenant signage shall be internally illuminated. Letter returns shall be dark gray.
3. Graphic area: The maximum sign area of an anchor store tenant shall be two (2) square feet of wall sign for each one (1) linear foot of wall to which the signage is to be mounted. Total graphic area shall not exceed four hundred (400) square feet per facade.
4. Sign height: The maximum mounting height of any sign shall not exceed twenty-eight (28) feet above grade and shall not extend above the roof or line of the parapet construction.
5. Maximum letter height shall be 72".
6. The sign area must terminate twenty-four inches (24") inside the tenant space side limits or corner of a building.

F. Tenant Blade Signs:

1. Each tenant may be permitted to select one of the (2) projecting blade sign options indicated at a maximum of (3) square feet of graphic area. See attached exhibits marked Sheet SDA-1 and SDA-2 attached.
 - a. Each blade sign shall be of the same color as the tenant's canopy sign letters
 - b. The tenant's name to be no greater than 3 inches in height and to have a $\frac{3}{4}$ " wide decorative border on the blade sign painted gold.
2. No part of any blade sign shall be less than eight (8) feet above the sidewalk or ground level.

G. Outparcel Building Signs:

1. All wall mounted signage may be internally or externally illuminated. Letter returns shall be dark gray.
2. The horizontal width of each tenant's copy shall be a maximum of 80% of the width of the wall on which is located.
3. Outparcel buildings shall be permitted three (3) on-premise wall signs. No graphic area shall be larger than 100 square feet per sign. The total aggregate graphic area for all such wall signs shall not exceed two hundred (200) square feet per building.
4. Outparcel building wall signs shall not be mounted higher than twenty-four (24) feet above grade and no less than ten (10) feet above grade and shall not extend above the roof or line of the parapet construction.

H. Service/Fuel Station Signage:

1. Signage which displays the purchase price of fuels shall be comprehensively and permanently incorporated into the ground signage of any retail service station.
2. In addition to wall mounted signage as provided above, such retail service station may have two signs mounted to the soffit of any canopy placed over the fuel dispensing area. The maximum graphic area of any canopy signage shall be fifty (50) square feet. No canopy signage shall extend above the roofline or below the bottom of the canopy soffit on which it is mounted.
3. If the retail service station facility also has a car wash, not more than two wall mounted illuminated name signs not exceeding fifty (50) square feet of graphic area in the aggregate may be mounted on the car wash facility (in addition to all other signs allowed in Part Three (H)(1) and (2) above.)



**County Engineer
Environmental Engineer
Building Department**
233 W. Sixth Street
Marysville, Ohio 43040
P 937. 645. 3018
F 937. 645. 3161
www.co.union.oh.us/engineer

Marysville Operations Facility
16400 County Home Road
Marysville, Ohio 43040
P 937. 645. 3017
F 937. 645. 3111

Richwood Outpost
190 Beatty Avenue
Richwood, Ohio 43344

March 5, 2021

Public Service with integrity

Bradley Bodenmiller
LUC Regional Planning Commission
10820 St. Rt. 347, PO Box 219
East Liberty, Ohio 43319

Re: Dublin Green
Preliminary Plat Review

Brad,

We have completed our review for the above preliminary plat. As has been documented, this subdivision gained preliminary plat approval from the LUC Executive Committee in April of 2016, and the approval of an extension of said preliminary plat in April of 2018. The approval for that preliminary plat has since lapsed, as no extension was filed within the required 24 month period.

During the above timeframe, construction drawings have been submitted and subsequently approved and constructed for much of the subdivision. Buildings have been constructed and businesses have been in operation within this subdivision, some as early as August of 2016.

As part of the development process and legal proceedings, the County has obtained the necessary right of way and easements from the developer to construct the much needed improvements at the intersection of SR 161 and Cosgray Road. This satisfies our previous comments on prior iterations of the preliminary plat submitted to LUC.

