



CITY OF DUBLIN.

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

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

PLANNING AND ZONING COMMISSION APPLICATION

(Code Section 153.232)

I. PLEASE CHECK THE TYPE OF APPLICATION:

<input checked="" type="checkbox"/> Preliminary Development Plan / Rezoning (Section 153.053)	<input type="checkbox"/> Final Plat (Section 152.085)
<input type="checkbox"/> Standard District Rezoning (Section 153.018)	<input type="checkbox"/> Minor Subdivision
<input type="checkbox"/> Informal Review	<input type="checkbox"/> Right-of-Way Encroachment
<input checked="" type="checkbox"/> Concept Plan (Section 153.056(A)(1))	<input type="checkbox"/> Conditional Use (Section 153.236)
<input type="checkbox"/> Final Development Plan (Section 153.053(E))	<input type="checkbox"/> Corridor Development District (CDD) (Section 153.115)
<input type="checkbox"/> Amended Final Development Plan (Section 153.053(E))	<input type="checkbox"/> CDD Sign (Section 153.115)
<input type="checkbox"/> Preliminary Plat (Section 152.015)	<input type="checkbox"/> Other (Please Specify): _____

II. PROPERTY INFORMATION: This section must be completed.

Property Address(es): 4056 Dublin-Granville Road	
Tax ID/Parcel Number(s): 273-008305	Parcel Size(s) (Acres): 0.53±
Existing Land Use/Development: Single-family home	

IF APPLICABLE, PLEASE COMPLETE THE FOLLOWING:

Proposed Land Use/Development: Learning center/office or retail space
Total Acres to be Rezoned: 0.53±

III. CURRENT PROPERTY OWNER(S): Please attach additional sheets if needed.

Name (Individual or Organization): Abha Jindal	
Mailing Address: (Street, City, State, Zip Code) 7949 Stonehurst Drive, Dublin, OH 43016	
Daytime Telephone: (614) 644-3568	Fax: (614) 889-9027
Email or Alternate Contact Information: sudhirji@yahoo.com	

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09-067-7/175
JUL 21 2009

IV. APPLICANT(S): This is the person(s) who is submitting the application if different than the property owner(s) listed in part III. Please complete if applicable.

Name: Sudhir Jindal	Applicant is also property owner: yes <input type="checkbox"/> no <input checked="" type="checkbox"/>
Organization (Owner, Developer, Contractor, etc.): A&S Enterprise, Inc.	
Mailing Address: (Street, City, State, Zip Code) 6530 Riverside Drive, Dublin, OH 43017	
Daytime Telephone: (614) 644-3568	Fax: (614) 889-9027
Email or Alternate Contact Information: sudhirji@yahoo.com	

V. REPRESENTATIVE(S) OF APPLICANT / PROPERTY OWNER: This is the person(s) who is submitting the application on behalf of the applicant listed in part IV or property owner listed in part III. Please complete if applicable.

Name: Aaron L. Underhill, Esq.	
Organization (Owner, Developer, Contractor, etc.): Smith & Hale LLC	
Mailing Address: (Street, City, State, Zip Code) 37 West Broad Street, Suite 725, Columbus, OH 43215	
Daytime Telephone: (614) 221-4255	Fax: (614) 221-4409
Email or Alternate Contact Information: aunderhill@smithandhale.com	

VI. AUTHORIZATION FOR OWNER'S APPLICANT or REPRESENTATIVE(S): If the applicant is not the property owner, this section must be completed and notarized.

I, Abha Jindal, the owner, hereby authorize the attorneys with the law firm of Smith & Hale LLC to act as my applicant or representative(s) in all matters pertaining to the processing and approval of this application, including modifying the project. I agree to be bound by all representations and agreements made by the designated representative.

Signature of Current Property Owner: <u>Abha Jindal</u>	Date: <u>7/20/09</u>
---	----------------------

Check this box if the Authorization for Owner's Applicant or Representative(s) is attached as a separate document

Subscribed and sworn before me this 20th day of July, 2009

State of Ohio

County of Franklin

Notary Public Aaron Underhill



AARON L. UNDERHILL
ATTORNEY AT LAW
Notary Public, State of Ohio
My Commission Has No Expiration
Section 147.03 R.C.

VII. AUTHORIZATION TO VISIT THE PROPERTY: Site visits to the property by City representatives are essential to process this application. The Owner/Applicant, as notarized below, hereby authorizes City representatives to visit, photograph and post a notice on the property described in this application.

I, Aaron L. Underhill, attorney, the owner or authorized representative, hereby authorize City representatives to visit, photograph and post a notice on the property described in this application.

Signature of applicant or authorized representative: <u>Aaron Underhill</u>	Date: <u>7/20/09</u>
---	----------------------



VIII. UTILITY DISCLAIMER: The Owner/Applicant acknowledges the approval of this request for rezoning by the Dublin Planning and Zoning Commission and/or Dublin City Council does not constitute a guarantee or binding commitment that the City of Dublin will be able to provide essential services such as water and sewer facilities when needed by said Owner/Applicant.

I, Aaron L. Underhill, attorney, the owner or authorized representative, acknowledge that approval of this request does not constitute a guarantee or binding commitment that the City of Dublin will be able to provide essential services such as water and sewer facilities when needed by said Owner/Applicant.

Signature of applicant or authorized representative: Aaron Underhill Date: 7/20/09

IX. APPLICANT'S AFFIDAVIT: This section must be completed and notarized.

I, Aaron L. Underhill, attorney, the owner or authorized representative, have read and understand the contents of this application. The information contained in this application, attached exhibits and other information submitted is complete and in all respects true and correct, to the best of my knowledge and belief.

