

Z03-094 Final Received 10/19/05 by Warner King

10-19-05

RD DEVELOPMENT PLAN - PUD-8

ALBANY LANDING

WARNER KING

SITE DATA

PROPOSED ZONING:	PUD-8
TOTAL SITE AREA:	±43.727 ACRES
TOTAL UNITS:	294 UNITS
(AREA A): SINGLE-FAMILY DETACHED UNITS	108 UNITS
(AREA B): MULTI-FAMILY UNITS	186 UNITS
GROSS DENSITY:	±6.7 D.U./AC.
REQUIRED OPEN SPACE:	±5.07 AC.
PROPOSED OPEN SPACE:	±10.8 AC.
R.O.W. DEDICATION:	±.2 AC.

NOTE:
PUD OPEN SPACE BASED ON COLUMBUS CODE CHAPTER 3345: 750 SQUARE
FEET OF OPEN SPACE PER DWELLING UNIT.

LEGEND

OPEN SPACE:



EXISTING VEGETATION:



BUILDING ENVELOPE (TYP.):



PUD PLAN NOTES:

GENERAL

1. Homes may be used as model homes for the purpose of marketing and sales. A manufactured modular building (or a model home with parking) may be used as a sales office during the development of the project and the construction of homes therein.
2. The board of zoning adjustment (BZA) shall be the body to hear any and all variance requests limited to only site development standards, including any and all specific site development standards included in and depicted on this plan.

STREETS

3. The street alignments shall be developed as shown on this plan, however they are subject to refinement with final engineering and may be adjusted to reflect engineering, topographical or other site considerations established at the time of development. The director of development or the director's designee may approve adjustments to the street alignments upon submission of the appropriate data regarding the proposed adjustment.
4. Private streets shall be at least 22 feet in width. All alleys shall be private and shall be at least (12) feet in width. Intersection details, including turning radii and tapers, will comply with the City of Columbus standards for 22' wide streets and 12' lanes (see "Intersection Details").
5. For single-family detached units (patio homes), the developer shall install the total number of trees equal to one street tree per thirty (30) lineal feet of street frontage, which trees may be evenly spaced at 1 tree per 38' to 40', or grouped, and the remainder distributed throughout the site. Developer reserves the right to place trees based on the site conditions.
6. For attached multi-family units (town homes), the developer shall install at least the equivalent of one street tree per thirty (30) lineal feet of street frontage, for both sides of street. If staggered, there shall be a maximum horizontal spacing (across street) of 30'. Street trees shall be installed at regular intervals, per the above. Developer reserves the right to place trees based on site conditions, and may redistribute the balance as grouped elsewhere throughout the site.
7. Street trees shall be 2-inch caliper minimum at the time of planting, and species shall not be mixed on individual streets.
8. For attached multi-family units (town homes), developer shall install decorative street lamps at regular intervals similar to City of Columbus standard spacing. Street light spacing on public street(s) shall be per City code. All lighting fixtures within the multi-family sub-area shall be similar in style or type. For single-family detached units (patio homes), developer shall install either a coach light (to be located on the home near front door) or a post light (to be located between the sidewalk and porch). All lighting fixtures within the patio homes area shall be similar in style or type.
9. If security lighting is used, it shall be "motion detector" type lighting.
10. Outdoor light poles shall not exceed eighteen (18) feet in height. All wiring shall be concealed and/or underground. Ground-mounted lighting shall be shielded and landscaped.

11. Concrete sidewalks shall be provided by the developer on both sides of private streets, except for single-loaded streets (including islands where no structures are located), which shall have sidewalks on the house side of the street only.
12. Developer will install concrete sidewalk along the south side of Warner Road.

PARKING

13. Garages shall be provided off alleys and shall provide at least 2 enclosed spaces per dwelling unit. A maneuvering area of 18.5' including alley shall be provided behind all garages. Garage footprints shall not exceed 720 square feet. Garage height shall not exceed 20 feet.
14. Parking restrictions shall be controlled by appropriate signage displayed within the development and shall include that parking shall be limited to one side of the street and that no parking shall be permitted on either side of any street within 25' of street intersection (see "Intersection Details"). Fire hydrants shall be located on the side of the street where no parking is permitted. Enforcement by the condominium / homeowner association shall be established by the rules and regulations of the condominium / homeowner association.
15. The owner, developer and or the association of homeowners must establish and maintain an agreement (s) with private towing company(s), which agreements authorize the private towing company(s) to remove/tow any vehicles parking in restricted areas. There may be one or more such agreements with one or more towing company (s), for any times/ lengths, terms, etc., as the association determines, so long as at least one such agreement shall always at all times be in force for the purposes of enforcement/ removal/ towing as required above. Towing agreements shall be filed with the division of fire, fire prevention bureau upon execution of contract.
16. Signage regulating parking shall be installed consistent with City signage requirements for private streets, and parking requirements shall be enforced through an agreement between the association of homeowners and a private towing company. Such agreement, together with the association's governing documents, shall be filed with the City consistent with Columbus City Code 3320.15(A) (6).
17. Parking is restricted to garages and on streets (as set forth in note 14 above), and in driveways where applicable. There will be no parking allowed in alleys, as designated on the site plan. In conjunction with note 14 above, the owner, developer, their successors and assigns (including the association of homeowners) must provide and maintain adequate and proper signage to designate all no parking zones.
18. The owner, developer, or the association of homeowners, as applicable, shall designate the City of Columbus as an authorized agent for the sole and specific purposes of enforcement of parking restrictions and the issuance of citations and 'or removal of vehicles parked in violation of posted parking restrictions on private streets or alleys.