With this most recent iteration however, it has been made known that the developer now wishes to use the platting process to further subdivide their property to create fee simple lots for several of the outlot parcels along SR 161. Initially, these outlots were not intended to be subdivided with the intent to lease these buildings to the end users. Because these proposed parcels would not have direct access to a public roadway, an easement providing access from the public roadway to these outlots will be necessary.

We understand that there is an existing access easement between the developer and Costco that was agreed upon and recorded prior to the desire to split these outlot parcels. This easement is 30' in width, but the requirement for a marginal access street right of way is 40' per the Subdivision Regulations (Section 408.5). The developer's engineer has submitted a variance to this requirement, but it has yet to be heard or acted upon by the Board of Commissioners. As such, per Section 705 of the Subdivision Regulations, at this time we recommend denial of the preliminary plat until and unless this variance is approved.

Should you have any questions or concerns, please feel free to contact me at (937) 645-3165.



Bill Narducci, P.E.
Assistant County Engineer
Union County Engineer



9777 Industrial Parkway
Plain City, Ohio 43064
614-873-4480

Jerome Township Zoning Department

March 4, 2021

Bradley J. Bodenmiller, Director
LUC Regional Planning Commission
10820 St. Rt. 347
East Liberty, Ohio 43319

Re.: Dublin Green – Preliminary Plat

Dear Mr. Bodenmiller,

I have received your notification of application for approval of the Preliminary Plat known as Dublin Green – Preliminary Plat. Based on the provisions of the Township Zoning Resolution, my comments are as follows:

- 1) Map Amendment Case # PD06-112 was approved to allow for development at the site. Various Development Plans have been approved by the Board of Township Trustees to allow specific improvements within specific sub-areas of this site. After a basic review of page 2 of this submittal labelled "Site Plan", this preliminary plat appears to be in compliance with those approved Development Plans. Any modifications to those approved Development Plans would require approval of a modification under the provisions Chapter 500 of the Zoning Resolution.
- 2) It is my understanding that page 1 labeled "Existing Conditions Plan – 2016" is intended to depict the site as it was during that year. If so, the labels of the zoning districts are incorrect. All labels indicating "PUD" should be labeled "PD" per Chapter 500 of the Zoning Resolution and the Official Zoning Map. Parcel #150031004000, 150031015000 and 150031016000 are labeled "U-1". Per Chapter 425 and the Official Zoning Map these parcels should be labeled "RU".
- 3) Franklin County Parcel ID: 271-000011-00 is labeled as "U-1" zoning district. This parcel is subject to the provisions of the Zoning Resolution of Washington Township, Franklin County. The applicant should confirm the correct zoning district for this parcel, as well as Parcel ID: 271-000014-00 and 271-000020-00 under that zoning resolution and indicate the applicable zoning district.
- 4) The unnumbered notes on page 2 "Site Plan" indicate "Permissible build area as long as parking ratios and restrictions of PUD text are maintained." This is not consistent with terms defined in the Zoning Resolution. The same intent would be conveyed by the following note: "Site development subject to compliance with additional provisions of the approved PD District regulation text." Zoning staff would also support numbering of these notes, assuming this is acceptable to other review agencies as well.

As per usual practice, I plan to attend the meeting of the Commission's Zoning & Subdivision Committee, and will be available to answer any additional questions at that time.

Sincerely,

Eric Snowden
Zoning Inspector/Coordinator
Jerome Township, Union County, Ohio



Engineering, Planning and Zoning
City Hall, 209 South Main Street
Marysville, Ohio 43040-1641
(937) 645-7350
FAX (937) 645-7351
www.marysvilleohio.org

March 4, 2021

Mr. Bradley J. Bodenmiller
Logan-Union-Champaign Regional Planning Commission
10820 St. Rt. 347
PO Box 219
East Liberty, Ohio 43319

**Subject: Dublin Green – Preliminary Plat
Review Comment Letter**

Mr. Bodenmiller,

The City of Marysville has the following comments regarding the Preliminary Plat for Dublin Green.