Signature of applicant or authorized representative: Aaron Underhill Date: 7/20/09

Subscribed and sworn to before me this 20th day of July, 20 09
 State of Ohio
 County of Franklin Notary Public [Signature]



NOTE: THE OWNER, OR NOTED REPRESENTATIVE IF APPLICABLE, WILL BE RESPONSIBLE FOR PAYING THE FEE CONFIRMATION PRICE FOR THIS APPLICATION
 Notary Public, State of Ohio
 My Commission Expires 07-13-2012

FOR OFFICE USE ONLY			
Amount Received: <u>2980.5</u>	Application No: <u>09-067</u>	P&Z Date(s):	P&Z Action:
Receipt No: <u>907253</u>	Map Zone: <u>2</u>	Date Received: <u>7.21.09</u>	Received By: <u>CDH</u>
City Council (First Reading):		City Council (Second Reading):	
City Council Action:		Ordinance Number:	
Type of Request: <u>Rezoning / Prelim. Dev. Plan</u>			
S, E, W (Circle) Side of: <u>W. Dublin - Granville Rd</u>			
N, S, E, W (Circle) Side of Nearest Intersection: <u>David Rd</u>			
Distance from Nearest Intersection: <u>0'</u>			
Existing Zoning District: <u>R-4</u>		Requested Zoning District: <u>PUD</u>	

NOTE: All applications are reviewed by Land Use and Long Range Planning for completeness prior to being processed. Applications that are incomplete will NOT be accepted. Applicants are strongly encouraged to contact Land Use and Long Range Planning for assistance and to discuss the Planning and Zoning Commission approval process, and if needed, to make an appointment for a pre-submittal review prior to submitting a formal application.

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 CITY OF DUBLIN
 LAND USE &
 LONG RANGE PLANNING

PLANNING AND ZONING COMMISSION APPLICATION

(Code Section 153.232)



CITY OF DUBLIN,

Land Use and
Long Range Planning
5800 Shier-Rings Road
Dublin, Ohio 43016-1236
Phone/ TDD: 614-410-4600
Fax: 614-410-4747
Web Site: www.dublin.oh.us

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<input checked="" type="checkbox"/> Preliminary Development Plan / Rezoning (Section 153.053)	<input type="checkbox"/> Final Plat (Section 152.085)
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Name (Individual or Organization): Abha Jindal	
Mailing Address: (Street, City, State, Zip Code) 7949 Stonehurst Drive, Dublin, OH 43016	
Daytime Telephone: (614) 644-3568	Fax: (614) 889-9027
Email or Alternate Contact Information: sudhirji@yahoo.com	

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09-06-12 PDP
JUL 21 2009

CITY OF DUBLIN
LAND USE &
LONG RANGE PLANNING

IV. APPLICANT(S): This is the person(s) who is submitting the application if different than the property owner(s) listed in part III. Please complete if applicable.

Name: <u>Sudhir Jindal</u>	Applicant is also property owner: yes <input type="checkbox"/> no <input checked="" type="checkbox"/>
Organization (Owner, Developer, Contractor, etc.): <u>A&S Enterprise, Inc.</u>	
Mailing Address: (Street, City, State, Zip Code) <u>6530 Riverside Drive, Dublin, OH 43017</u>	
Daytime Telephone: <u>(614) 644-3568</u>	Fax: <u>(614) 889-9027</u>
Email or Alternate Contact Information: <u>sudhirji@yahoo.com</u>	

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Name: <u>Aaron L. Underhill, Esq.</u>	
Organization (Owner, Developer, Contractor, etc.): <u>Smith & Hale LLC</u>	
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Daytime Telephone: <u>(614) 221-4255</u>	Fax: <u>(614) 221-4409</u>
Email or Alternate Contact Information: <u>aunderhill@smithandhale.com</u>	

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I, Abha Jindal, the owner, hereby authorize the attorneys with the law firm of Smith & Hale LLC to act as my applicant or representative(s) in all matters pertaining to the processing and approval of this application, including modifying the project. I agree to be bound by all representations and agreements made by the designated representative.

Signature of Current Property Owner: *Abha Jindal* Date: 7/20/09

Check this box if the Authorization for Owner's Applicant or Representative(s) is attached as a separate document

Subscribed and sworn before me this 20th day of July, 2009

State of Ohio

County of Franklin

Notary Public *Aaron Underhill*



AARON L. UNDERHILL
ATTORNEY AT LAW
 Notary Public, State of Ohio
 My Commission Has No Expiration
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I, Aaron L. Underhill, attorney, the owner or authorized representative, hereby authorize City representatives to visit, photograph and post a notice on the property described in this application.

Signature of applicant or authorized representative: *Aaron Underhill* Date: 7/20/09

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VIII. UTILITY DISCLAIMER: The Owner/Applicant acknowledges the approval of this request for rezoning by the Dublin Planning and Zoning Commission and/or Dublin City Council does not constitute a guarantee or binding commitment that the City of Dublin will be able to provide essential services such as water and sewer facilities when needed by said Owner/Applicant.

I Aaron L. Underhill, attorney, the owner or authorized representative, acknowledge that approval of this request does not constitute a guarantee or binding commitment that the City of Dublin will be able to provide essential services such as water and sewer facilities when needed by said Owner/Applicant.

Signature of applicant or authorized representative: Aaron Underhill Date: 7/20/09

IX. APPLICANT'S AFFIDAVIT: This section must be completed and notarized.

I Aaron L. Underhill, attorney, the owner or authorized representative, have read and understand the contents of this application. The information contained in this application, attached exhibits and other information submitted is complete and in all respects true and correct, to the best of my knowledge and belief.

