

PETITION FOR ORGANIZATION  
OF A NEW COMMUNITY AUTHORITY

TO THE BOARD OF COUNTY COMMISSIONERS  
OF UNION COUNTY, OHIO:

Pursuant to Chapter 349 of the Ohio Revised Code, Tartan Ridge, LLC (the “Developer”) hereby petitions for creation of a new community authority (the “Authority”). The Developer is an Ohio limited liability company and is the “developer”, within the meaning of Section 349.01(E) of the Ohio Revised Code, for the new community district described in paragraph 3 below.

The Developer further states as follows:

1. The Authority is named “Jerome/Washington Township Fire New Community Authority”.
2. The principal office of the Authority shall be located at 495 South High Street, Suite 150, Columbus, Ohio 43215, or such other location as may hereafter be determined by the Board of Trustees of the Authority.
3. Attached to this petition as Exhibits A-1 and A-2 are a map (Exhibit A-1) and legal descriptions (Exhibit A-2) of those parcels (the “Property”) comprising the new community district (the “District”), including a full and accurate description of the boundaries of the District, which is located entirely within the City of Dublin (the “City”) and Union County. All properties within such boundaries will be included in the District. The total acreage to be included in the District will be approximately 189.57 acres, all of which acreage is owned or controlled (within the meaning of Section 349.01(E) of the Ohio Revised Code) by the Developer. The property to be included in the District is developable as one functionally interrelated community.
4. Attached to this petition as Exhibit B is a statement setting forth the zoning regulations that have been adopted for the property within the boundaries of the District for comprehensive development as a new community. The area within the boundaries of the District lies within the zoning jurisdiction of the City of Dublin. A copy of the applicable proposed zoning regulations for the property is included as part of Exhibit B.
5. Attached to this petition as Exhibit C is a current plan indicating the proposed development program (the “Program”) for the District; the land acquisition and land development activities, community facilities, and services which it is proposed the Authority will undertake under the Program; the proposed method of financing these activities and services; and the projected total population of the new community.

6. Consistent with Section 349.04 of the Ohio Revised Code, the Board of Trustees governing the Authority should consist of seven members, with three of those members to be citizen members appointed by the Union County Board of County Commissioners (the "Commissioners"), three members to be appointed by the Developer, and one member to be appointed by the Commissioners to serve as a representative of local government.

7. Attached to this petition as Exhibit D is a preliminary economic feasibility analysis, including the area development pattern and demand, location and proposed District size, present and future socio-economic conditions, public services provision, financial plan, and a statement of the Developer's management capability.

8. The development will comply with all applicable environmental laws and regulations.

9. For purposes of the establishment of the Authority, the City of Marysville and the City of Columbus are the only "proximate cities" as that term is defined in Section 349.01(M) of the Ohio Revised Code.

Attached Exhibits A-1, A-2, B, C and D are part of this petition.

Words and terms not defined herein shall have the meanings given in Section 349.01 of the Revised Code unless the context requires a different meaning.

The Developer hereby requests that the Union County Board of Commissioners, as the organizational board of commissioners under Section 349.03 of the Ohio Revised Code, determine that this petition complies as to form and substance with the requirements of Section 349.03 of the Ohio Revised Code, and further requests that the Commissioners fix the time and place of a hearing on this petition for the establishment of the Authority. Pursuant to Section 349.03(A) of the Ohio Revised Code, that hearing must be held not less than thirty nor more than forty-five days after the filing of this petition pursuant to Section 349.03 of the Revised Code on this \_\_\_\_ day of \_\_\_\_\_, 2007.

TARTAN RIDGE, LLC,  
an Ohio limited liability company

By: \_\_\_\_\_

Printed: \_\_\_\_\_

Its: \_\_\_\_\_

Proximate City Approval

The City of Columbus by Ordinance No. \_\_\_\_\_, passed by the City Council on \_\_\_\_\_, 200\_\_, has authorized \_\_\_\_\_, the City Clerk, to sign this petition, and the petition is herewith signed, as evidence of that approval.

City of Columbus

By: \_\_\_\_\_

\_\_\_\_\_  
City Clerk

The City of Marysville by Ordinance No. \_\_\_\_\_, passed by the City Council on \_\_\_\_\_, 200\_\_, has authorized \_\_\_\_\_, the Clerk of Council, to sign this petition, and the petition is herewith signed, as evidence of that approval.