General

- A Property Owner's Association (POA), or similar, shall be established and include an operations and maintenance (O&M) agreement for the Dublin Green private pump station and gravity sewers. All parcels/properties tributary to the private pump station shall be included in the POA and shall sign such O&M agreement.
- Per the Developer's Agreement for the Private Improvements between the City of Marysville and Jerome I Associates LTD, the Developer shall be responsible for the installation, maintenance (including odor control) and repair of the Private Improvements until such time that the Private Improvements are transferred to the City to be operated and owned as a public regional pump station (owned and maintained by the City) (the "Public System") pursuant to Section C below.

C. Public System. The Private Improvements shall become the Public System at such time that: (i) the City agrees to permit a property outside of the Property, but within the tributary area of the Public System as generally depicted on Exhibit 3 to this Addendum, to tap into the City's wastewater system by connecting into the Private Improvements or (ii) Developer requests that the Private System become a public system. In either such event, the person or entity seeking to tap into the Private Improvements or requesting that the Private System become public, shall be required to do the following:

Dublin Green
LUC Preliminary Plat – Comment Letter #1
March 4, 2021

- 1. Ensure that the pump station is sized to a capacity necessary to accept and transfer wastewater from the proposed development on the property seeking to tap into the system.*
- 2. Obtain all necessary permits and approvals from the OEPA and the City.*
- 3. Construct all the public portions of the wastewater system infrastructure to meet all applicable City Codes, standards, specifications, rules and regulations.*

Sheet 1

- Provide a typical title sheet with all applicable information (location map, index map, sheet index, standards, easement language (if known), development summary, etc.)

Sheet 2

- Please turn off non-applicable information to make the sheet more legible
- Clearly show and dimension all easements.
- Clearly label all easements.

Sheet 3

- See comments from Sheet 2.

Sincerely,



Kyle Hoyng, P.E.
City Engineer

cc. Chad Green, P.E. (City of Marysville)

Brad Bodenmiller

From: Jeremy Burrey <jburrey@unioncountyohio.gov>
Sent: Thursday, March 4, 2021 4:23 PM
To: Brad Bodenmiller
Subject: RE: Dublin Green - Preliminary Plat

Yes the “all” of the plats for Dublin green are approved as reviewed.

From: Brad Bodenmiller <bradbodenmiller@lucplanning.com>
Sent: Thursday, March 4, 2021 3:24 PM
To: Jeremy Burrey <jburrey@unioncountyohio.gov>
Subject: Dublin Green - Preliminary Plat

Jeremy,

Good afternoon! Is the preliminary drainage plan for the **Dublin Green – Preliminary Plat** approved?

Bradley Bodenmiller
Director | LUC Regional Planning Commission
P.O. Box 219 | 10820 State Route 347 | East Liberty, Ohio 43319
P: (937) 666-3431 | www.lucplanning.com



Staff Report – Millcreek Township Zoning Amendment

Jurisdiction:	Millcreek Township Zoning Commission c/o Ron Todd 10420 Watkins Rd Marysville, OH 43040 (937) 644-3449
Request:	Review of Millcreek Township Zoning Resolution text amendment, initiated by the Zoning Commission. The amendment adds/amends: <ol style="list-style-type: none">1. Article XX Definitions (amend)2. Section 10960 - Medical Marijuana Entities – Purpose & Intent (add); Section 10961 – Not an Agricultural Use (add); Section 10962 – Prohibited in all Zoning Districts (add).
Location:	Millcreek Township is in Union County.

Staff Analysis:	<p>This analysis breaks-down the proposal and provides a recommendation.</p> <p>1. Article XX Definitions (RE: Medical Marijuana related definitions)</p> <ul style="list-style-type: none">○ In addition to Medical Marijuana related definitions, the Zoning Commission has also included a definition for “Mobile Buildings or Structures”.○ “Mobile Buildings or Structures” – This definition has the potential to get tangled up in other parts of the Zoning Resolution, especially when it comes to mobile/manufactured dwellings and temporary buildings and structures. Staff recommends adding an introductory statement that acts as a disclaimer to the effect of “As it relates only to Medical Marijuana Entities,...” or a disclaimer sentence at the end to the effect of “This definition only applies to Medical Marijuana Entities.”○ Staff also recommends formatting the definitions so that they are indented below “Medical Marijuana related definitions” so that they are clearly meant for medical marijuana and nothing else.
------------------------	--