Signature of applicant or authorized representative: Aaron Underhill Date: 7/20/09

Subscribed and sworn to before me this 20th day of July, 20 09
 State of Ohio
 County of Franklin Notary Public [Signature]

NOTE: THE OWNER, OR NOTED REPRESENTATIVE IF APPLICABLE, WILL BE RESPONSIBLE FOR PAYING THE CONFIRMATION FEE FOR THIS APPLICATION



RAULAY PRICE
 Notary Public, State of Ohio
 My Commission Expires 07-13-2012

FOR OFFICE USE ONLY			
Amount Received: <u>2980</u>	Application No: <u>09-067</u>	P&Z Date(s):	P&Z Action:
Receipt No: <u>907253</u>	Map Zone: <u>2</u>	Date Received: <u>7-21-09</u>	Received By: <u>CDH</u>
City Council (First Reading):		City Council (Second Reading):	
City Council Action:		Ordinance Number:	
Type of Request: <u>Rezoning / Preliminary Development Plan</u>			
S, E, W (Circle) Side of: <u>W. Dublin Granville Rd</u>			
N, S, E, W (Circle) Side of Nearest Intersection: <u>David Rd</u>			
Distance from Nearest Intersection: <u>0'</u>			
Existing Zoning District: <u>R-4</u>		Requested Zoning District: <u>PUD</u>	

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 CITY OF DUBLIN
 LAND USE &
 LONG RANGE PLANNING

EXHIBIT "A"

Situated in the County of Franklin, in the State of Ohio, and in the Township of Perry, Washington Township School District and bounded and described as follows:

Being in Section Three (3), Township Two (2), Range Nineteen (19) U.S. Military Lands and more particularly described as follows:

Being a part of a twelve (12) acre tract of land conveyed to David E. and Hazel L. McIntyre as recorded in D.B. 1671, page 115, Recorder's Office, Franklin County, Ohio, and more particularly described as follows:

Being Parcel No. 2 of an unrecorded survey made by C.F. Bowers and A.J. Friemoth, Registered Surveyors, dated April 1953, and more particularly described as follows:

Beginning at an iron pin which is S. 85° 30' E. 102.5 feet from a point in the center of the Worthington-Dublin Road, said point is the south west corner of the 12-acre tract of land mentioned above; thence N. 4° 30' E, 293.19 feet to an iron pin; thence S. 85° 30' E, 130 feet to a stake in the center line of the 60 ft. roadway easement passing an iron pin at 100 ft. thence S. 4° 30' W. 293.19 feet to an iron pin; thence 85° 30' W. 130 ft. to the place of beginning containing 0.874 acres of land more or less.

Together with the benefit of and subject to the burden of an easement for roadway purposes in and through a private driveway, sixty ft. (60') in width running in a northerly direction from O.S. Route #161 (Dublin-Worthington Road) through the approximate center of said twelve (12) acre tract as described in D.B. 1671, page 115, Recorder's Office, Franklin County, Ohio, of which Parcel Two (2) is a part as shown on the unrecorded survey made by C.F. Bowers and A.J. Friemoth, Registered Surveyors, dated April, 1953. Said roadway consists of thirty (30') feet off the east end of Parcels #5, 6, 10, 12, 14, 16, 18, and 20; and thirty (30') ft. off the west end of Parcels #7, 8, 9, 11, 13, 15, 17 and 19; and thirty (30') ft. off the west side of Parcel #3, and thirty (30') ft. off the east side of Parcel #2.

The Grantees assume the obligation of paying their pro-rata share, the same equalling one-eighteenth (1/18) of the cost of maintenance and repair of said roadway. The Grantors reserve herein the right to dedicate said private roadway to the Public upon the acceptance of same by the County Commissioners of Franklin County, Ohio.

Exception: Dedication of David Road being .1843 acres



0-69
ALL OF
97
(215)

0-69-11
215
ALL OF 97
JW
6/1/87

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CITY OF DUBLIN
LAND USE &
LONG RANGE PLANNING

EXCEPTING THEREFROM THE FOLLOWING:

ATTACHMENT A
PARCEL NO. 34WV

Being a parcel of land lying on the left side of the centerline of a survey, made for the Ohio Department of Transportation and recorded in Plat Book , Page , the records of Franklin County and being located within the following described points in the boundary thereof:

Situate in the State of Ohio, County of Franklin, City of Dublin and being a part of Quarter Township 3, Township 2 North, Range 19 West, United States Military Lands, and being a 0.159 acre portion of 0.6897 acre tract as conveyed to Pierce S.L. Enterprises, LTD., by deed of record in Official Record 33968F01, Recorder's Office, Franklin County, Ohio and being more particularly bounded and described as follows:

Commencing at a point of reference at the intersection of the centerline of said S.R. 161 with the centerline of David Road, said point being at station 48+47.70;

Thence North 86 degrees 41 minutes 19 seconds West, a distance of 0.03 feet, along the centerline of said S.R. 161 to a point (S.R. 161 Station 48+47.67), said point being the southeasterly corner of the said 0.6897 acre tract, said point being the southwesterly corner of a 0.6897 acre tract (Parcel 1) as conveyed to James M. Harkness and Lois N. Harkness by deed of record in Deed Book 1875, Page 276, Recorder's Office, Franklin County, Ohio, and said point being the True Point of Beginning of the herein described tract of land;

Thence North 86 degrees 41 minutes 19 seconds West, a distance of 129.81 feet, along the southerly line of the said 0.6897 acre tract, and also continuing along the centerline of said S.R. 161 to a point (S.R. 161 Station 47+17.86), said point being the southwesterly corner of the said 0.6897 acre tract, and said point being also the southeasterly corner of a 0.689 acre tract as conveyed to Donnabelle Scott, Trustee by deed of record in Official Record 18003B10, Recorder's Office, Franklin County, Ohio;