City of Marysville

By: \_\_\_\_\_

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

**EXHIBIT A-1**

Map of Jerome/Washington Township Fire New Community District

**EXHIBIT A-2**

Legal Description of Jerome/Washington Township Fire New Community District

## **EXHIBIT B**

### **Proposed Zoning Regulations Applicable to the Jerome/Washington Township Fire New Community District**

#### **I. Description:**

The development to be included in the Jerome/Washington Township Fire New Community District shall be known as “Tartan Ridge.” A wide range of residential uses shall be complimented by large areas of parkland and open space within the community as well as a neighborhood commercial component on the southwestern portion of the site. The residential aspect will feature a high level of architectural design, a site plan that preserves natural features and creates recreational amenities throughout, and a diverse mix of products. The anticipated price range of residential units is between \$400,000 and \$900,000, with an average value per unit of approximately \$600,000. The neighborhood commercial component of the project shall also be of a high architectural quality and is intended to provide locally-serving retail and office uses for residents of northwest Dublin and the surrounding vicinity. It is expected that new construction for retail and office uses will yield improvements with a value of at least \$10 million.

#### **II. Permitted Uses:**

Development of Tartan Ridge shall occur across a number of subareas. Residential uses are permitted across the large majority of the site, with neighborhood commercial and office uses to be permitted on approximately seventeen (17) acres in the southwestern quadrant. The applicable development standards will permit estate-type lots throughout the northern, central, and western portions of the property. These lots will provide for homes with large square footages and sizable yards. The southern and western areas will allow for intermediately-sized lots that tend to be clustered around open spaces and have reduced setback restrictions when compared to the homes found to the north. Permitted residential uses nearer to the neighborhood commercial area will allow for smaller lots and product types that yield higher densities than elsewhere in the project. Single-family homes in these areas shall be loaded either from public streets to the front of the lot or via garage access from private alleys to the rear. Attached townhome units are also anticipated adjacent to the neighborhood commercial property. A maximum of 270 housing units shall be permitted in Tartan Ridge.

The neighborhood commercial center to be found on the southwestern quadrant of the property is intended to provide locally serving retail uses such as, but not limited to, pharmacies, restaurants, clothing stores, dry cleaners, gasoline service stations, and similar uses. Professional office and daycare uses are also permitted and anticipated. A maximum of 68,500 square feet of commercial/office development shall be permitted in Tartan Ridge.

#### **III. Development Standards:**

A planned unit development (PUD) text setting forth the applicable development standards for Tartan Ridge has been approved by the City of Dublin as a part of the zoning process. Generally speaking, these standards preserve rural setbacks along Brock Road, Jerome Road, McKitrick Road, and Hyland-Croy Road. Access to the development will occur from each of these roadways and the developer will contribute financially for improvements to roadways and intersections that will be impacted by this project. The developer will be reimbursed by Jerome/Washington Township Fire New Community Authority for its financial contribution to these improvements. A public street system shall serve the residential component of Tartan Ridge while a combination of public streets and private drives shall be found in the commercial area. Approximately seventy-five (75) acres of open space are proposed as a part of this development, with a number of sizable parks to be created throughout.

Architecture within the development will be required to fit within a number of specific styles such as Village Center, Midwestern Vernacular, Colonial Revival, Classical, European Country, and American Period Revival. Various architectural requirements will be placed on all structures within the development to ensure a consistent quality of design. An Architectural Review Committee is to be created in order to provide an additional mechanism for implementing these standards.

The developer shall provide a system of sidewalks, bike paths, and leisure trails to provide pedestrian connectivity to points within and outside of the site. Street trees shall be required along all public streets.

## EXHIBIT C

### PROPOSED CURRENT DEVELOPMENT PROGRAM AND PLAN

#### A. Proposed New Community Development Program

Tartan Ridge is an approximately \$170 million residential and commercial development project located in the City of Dublin, bounded by Brock Road on the north, McKitrick Road on the south, Hyland-Croy Road on the west, and Jerome Road on the east. The project will be situated on approximately 189.57 acres. The current plan envisions a residential community of no more than 270 units and a neighborhood commercial component.

The development has been planned and designed to disperse distinct residential product types throughout the site that shall vary in size and architectural design. The residential component of Tartan Ridge will serve as the focal point of a broader community that will include nearby neighborhood commercial uses, open space areas, and a school.

#### ***Site Description***

Plans for development of the approximately 189.57 acre site were influenced by the existing natural features of the Property and many existing trees will be preserved and incorporated into the open spaces and planned parks. The development plan includes approximately 75 acres of open space, including multiple parks. There will also be a trail system throughout the development, encouraging pedestrian activity.

#### ***The Tartan Ridge Project***

The Tartan Ridge Project (the “Project”) will include residential and commercial development. The Project proposes the use of different types of homes to be built within the residential development. The home type and the location of each type within the development is deliberate to aid in fostering the type of neighborhood described above. The Project also includes plans for civic space for the neighborhood community to gather.

#### ***Zoning***

The Property has a Planned Development (PUD) zoning designation.