Staff Report – Millcreek Township Zoning Amendment

	<p>2. Section 1043 Medical Marijuana Entities</p> <ul style="list-style-type: none">○ The proposed language is identical to the LUC Model Text, Version 1, just formatted differently.<ul style="list-style-type: none">○ LUC Staff recommends adding “Medical Marijuana Entities” to the beginning of every Section header, following the section number, that does not already contain it. For example, “Section 10961 – Not an Agricultural Use:” “Section 10961 – Medical Marijuana Entities – Not an Agricultural Use:”.○ Since the Zoning Commission prohibition of all medical marijuana entities, they could likely eliminate both the sentence “No medical Marijuana cultivator, processor, or dispensary shall be located within a mobile building” and the definition for “Mobile buildings or structures”. <p>Prosecutor’s Office A copy of this proposal was forwarded to the County Prosecutor’s Office for consideration and comment. Before LUC takes official action on the proposal, the comments from that Office should be reviewed and included in any recommendation.</p>
Staff Recommendations:	<p>Staff recommends <i>APPROVAL WITH MODIFICATIONS</i> of the proposed zoning amendment. Those modifications are changes to the “Mobile Buildings or Structures” definition and formatting changes.</p> <p>The Township should consider the opinion of the Prosecutor’s Office when it is available.</p>
Z&S Committee Recommendations:	



LUC Cover Letter & Checklist Millcreek Township

February 19th, 2021

**Aaron Smith
CC: Brad Bodenmiller
LUC Planning Commission
P.O. Box 219
10820 State Route 347
East Liberty, Ohio 43319**

Sent via email. Hard copy will be dropped off at the LUC office at an agreed upon time.

Dear Aaron,

Attached is the Millcreek Township Zoning Text Amendment Checklist for new draft legislation titled "Medical Marijuana". The Millcreek Township Zoning Commission met on February 16th, 2021 at 7.00 PM. at the Township Hall. The Zoning Commission reviewed the proposed new draft legislation and all voted in favor of a public hearing. Below are the required item descriptions per the LUC checklist.

- **Cover Letter & Checklist - Attached.**
- **Date of Request - As stated.**
- **Description of Zoning Text Amendment Change(s) - Proposal of new draft legislation prohibiting "Medical Marijuana" within the Township.**
- **Date of Public Hearing - The public hearing is scheduled for Tuesday March 16th, 2021 at 7.00 PM. at the Township Hall.**
- **Township Point of Contact and contact information for zoning amendment - Ron Todd - Zoning Administrator
Email - zoning@millcreektwpohio.us
Phone (cell) - 937-644-3449**
- **Attachment of Zoning Text Amendment with changes highlighted or bolded - Attached.**
- **Copy of current zoning regulation, or section to be modified for comparison - Separate attachment with email submittal.**

- **Non-LUC Member Fee, If applicable - N/A**

The Township looks forward to your professional planning recommendations from the LUC regional perspective. Thank you for all your help and guidance in this process.

Sincerely,

Ron Todd
Zoning Administrator
Millcreek Township

CC:
Brad Bodenmiller
Thayne Gray
Joni Orders
Keith Conroy
Bill Jordan
Dave Long
Scott Brackenridge



Zoning Text Amendment Checklist

Date: February 19th, 2021 Township: Millcreek Township
Amendment Title: "Medical Marijuana"

Notice: Incomplete Amendment requests **will not** be processed by our office. LUC Regional Planning Commission will return them to the requestor, stating the reason the amendment was not accepted.

Each Zoning Text Amendment change must be received in our office along with a cover letter, explaining the proposed zoning text change (s). All items listed below must be received **no later than 10 days** before the next scheduled LUC Regional Planning Commission Executive Board Meeting (second Thursday of every month). It is recommended that a person who is able to provide further information on the amendment attend the Zoning and Subdivision Committee meeting to answer any additional questions that may arise.