Thence North 02 degrees 32 minutes 53 seconds East, a distance of 60.50 feet, along the westerly line of the said 0.6897 acre tract, and also along the easterly line of the said 0.689 acre tract to a point (S.R. 161 Station 47+17.05, 60.50 feet left);

Thence crossing the said 0.6897 acre tract by the following described two (2) courses:

1. South 86 degrees 41 minutes 19 seconds East, a distance of 74.47 feet to a point of curvature (S.R. 161 Station 47+91.52, 60.50 feet left);

2. Along the arc of a curve to the left, said curve having a radius of 25.00 feet, a delta angle of 90 degrees 45 minutes 48 seconds, the chord of said curve that bears North 47 degrees 55 minutes 47 seconds East, 35.59 feet to a point of tangency, (S.R. 161 Station 48+16.52, 85.83 feet left), said point being in the easterly line of the said 0.6897 acre tract, and said point being also in the westerly right-of-way line of said David Road;

Thence along a easterly line of the said 0.6897 acre tract, and also along the westerly right-of-way line of said David Road by the following described two (2) courses:

1. South 02 degrees 32 minutes 53 seconds West, a distance of 30.49 feet to a point of curvature

(S.R. 161 Station 48+16.92, 55.34 feet left);

2. Along the arc of a curve to the right, said curve having a radius of 25.00 feet, a delta angle of 90 degrees 45 minutes 48 seconds, the chord of said curve that bears South 47 degrees 55 minutes 47 seconds West, 35.59 feet to a point of tangency, (S.R. 161 Station 47+91.93, 30.00 feet left), said point being in a southerly line of the said 0.6897 acre tract, and said point being also in the northerly right-of-way line of said S.R. 161;

Thence South 86 degrees 41 minutes 19 seconds East, a distance of 55.34 feet, along a southerly line of the said 0.6897 acre tract, and also along the northerly right-of-way line of said S.R. 161 to a point, (S.R. 161 Station 48+47.27, 30.00 feet left), said point being a southeasterly corner of the said 0.6897 acre tract, and said point being also a southwesterly corner of the said 0.6897 acre tract (Parcel 1);

Thence South 02 degrees 32 minutes 53 seconds West, a distance of 30.00 feet, along the easterly line of the said 0.6897 acre tract, and also along the westerly line of the said 0.6897 acre tract (Parcel 1) to the True Point of Beginning, containing 0.159 acres, more or less, subject to all easements, restrictions, and rights-of-way of record.

"Bearings were transferred by a field traverse originating on Franklin County Control Monuments "FRANK 73" and "FRANK 173", and are based on the Ohio State Plane Coordinate System, South Zone and the North American Datum of 1983."

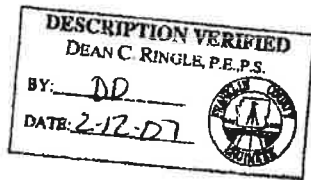
It is understood the above contains a total of 0.159 of an acre, more or less including the present road which occupies 0.089 of an acre, more or less.

The above described area contains 0.159 acre take from Auditor's Parcel No. 273-8305 and is carried on the Tax Map as 0.6897 acres.

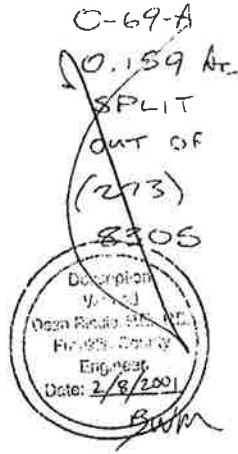
This description is based on a survey of S.R. 161, made by Woolpert, Columbus, Ohio, for the State of Ohio in 1999 under the direction and supervision of Steven W. Newell, Ohio Registered Surveyor No. 7212.

Said stations being the Station numbers as stipulated in the hereinbefore mentioned survey and as shown by plans on file in the Department of Transportation, Columbus, Ohio.

Grantor claims title by instrument(s) of record in O.R. 33968F01, Recorder's Office, Franklin County, Ohio.



C-69-A
aldrif
(273)
8305



APPLICANT

A&S Enterprise, Inc.
Attn: Sudhir Jindal
6530 Riverside Dr.
Dublin, OH 43017

OWNER

Abha Jindal
7949 Stonehurst Dr.
Dublin, OH 43016

ATTORNEY

Aaron L. Underhill
Smith & Hale LLC
37 W. Broad St. – Ste. 725
Columbus, OH 43215