#### ***Fire Services and EMS Services***

The City of Dublin, consistent with its history of providing uniform governmental services to its residents, has entered into a Services Agreement with the Township of Washington, Franklin County, Ohio (“Washington Township”) and the Township of Jerome, Franklin County, Ohio (“Jerome Township”), pursuant to which Washington Township will provide fire and EMS services to residents of the District (the “Services Agreement”). In connection with this Services Agreement, the Developer has agreed, as a condition of the recent annexation of approximately 82 acres of the Property by the City of Dublin, to form the Authority to collect a charge which shall then be paid to Washington Township for its provision of fire and EMS services to the District pursuant to the Services Agreement.



B. Proposed Land Acquisition and Land Development Activities

The Developer owns or controls (within the meaning of Section 349.01(E) of the Ohio Revised Code) all land within the proposed District.

The Developer plans to develop a vibrant community of residential units and commercial space. Development of the neighborhood will include the setting aside of civic spaces, the preservation of existing trees, and the planting of street trees, encouraging pedestrian activity and a sense of community.

C. Proposed Community Facilities and Services

The “land development” to be financed or otherwise paid for by the Authority is intended to include any needed improvements to the making, installing or constructing of roads, streets, curbs, gutters, sidewalks, storm drainage facilities, and other installations or work, and the construction of community facilities, together with all necessary appurtenances thereto; and specifically, (i) the construction and improvement of intersections, turn lanes and entrances serving the development, as shown on the map attached as Exhibit A-3, in the following locations: (a) Tartan Ridge Boulevard and Jerome Road, (b) Wilton Chase and Brock Road, (c) Glacier Ridge Boulevard and Hyland-Croy Road, (d) Baronet Boulevard and Hyland-Croy Road, and (e) Friars Glen Place and McKitrick Road (collectively, the “Intersection Improvements”); and (ii) the financing of fire and EMS services to be provided to the District by nearby Washington Township. The Authority shall be required to enter into a contract with Washington Township for the provision of fire and EMS services, pursuant to which the Authority shall pay to Washington Township a fee for services equal to the assessed value of the property in the District that is in Jerome Township multiplied by the effective fire millage for Washington Township property. The Authority will finance the fire and EMS services unless and until those services become the responsibility of others. The Authority shall also be required to enter into a contract with the Developer (or its successors or assigns) pursuant to which the Authority shall reimburse the Developer for all costs incurred in constructing the Intersection Improvements.

The “community facilities” are intended to include the recreation facilities, natural resource facilities, including parks and other open space, community streets, or other community facilities, together with all necessary appurtenances thereto, required by the development project described above in Section B. These community facilities are to be financed or otherwise paid for, constructed, operated, and maintained by the Authority.

The proposed Authority is precluded, pursuant to Section 349.05 of the Ohio Revised Code, from directly providing the public services of fire and police protection, and, unless such services cannot be obtained from other existing political subdivisions, is also precluded from providing water supply and sewage treatment and disposal. As discussed *infra*, Washington Township is providing fire and EMS services to the District, and the anticipated sources of the other public services are set forth in Exhibit D to this Petition.

A director of the Authority (the “Director”) may be engaged pursuant to Section 349.06(G) of the Ohio Revised Code to coordinate the day-to-day activities of the Authority, and to report directly to the Board of Trustees. The Director could be assisted by contracted for or employed administrative and operations staff.

D. Proposed Method of Financing the Community Activities and Services

Community facilities and services will be financed using receipts from the community development charge imposed by the New Community Authority under Chapter 349. of the Ohio Revised Code. Further discussion of the financial plan for the District is included in Exhibit D to this petition.

E. The Projected Total Population of the New Community

The Project will include up to 270 new homes upon full development of the new community district, with a total projected population of approximately 800 people.

## EXHIBIT D

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### PRELIMINARY ECONOMIC FEASIBILITY ANALYSIS

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A. Location and Area Development Pattern and Demand

The surrounding area of the proposed District has been extensively developed with primarily single-family residential developments. Dublin, Ohio has historically been a very desirable residential community. Due to the District's attractive market location, it has been considered one of the most sought-after single-family residential parcels in the Dublin area.

This new Tartan Ridge community, with its extensive trail, park and open space system, will bring up to 270 high quality single-family homes to the Dublin market. Within walking distance of the neighborhood schools and Glacier Ridge Metro Park, this project will attract an upscale buyer and will instantly become one of the more attractive communities in Dublin.

The site of the proposed District will be properly zoned for development by the Developer as reflected and discussed in Exhibits B and C to the Petition.

B. Location and Proposed District Size

The location of the boundaries of the District is shown on the map attached to this petition as Exhibit A-1.

C. Present and Future Socio-Economic Conditions

When the approximately 270 units of Tartan Ridge community are built-out, the District will grow to an upscale community with more than 800 residents and will become a premier residential neighborhood that will stimulate surrounding property values and will help support existing and new commercial development.