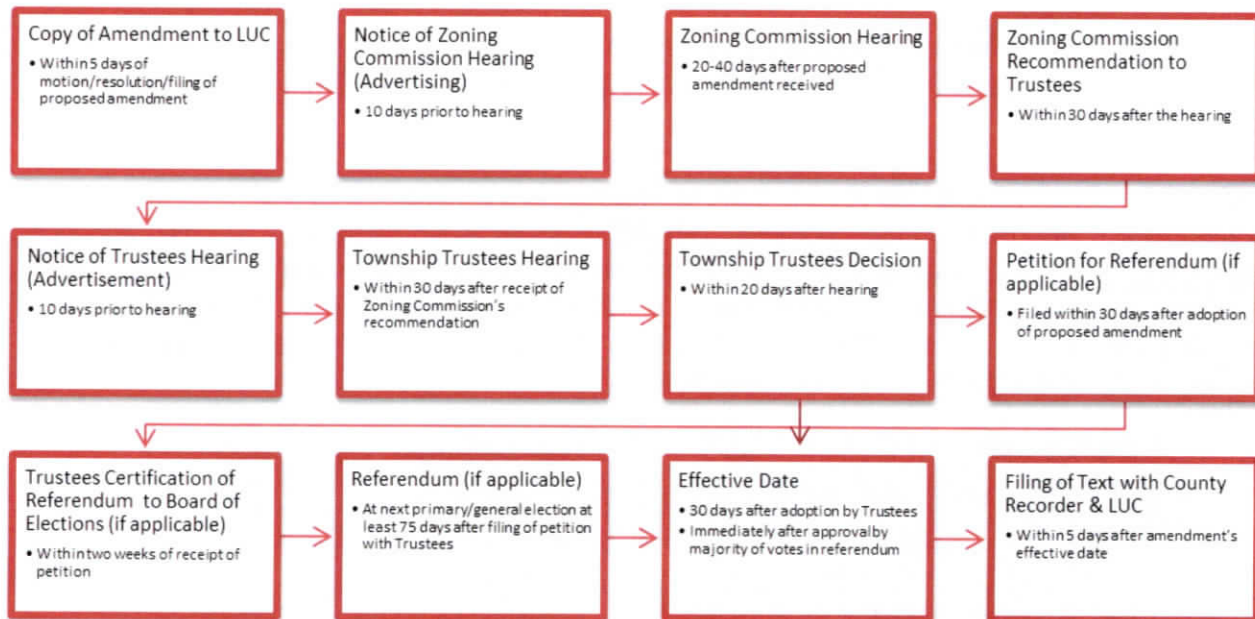
Required Item:	Completed by Requestor:	Received by LUC:
Cover Letter & Checklist	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Date of Request (stated in cover letter)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Description of Zoning Text Amendment Change (s)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Date of Public Hearing (stated in cover letter)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Township Point of Contact and contact information for zoning amendment (stated in cover letter)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Attachment of Zoning Text Amendment with changes highlighted or bolded	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Copy of current zoning regulation, or section to be modified for comparison	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Non-LUC Member Fee, If applicable	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Additionally, after final adoption regarding this zoning text amendment, please provide LUC with a letter stating the results of the Trustees vote, along with a copy of the adopted language.

Please see reverse side for a timeline of the Township Zoning Amendment Process, per ORC 519.12



Township Zoning Amendment Process (ORC 519.12)



LEGAL NOTICE

NOTICE OF PUBLIC HEARING

Millcreek Township Zoning Commission

Zoning Resolution Text Amendment

The Millcreek Township Zoning Commission will conduct a public hearing on Tuesday, March 16, 2021 at 7:00 pm. The purpose of the public hearing is to discuss an amendment to the Zoning Resolution regarding Medical Marijuana.

The Zoning Commission will conduct the March regular meeting after the hearing.

The meeting is open to the public at the Millcreek Township hall, located at 10420 Watkins Road, Marysville, OH 43040.