SURROUNDING PROPERTY OWNERS

Stoneridge Medical
Office Center LLC
4051 Dublin Granville Rd.
Dublin, OH 43017

Donnabelle Scott TR
P.O. Box 191
Dublin, OH 43017

Shamrock Auto Spa LLC
12100 Tollgate Rd.
Pickerington, OH 43147

Germain Real Estate Co. LLC
4250 Morse Crossing
Columbus, OH 43219

Lowes Home Centers Inc.
P.O. Box 1111
N. Wilkesboro, NC 28659

Shamrock Crossing LLC
565 Metro Place S. – Ste. 480
Dublin, OH 43017

Aaron Rents Inc.
309 E. Paces Ferry Rd. NE
Atlanta, GA 30305

Benchmark Development
4053 Maple Rd.
Amherst, NY 14226

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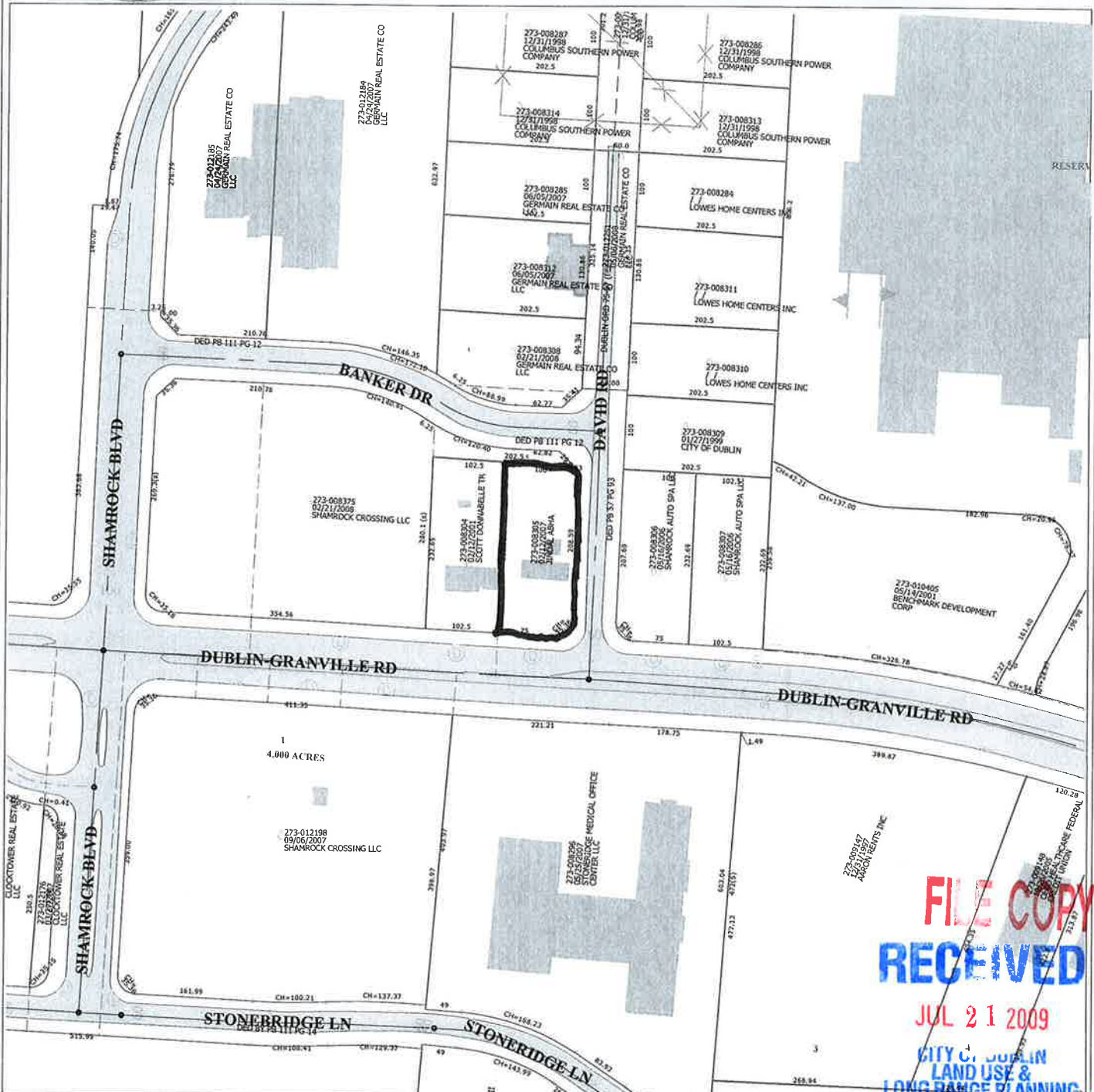
CITY OF DUBLIN
LAND USE &
LONG RANGE PLANNING



FRANKLIN COUNTY AUDITOR REAL ESTATE DIVISION

MAP ID: au

DATE: 7/16/09



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LAND USE &
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Disclaimer

Scale = 200



This map is prepared for the real property inventory within this county. It is compiled from recorded deeds, survey plats, and other public records and data. Users of this map are notified that the public primary information sources should be consulted for verification of the information contained on this map. The county and the mapping companies assume no legal responsibilities for the information contained on this map. Please notify the Franklin County GIS Division of any discrepancies.

Preliminary Development Plan Statement

Kumon Learning Center PUD

4056 Dublin-Granville Road

Franklin County Parcel No. 273-008305

July 21, 2008

A. Please briefly explain the proposed development

The subject property consists of 0.5± acres located to the northwest of and adjacent to the intersection of Dublin-Granville Road and David Road. An aging home is currently situated on the property. The applicant seeks to remove this residence and replace it with a small building comprised of approximately 4,200 square feet that is intended to facilitate the operation of a private educational use as well as additional space for uses that are consistent with those that are permitted in the Shamrock Crossing development to the west. The private educational user, Kumon Learning Center, offers educational programs that seek to enhance the reading and math skills of students. The center operates outside of school hours and is intended to supplement the educational offerings of private and public schools. At the present time this use operates out of leased space at the Village Square shopping center on Riverside Drive. This user desires to relocate to operate out of a facility owned by the business owner and to find a permanent location due to the very real possibility that the City will redesign the intersection of Riverside Drive and Dublin-Granville Road in a manner that eliminates the Village Square shopping center.