D. Public Services Provision

1. Freeways and Roads

The District is located near the Dublin and Columbus metropolitan areas and is served by the existing road infrastructure. The Project envisions narrow streets shaded by rows of trees, and the addition of sidewalks and other vehicular and pedestrian infrastructure.

2. Provision of Public Services and Utilities.

The District is located in the City of Dublin and Union County. The District lies entirely in the Dublin City School District. Central sewer treatment and water supply service will be provided by the City of Dublin. Electric, gas, telephone and cable services will be provided by various publicly held utilities and private companies and are generally already available. While the utility companies' practice is to incur the costs to bring the services to the site if they are not already available, the development may incur some additional incremental costs to take existing electrical and telephone lines underground to enhance the appearance of the area. Solid waste disposal will be provided by or through the City of Dublin.

E. Financial Plan

1. Disclosures to Homeowners

During the sales process, purchasers of property in the District will be informed pursuant to Section 349.07 of the Ohio Revised Code of the existence of the Authority and the community development charge.

2. Public Charge Covenant Filing

The Developer has filed a Declaration of Covenants and Restrictions for the Community Authority (the Covenant) with the Union County Recorder as Instrument Number 336280, in Official Record Book 719 at Page 765. The Covenant was filed for the purpose of creating covenants running with the land to establish the obligation of current and future landowners to pay the Authority community development charges. Once the District is formed, that charge will be implemented by the Board of Trustees.

### 3. Anticipated Community Development Charge Revenues

The Community Development Charge Rate for Chargeable Parcels shall be determined according to the following formula: a maximum of 0.004 (i.e. 4 mills) plus the Fire Charge. The Fire Charge shall be equal to: the quotient of (A) the sum of (i) the product of (a) the Washington Township (Franklin County) total residential effective fire millage rate as determined by the Union County Auditor for the taxing district known as Wash Twp./Franklin Co. Dublin Corp-Dublin CSD (currently taxing district number 39) for the preceding year and (b) the Total Assessed Valuation of *residential* Chargeable Parcels in the District that are in Jerome Township, Union County, Ohio and (ii) the product of (a) the Washington Township (Franklin County) total commercial effective fire millage rate as determined by the Union County Auditor for the taxing district known as Wash Twp./Franklin Co. Dublin Corp-Dublin CSD (currently taxing district number 39) for the preceding year and (b) the Total Assessed Valuation of *commercial* Chargeable Parcels in the District that are in Jerome Township, Union County, Ohio and (B) the Total Assessed Valuation of all Chargeable Parcels in the District; provided, however, that Community Development Charge Rate shall not in any year exceed the greater of (I) the Fire Charge or (II) 0.006 (6 mills).

Community development charge revenues are tied directly to the requirements of the Services Agreement and therefore will annually be equal to the amount owed by the Authority to Washington Township for its provision of certain services. Total community development charge revenue actually collected by the Authority will be dependent on sales and development of property in the District. A preliminary estimate of charge revenues that will be generated when the project reaches full build-out, based on anticipated property values of \$172,000,000 (\$600,000 average home value x 270 units + \$10,000,000 commercial development value) in the District and the Community Development Charge Rate that would be estimated for the 2006 tax year (approximately 6 mills) are approximately \$361,200 ( $\$172,000,000 \times 35\% \times 0.006\%$ ). Because the calculation of the community development charge is tied directly to the formula used to calculate the payment required in the Services Agreement, the community development charge shall generate revenues sufficient to pay Washington Township for services rendered pursuant to the Services Agreement and to meet the limited operation and maintenance expenses of the Authority.

### 4. Application of Community Development Charge Revenues

Anticipated community development charges will be used for the purpose of paying for “land development” and “community facilities” including the improvements at the following intersections: (a) Tartan Ridge Boulevard and Jerome Road, (b) Wilton Chase and Brock Road, (c) Glacier Ridge Boulevard and Hyland-Croy Road, (d) Baronet Boulevard and Hyland-Croy Road, and (e) Friars Glen Place and McKittrick Road; and, for the purpose of paying for fire and EMS services provided by Washington Township to the District, all as described herein.

5. Community Development Charge Collections

Community development charge collections will be administered under the direction of the Board of Trustees. Community development charges are payable annually or semiannually on due dates to be determined by the Board. As permitted by Section 349.07 of the Ohio Revised Code, the Board may certify past due charges to the Union County Auditor, who shall enter the unpaid charge on the tax list and duplicates of real property and certify the charge to the Union County Treasurer. Past due charges will be collected in the manner provided for the collection of real property taxes.

F. Developer's Management Capability

Tartan Ridge, LLC, the developer of the Project, is an Ohio limited liability company located in Columbus, Ohio. The Developer has retained Squire, Sanders & Dempsey L.L.P. to provide legal guidance for the process of approving the creation of the Jerome/Washington Township Fire New Community Authority.