Details and draft language are posted on the Township website:

<http://www.millcreektwpohio.us>

Ms. Joni Orders, Zoning Commission Chair

Article XX – Definitions: Medical marijuana related to add:

- a) Cultivate.** To grow, harvest, package, and transport medical marijuana pursuant to ORC 3796.
- b) Cultivator.** An entity that has been issued a certificate of operation by the State of Ohio to grow, harvest, package, and transport medical marijuana as permitted under ORC 3796.
- c) Dispensary.** An entity licensed pursuant to ORC 3796 and any rules promulgated thereunder to sell medical marijuana to qualifying patients and caregivers.
- d) Dispense.** The delivery of medical marijuana to a patient or the patient's registered caregiver that is packaged in a suitable container appropriately labeled for subsequent administration to or use by a patient as permitted by Ohio law in accordance with Ohio law.
- e) Manufacture.** The process of converting harvested plant material into marijuana extract by physical or chemical means for use as an ingredient in a medical marijuana product.
- f) Marijuana / Marijuana.** Has the same meaning as defined in ORC 3719.01, as amended from time to time.
- g) Medical Marijuana.** Has the same meaning as defined in ORC 3796.01, as amended from time to time.
- h) Medical Marijuana Entity.** A medical marijuana cultivator, processor, dispensary, or testing laboratory licensed by the State of Ohio.
- i) Medical Marijuana Processor.** An entity that has been issued a certificate of operation by the State of Ohio to manufacture medical marijuana products.
- j) Mobile Buildings or Structures.** A factory assembled or handmade structure or structures equipped with the necessary service connections and made so as to be readily movable as a unit or units on its (their) own running gear and designed to be with or without a permanent foundation.
- k) Testing Laboratory.** An independent laboratory located in Ohio that has been issued a certificate of operation by the State of Ohio to have custody and use of controlled substances for scientific and medical purposes and for purposes of instruction, research, or analysis.

Section 10960 – Medical Marijuana Entities – Purpose & Intent:

The goal of this section is to establish standards meant to minimize conflicts; safeguard life, health, property, safety, and public welfare while encouraging creativity, variety and compatibility and protection of the Township’s rural character as articulated in the Comprehensive Land Use and GrowthPlan. This section establishes zoning regulations that provide for State-authorized medical marijuana land uses consistent with ORC 519 and ORC 3796. ORC 519.21 and ORC 3796 allow regulation of the location of medical marijuana cultivators, processors, or dispensaries within the unincorporated areas of the township.

Section 10961 – Not an Agricultural Use:

Medical marijuana is not considered an “agricultural” use pursuant to ORC 519.21 (D).

Section 10962 – Prohibited in all Zoning Districts:

Medical marijuana cultivators, processors, and dispensaries are prohibited within the unincorporated area of the Township.

No medical marijuana cultivator, processor, or dispensary shall be permitted as a home occupation. No medical marijuana cultivator, processor, or dispensary shall be located within a mobile building.



Logan-Union-Champaign regional planning commission

Director: Bradley J. Bodenmiller

Zoning & Subdivision Committee Thursday, March 11, 2021

The Zoning and Subdivision Committee met in regular session on Thursday, March 11, 2021, at 12:30 pm online through Zoom. Meeting information was published on LUC's agenda and posted on LUC's website.

Zoning & Subdivision Committee Members were in attendance as follows: Brad Bodenmiller, Tyler Bumbalough, Scott Coleman, Steve McCall, Heather Martin, Bill Narducci, Tammy Noble, Steve Robinson, Aaron Smith, and Andy Yoder. Absent members were: Wes Dodds, Ashley Gaver, Tom Scheiderer, Jeff Stauch.

Guests included: Eric Snowden, Jerome Township; Megan Sloat, Jerome Township; Patricia Brown, EMH&T; Gus Crim, Skilken & Co.

Scott Coleman chaired the Zoning & Subdivision Committee Meeting.

Steve McCall moved a motion to approve the minutes from the February 11, 2021 meeting as written and Andy Yoder seconded. All in favor.