The proposed development has gone to great lengths to mimic the same development standards as were approved for Subarea C of the Shamrock Crossing PUD to the west. For instance, in addition to private educational uses, the permitted uses in this proposal mirror those which are allowed in Shamrock Crossing. Similarly, the applicant has pushed its building close to the Dublin-Granville right-of-way and placed parking to the rear of the structure in an effort to accommodate the City's vision for this area. Per the request of staff, the applicant has located the building extremely close to the adjacent property to the west in order to allow for a feeling of cohesiveness when that adjacent property is redeveloped in the future. While the staff has indicated that it would be desirable for the applicant to acquire this adjacent parcel so that it could be developed contemporaneously with the property that is the subject of this application, the applicant's conversation with the neighboring property owner have proven that the asking price for that property is prohibitively high and would not allow for development of a project that makes economic sense. It is the applicant's understanding that a similar conclusion was reached by the developer of Shamrock Crossing a few years ago.

B. Briefly state how the proposed land use relates to the existing and future land use character of the vicinity.

The general area near the subject property has seen an uptick in development and redevelopment in recent years. Of particular application here is the Shamrock Crossing PUD, which was approved recently and has yielded the development of Leo Alfred Jewelers to the southwest and the Germain Lexus Auto Service Center to the north. Heavy retail uses are found to the east. This proposal seeks to maintain

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the character of the Shamrock Crossing development as it moves to the east.

C. Briefly explain how the proposed development will relate to the Dublin Community Plan and other applicable standards/resolutions such as Conservation Design and the Residential Appearance standards.

The city's future land use map, updated in 2007, designates the subject property as "General Commercial." The Community Plan as it relates to the Sawmill/SR 161 Area also provides the following guidance on Pages 118-119:

"Redevelopment of vacant or underutilized areas should be encouraged to re-establish the Dublin side of Sawmill Road as a vibrant and active place. Redevelopment of the Village Center and other retail areas should avoid new strip commercial development that has a short lifespan and focus on longevity by pursuing a town center development that can serve as an entertainment center with a coordinated mix of activities that promotes interaction, educational opportunities, unique housing opportunities, and pedestrian activity."

Certainly staff can agree that, given the proper adjustments to the site plan and architecture under my client's proposal, the redevelopment of this site is certainly preferable to the aging residence that is currently found on the subject property and is an eyesore. Redevelopment is encouraged by the Community Plan. The Plan indicates that a mix of uses is the community's long-term goal and even specifically references a desire to promote educational opportunities in the area. The Kumon Learning Center represents a clear example of an educational opportunity.

D. Briefly address how the proposed rezoning and development meet the review criteria for Preliminary Development Plan approval as well as the criteria for Planned Districts.

The proposed development meets the criteria for planned districts by implementing development standards that are stricter than that which are generally applicable to straight zoning districts. The use of the PUSD designation in this instance allows the developer to construct its project in accordance with the long-term vision of the municipality as set forth in its Community Plan. The proposed uses are consistent with that which exist or are approved in the general vicinity of the subject property.



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KUMON FOSTERS:

- A mastery of the basics of reading and math
- Improved concentration and study habits
- Increased self-discipline and self-confidence
- A proficiency in material at every level
- Performance to each student's full potential
- A sense of accomplishment



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Discover how Kumon can unlock your child's potential.

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What questions do you have for Kumon?

We get lots of them. See what parents ask us most.

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Mr. Toru Kumon, founder of Kumon

Kumon was started 50 years ago in Japan by Toru Kumon, a teacher and parent who wanted to help his son do better in school. The unique instructional method he created was so successful that his son was able to do calculus by the time he was in the sixth grade.

Kumon reading and math programs help children master those fundamental skills so important to their overall academic performance.

Our founder's belief that every child possesses untapped abilities and the potential to excel remains central to our philosophy. In short, there is nothing a child can't do.

The Kumon Method was developed to unlock the potential in every child. That's our mission, and we are accomplishing it every day at more than 1,500 Kumon Centers in North America alone.

With centers in 44 countries, Kumon has helped more students succeed worldwide than any other after-school program.

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Kumon Method

The heart of the Kumon learning system is a curriculum of more than twenty clearly defined skill levels and hundreds of short assignments spanning material from preschool all the way up to college. With each assignment, your child advances in small, manageable increments.



- 1 **SUCCESS FROM THE START** →
- 2 **ADVANCING STEP BY STEP**
- 3 **SPEED + ACCURACY = MASTERY**
- 4 **PRACTICE MAKES PERFECT**
- 5 **REALIZING EACH CHILD'S POTENTIAL**

2 ADVANCING STEP BY STEP →

1 Students begin at a comfortable starting point—determined by our placement test—with work that can be easily completed. This way your child will master the basics and gain complete proficiency with each successive step. Kumon students develop better concentration and study habits because they don't get frustrated by our learning process.

2 Kumon uses neither a classroom nor a tutoring model, but rather a guided "self-motivated-learning" approach. Worksheets assigned by the Instructor provide an example illustrating the concept to be learned. Then a simple exercise modeled after the example is given. Each new assignment is slightly more challenging than the last. The progression is so gradual that students are able to acquire the skills to advance independently.

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3 Before your child can advance from one assignment to the next, the material should be completed with a perfect score within a prescribed period of time. All work is graded and the results recorded to determine when your child has a total command of the material and is ready to move on.

4 PRACTICE MAKES PERFECT →

4 Worksheets are assigned daily, even though most children attend the center just twice a week. An assignment that takes too long or is completed with too many errors is repeated until mastered. That's how the Kumon Method ensures optimal comprehension and retention of concepts, establishing the strongest possible foundation for more advanced material.

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The Kumon Method allows your child to advance steadily at a comfortable pace dictated only by his or her ability and initiative. Your child's individualized program is never compromised by the needs of a group or a prescribed teaching agenda. The first priority of the Kumon Instructor is to enable each and every child to perform and progress to his or her full potential—including advanced study whenever possible.

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KUMON LEARNING CENTER
PLANNED UNIT DEVELOPMENT (PUD)

July 21, 2009

I. General Overview

The Kumon Learning Center PUD is intended to facilitate the development of a single building that will accommodate a private educational use as well as additional space for uses that are consistent with those that are permitted in the Shamrock Crossing development to the west. Kumon Learning Center will offer educational programs that seek to enhance the reading and math skills of students. The center operates outside of school hours and is intended to supplement the educational offerings of private and public schools.

The proposed development is consistent with and complimentary to Subarea C of the Shamrock Crossing PUD in terms of allowable uses, architecture, and setbacks. While the anticipated use of the building in the Kumon Learning Center PUD is the educational use described above, this planned district also will accommodate office and retail uses that will allow the site to have comparable standards to other zoning districts in the area. Basic development standards are being provided for this site relating to density, circulation, signage, and architecture to ensure consistency and quality along the Dublin-Granville Road corridor.

II. Site Description

The subject property consists of 0.53± acres found immediately to the northwest of the intersection of West Dublin-Granville Road and David Road.

III. Uses

- a. Permitted Uses: The following uses shall be permitted in this PUD:

- Private educational facilities
- Jewelry stores
- Hardware stores
- Grocery stores
- Meat and fish (sea food) markets
- Fruit stores and vegetable markets
- Candy, nut and confectionery stores
- Dairy products stores
- Retail bakeries
- Miscellaneous food stores
- Drug stores and proprietary stores
- Florists

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Beauty shops
Barber shops
Shoe repair shops, shoe shine parlors and hat cleaning shops
Pressing, alteration and garment repair
Commercial and stock savings banks
Credit agencies other than banks
Personal credit institutions
Insurance agents, brokers and service
Real estate agents, brokers and managers
Combinations of real estate, insurance, loans, law offices
Offices of physicians and surgeons
Offices of dentists and dental surgeons
Offices of osteopathic physicians
Offices of chiropractors
Legal services
Department stores
Mail order houses
Limited price variety stores
Miscellaneous general merchandise stores
Men's and boys' clothing and furnishings stores
Women's accessory and specialty stores
Women's ready-to-wear stores
Children's and infants' wear stores
Family clothing stores
Shoe stores
Custom tailors
Furriers and fur shops
Miscellaneous apparel and accessory stores
Furniture, home furnishings and equipment stores
Household appliance stores
Radio, television and music stores
Antique stores and secondhand stores
Book and stationery stores
Sporting goods stores and bicycle shops
Cigar stores and stands
News dealers and news stands
Camera and photographic supply stores
Gift, novelty and souvenir shops
Optical goods stores
Miscellaneous retail stores, not elsewhere classified
Mutual savings banks
Trust companies not engaged in deposit banking
Establishments performing functions closely related to banking
Savings and loan associations
Agricultural credit institutions

Business credit institutions
Loan correspondents and brokers
Holding companies
Investment companies
Trusts
Rediscount and financing institutions for credit agencies other than banks
Security brokers, dealers and flotation companies
Commodity contracts brokers and dealers
Security and commodity exchanges
Services allied with the exchange of securities or commodities
Miscellaneous investing institutions
Services (professional) not elsewhere classified
Life insurance
Accident and health insurance
Fire, marine and casualty insurance
Surety insurance
Title insurance
Insurance carriers not elsewhere classified
Real estate operators (except developers) and lessors
Agents, brokers and managers
Title abstract companies
Subdividers and developers
Operative builders
Advertising
Duplicating, addressing, blueprinting, photocopying, mailing, mailing list,
and stenographic services
Services to dwellings and other buildings
Business services not elsewhere classified
Electrical repair shops
Watch, clock and jewelry repair
Reupholstery and furniture repair
Miscellaneous repair shops and related services
Medical and dental laboratories
Health and allied services not elsewhere classified
Engineering and architectural services
Accounting, auditing and bookkeeping services
Photographic studios, including commercial photography
Miscellaneous personal services
Consumer credit reporting agencies, mercantile reporting agencies, and
adjustment and collecting agencies
News syndicates
Private employment
Elementary and secondary schools
Libraries
Museums and art galleries
Religious organizations

Business associations
Professional membership organizations
Labor unions and similar labor organizations
Civic, social and fraternal associations
Political organizations
Charitable organizations
Nonprofit membership organizations, not elsewhere classified

b. Prohibited Uses: For purposes of clarification, in addition to any other use not listed as a permitted use in this subarea, the following uses shall be prohibited anywhere within this PUD:

- (1) auto service
- (2) auto repair
- (3) gas stations
- (4) tire and/or automobile battery stores
- (5) muffler or brake shops
- (6) automobile dealers
- (7) lumber and other building materials dealers
- (8) heating and plumbing equipment dealers
- (9) electrical supply stores
- (10) farm equipment stores
- (11) sexually oriented business establishments

c. Conditional Uses: Exterior dining patios in association with a permitted use shall be allowed as conditional uses in this PUD, provided that they are approved in accordance with the requirements set forth in Section 153.236(C).

IV. Density

This PUD shall contain one (1) building that shall not exceed 4,200 square feet of gross floor area. Additional square footage shall be permitted for exterior patios to the extent that parking for the use can be accommodated.

V. Yard and Setback Requirements:

Building and pavement setbacks shall be as follows:

a. Dublin-Granville Road:

1. Building: There shall be a “build-to” line of twenty (20) feet as measured from the Dublin-Granville Road right-of-way. A portion of the building to be constructed in this PUD shall be required to be located at this build-to line. Pedestrian activity to the front of the building shall be encouraged and the development of usable outdoor spaces (e.g., dining patios) to the front of the build-to line

shall be permissible provided that the location of the outdoor space is both safe and aesthetically appropriate.