1. Review of Dublin Green Preliminary Plat (Union County) – Staff Report by Brad Bodenmiller
 - Brad Bodenmiller stated there are two questions to answer. We could approve this conditionally, one of the conditions including that the right-of-way be addressed as approved by the Commissioners yesterday. So, on the Final Plat: We'd expect to see the existing easement depicted with a note referring to what was recorded and the developer ensuring that all the lots can use that easement. Also, a private right-of-way to that west Lot 2 line, so that Lot 2 can access the roadway and that would be at least 30' wide. Finally, one of the comments from LUC was making sure the back line of the lots lines-up with the easement so they can actually access the easement. My first question is: Are the developers, Gus and Patricia, are OK with those conditions? My second question is: Whether you all are comfortable moving-forward with that being part of the conditions?
 - Gus Crim stated he is okay with the conditions Brad provided; and Patricia Brown agreed.
 - Steve McCall – The commissioners have already taken care of the variance issues?
 - Brad Bodenmiller – Yes. As part of that, the developer provided them a drawing that shows that information. The missing component of that drawing was hitting that west line of Lot 2.

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East Liberty, Ohio 43319

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Logan-Union-Champaign regional planning commission

Director: Bradley J. Bodenmiller

- Steve McCall – The HOA issue; I know we talked about petition ditches and drainage in the potential new Subdivision Regulations. Is anything in writing as to who is maintaining those detention ponds?
 - Patricia Brown – There is a reciprocal easement agreement between Costco and Jerome I and it explains the maintenance requirements handled by both entities. It's privately maintained.
- Andy Yoder – The easement is the primary means of egress/ingress? Who has the responsibility to maintain that easement for travel?
 - Patricia Brown – In the agreement, it outlines that both parties are required for maintenance for their access road on the individual parcels. If one party doesn't maintain their access road, the other party can go in and maintain it and require payment.
- Brad Bodenmiller – Does that transfer if, for example, Lot 2 sells. Would the person in Lot 2 have that?
 - Gus Crim – I think that's a function of the POA.
 - Patricia Brown – The REA agreement does explain the relationship between the responsibilities between the ownership. The POA will be for sanitary only but could be expanded to explain about this as well. I believe the REA agreement already explains about that and what happens if a parcel is sold.
 - Brad Bodenmiller – If you find your existing agreement isn't functioning, you can loop that into the POA?
 - Trish Brown – Yes.
 - Gus Crim – Contrary to popular sentiment, we have no interest in selling these parcels. We have long term leases with the parcels where we do not own the buildings; for the foreseeable future there will be only two parties interested in the POA in terms of the Dublin Green site and COSTCO. We can put about anything we want in the POA at this point.
- Scott Coleman clarified that conditional approval would be an option.
 - Brad Bodenmiller provided what he believes a conditional approval motion could be.
- Bill Narducci moved a motion to recommend approval of the Dublin Green Preliminary Plat with the condition that all comments/modifications from LUC and reviewing agencies, related to Subdivision Requirements, shall be incorporated into the Construction Drawings and Final Plat. This includes addition of the marginal access street approved in the variances granted by the County Commissioners and includes right-of-way to the west line of Lot 2. Additionally, extension of the rear lots lines to the north shall occur to meet-up with the access easement and provide access. The developer shall ensure that prior to the Final Plat submittal, all requirements and items outlined in the Union County Subdivision Regulations are incorporated into the Final Plat prior to submittal. Steve McCall seconded. All in favor.

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Logan-Union-Champaign regional planning commission

Director: Bradley J. Bodenmiller

2. Review of Millcreek Township Zoning Text Amendment (Union County) – Staff Report by Aaron Smith
 - Steve McCall moved a motion to recommend approval with modifications of the Millcreek Township Zoning Text Amendment with staff comments and Tyler Bumbalough seconded. All in favor.

The Zoning and Subdivision Committee adjourned at 12:57 pm with Steve McCall moving a motion to adjourn and Andy Yoder seconded. All in favor.

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