2. Pavement: There shall be a minimum pavement setback (excluding sidewalks providing entry into the building) of 50 feet from the right-of-way of Dublin-Granville Road.

- b. David Road: There shall be a minimum building and pavement setback of twenty (20) feet from the right-of-way of David Road.
- c. Western Property Line: There shall be a “build-to” line of 5 ½ feet as measured from the western boundary of the PUD. There shall be a minimum pavement setback of 20 feet from the western boundary of the PUD. In the event that the property owner in this PUD enters into a cross access and/or joint parking agreement with the owner of the property located immediately to the west, then there shall be no minimum pavement setback from the western boundary line.
- d. Northern Property Line: There shall be a minimum pavement setback of 17 feet from the northern boundary of the PUD, provided, however, that a refuse dumpster and associated access drive shall be permitted to encroach within this setback. There shall be a minimum building setback of 20 feet from the northern boundary of the PUD.

VI. Parking and Loading:

A minimum of 21 parking spaces shall be provided in this PUD. All parking shall be located behind a line extending from the northernmost portion of rear façade of the building. Size and type of parking and loading facilities shall be regulated by Dublin Code Chapter 153.200, *et seq.*

VII. Lighting:

Lighting shall comply with the City of Dublin exterior lighting guidelines and shall utilize decorative light fixtures with pole heights not greater than twenty-eight (28) feet from grade of the parking lot. Painted concrete bases shall be utilized and shall be at least six (6) inches in height above finished grade.

VIII. Circulation:

- a. Vehicular Traffic: Traffic shall access this PUD from a single curbcut on David Road.
- b. Pedestrian Traffic: The existing bike path in the Dublin-Granville right-of-way shall be preserved in conjunction with this development.

IX. Waste and Refuse:

All waste and refuse shall be contained and fully screened from view by a solid wall or fence as required by the City of Dublin Zoning Code.

X. Storage and Equipment:

No materials, supplies, equipment or products shall be stored or permitted to remain on any portion of a parcel outside a permitted structure. Mechanical equipment or other utility hardware on roof, ground, or buildings shall be screened from public view unless prohibited by a public utility, using landscaping and/or materials that are harmonious with the building as required by the City of Dublin Zoning Code.

XI. Architecture

- a. Design: The architectural design of the building in this PUD shall be traditional in look and feel and shall allow for the feeling of cohesiveness with any future building that may be constructed on the property immediately to the west. The architecture is complimentary to that which was approved for Subarea C of the Shamrock Crossing PUD and seeks to give the appearance of numerous small tenant spaces. The attached architectural drawings illustrate the architectural design. The final architecture for this subarea shall be in accordance with that which is approved as a part of the final development plan for this PUD, provided that such architecture shall be similar in form and design to that which is illustrated in these exhibits.
- b. Height: The maximum building height may not exceed thirty-five (35) feet.
- c. Materials: Permitted exterior materials shall include stone/synthetic stone, stone veneer, and stucco. Wood or engineered wood composite material (e.g. Hardi-plank or Smartside siding and trim) shall be permitted trim materials. Exterior finish materials must be used to complete massing elements. The building generally shall have a similar degree of exterior finish on all sides.
- d. Roofs:
 - 1. A material portion of all buildings shall have a pitched or sloped roof (whether hipped or gabled, full or appropriately affixed to a parapet wall). Roofs may provide open areas to house and permit the functionality of mechanical and other typical rooftop equipment.
 - 2. All structures shall contain roofing material consisting of dimensional asphalt shingles, cedar shakes or shingles, prefinished standing seam metal, or slate (synthetic or authentic slate).

3. The use of dormers, cupolas, vertical vents, and other architectural treatments is encouraged.

XII. Signage and Graphics:

- a. Unless otherwise detailed hereinafter, all signage shall comply with the City of Dublin Sign Code – Sections 153.150, *et seq.* In the event of a conflict between the City of Dublin Sign Code and this text, this text shall control.
- b. Location and Type:
 1. Signage on public street frontage shall be limited to either (A) one monument sign along Dublin-Granville Road and one monument sign along David Road in accordance with this text, or (B) wall signage on each of these frontages in accordance with this text.
 2. Building/Tenant Signs - Wall Signage: Wall signs, when utilized, shall be subject to the following requirements:
 - A. Each tenant shall be permitted one (1) wall sign on each of its storefronts, which shall be defined as any façade which faces a public right-of-way.
 - B. One (1) wall sign shall be permitted at each tenant's parking area (rear) entrance for purposes of identifying the tenant or user. Each tenant's rear wall sign plaque shall not exceed 24 square feet in area.
 3. All wall signage shall be located on a standard wall plaque of a consistent size and profile.
 4. A maximum of three (3) wall sign colors shall be permitted.
 5. All wall mounted signs shall be externally illuminated using similar gooseneck light fixtures throughout the PUD.
- e. Ground Signage: Ground signs, when utilized, shall be subject to the following requirements:
 1. If the building in this PUD has only a single user or tenant, then ground signs shall be permitted to identify said single user or tenant. If there are multiple users or tenants of the building, the ground signs shall be "joint identification signs" that are permitted to identify only the commercial center found therein.

2. All ground signs shall have landscaping around the base of the sign as required by Dublin Code.
3. The area of each ground sign base (if any) shall not exceed the area of its sign face. The base shall not be included in the overall area permitted for the sign face.
4. The maximum overall height of each ground sign shall be eight (8) feet above top of adjacent street curb.
5. All ground signs shall be externally illuminated with ground-mounted fixtures.
6. Except as otherwise described above, the setback for all ground signage shall be no less than eight (8) feet from the right-of-way consistent with the City of Dublin Code.