BUILDING SETBACKS

19. Minimum separation between buildings shall be at least 10 feet.
20. For single-family detached units (patio homes) located on private streets the minimum building setback shall be 31 feet measured from the centerline of the street. Stoops/porches may encroach setback area up to 8'. Minimum side yard building

setback on corner buildings shall be 22 feet measured from the centerline of the street and 18.75 feet measured from the centerline of the alley.

21. For attached multi-family units (town homes) located on private streets the minimum building setback shall be 31 feet measured from the centerline of the street. Stoops may encroach setback area up to 8'. Minimum side yard building setback on corner buildings shall be 38.66 feet measured from the centerline of the street and 18.75 feet measured from the centerline of the alley.

LANDSCAPE

22. The developer has complied with the City of Columbus parkland dedication in excess of code requirements, as part of a development to the north (Albany Crossing). Therefore, there is no additional parkland dedication (whether fee in lieu or additional land) required for this community.
23. A 6' high wood privacy fence will be installed on the southeastern edge of the property to be located 1' inside the property line (see Development Plan).
24. A landscape buffer with a 75% opacity within 5 years of planting will be provided for the northern 30' landscape buffer, as designated on the site plan. Plants will be installed as per plan (except where it may be necessary to adjust for proper drainage and engineering). If mounding is used, there shall be a maximum 3:1 slope.
25. Developer shall replace dead or decayed plant material within 6 months or by the next growing season.
26. All efforts will be made to maintain existing trees, except where it is necessary for proper drainage and engineering. Existing trees will be maintained within a 50' distance from the centerline of the stream as indicated on the plan (tree preservation area).
27. Developer shall install street trees along Warner Road at a rate of 4 per 100 linear feet, which may be evenly spaced, grouped, or used to supplement the existing tree line.

MISCELLANEOUS

28. This development provides approximately 10.8± acres of open space, as illustrated on the Development Plan. This area shall be owned and maintained by the condominium/homeowners' association to be established for the development.
29. The subject site shall be developed in accordance with the attached Development Plan. The development plan may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time the development and engineering plans are completed. Any slight adjustment to the plan is subject to review and approval by the Director of the Department of Development, or his/her designee, upon submission of the appropriate data regarding the proposed adjustment.
30. The Developer shall use dimensional shingles.

**STAFF REPORT
DEVELOPMENT COMMISSION ZONING MEETING
CITY OF COLUMBUS, OHIO
OCTOBER 13, 2005**

- 3. APPLICATION: Z03-094 (RECONSIDERATION)**
Location: 4871 WARNER ROAD (43081), being 43.86± acres located on the south side of Warner Road, 1400± feet east of Ulry Road (010-252430; Rocky Fork/Blacklick Accord).
Existing Zoning: R, Rural District.
Request: PUD-8, Planned Unit Development District.
Proposed Use: Single-family and multi-family residential development.
Applicant(s): Dominion Homes; c/o John P. Kennedy and Laura MacGregor Comek, Attys.; 500 South Front Street, Suite 1200; Columbus, Ohio 43215.
Property Owner(s): The Applicant.
Planner: Shannon Pine, 645-2208, spine@columbus.gov

BACKGROUND:

- o This application was recommended for approval by the Development Commission on May 13, 2004. The request was for 115 single-family dwellings and 174 multi-family residential units on 42.15± acres with 10.75± acres of open space and total net density of 7.05± units per acre. One publicly dedicated street that would provide connectivity to the east was also committed to on the PUD Plan. The applicant has changed the request to allow 109 single-family dwellings and 186 multi-family residential units on 43.86± acres, an increase of 6 units, with a decrease in open space from 10.75± acres to 10.3± acres. The gross density is proposed as 6.73± units per acre. All streets will now be private because the Transportation Division has withdrawn its request for a public street connection to the east. The street layout and open space arrangement has also changed.
- o Directly north are three single-family dwellings in Plain Township. Also to the north across Warner Road is a residential development under construction in the NE, Neighborhood Edge, and NG, Neighborhood General Districts. Single-family dwellings in Plain Township and undeveloped land zoned in the L-AR-12, Limited Apartment Residential District are located to the east. To the south is undeveloped land zoned in the L-M-2, Limited Manufacturing District. A farm and vacant land are located to the west in Blendon Township. Multi-family dwellings zoned in the PUD-4, Planned Unit Development District are located to the southwest.
- o The site is within the boundaries of the *Rocky Fork/Blacklick Accord* (2003), which recommends multi-family residential use for the site.
- o The Rocky Fork/Blacklick Accord Implementation Panel voted to conditionally approve this PUD-8 zoning request. The proposed development complies with a majority of the Accord Evaluation Checklist items, including preservation of natural features and the

setback and aesthetic character along Warner Road. The proposed 2" street tree caliper does not meet the minimum Accord requirement of a 2 ½" caliper at the time of installation. Panel conditions included using dimensional shingles, compliance with lighting standards, maximum slope for mounding, and providing the required quantity of street trees. The applicant has addressed all of these conditions in the PUD notes. The Accord standard for height of light poles is 30' maximum. Staff suggests that the applicant reduce the maximum height to 18' since this is a standard height accepted for residential developments.

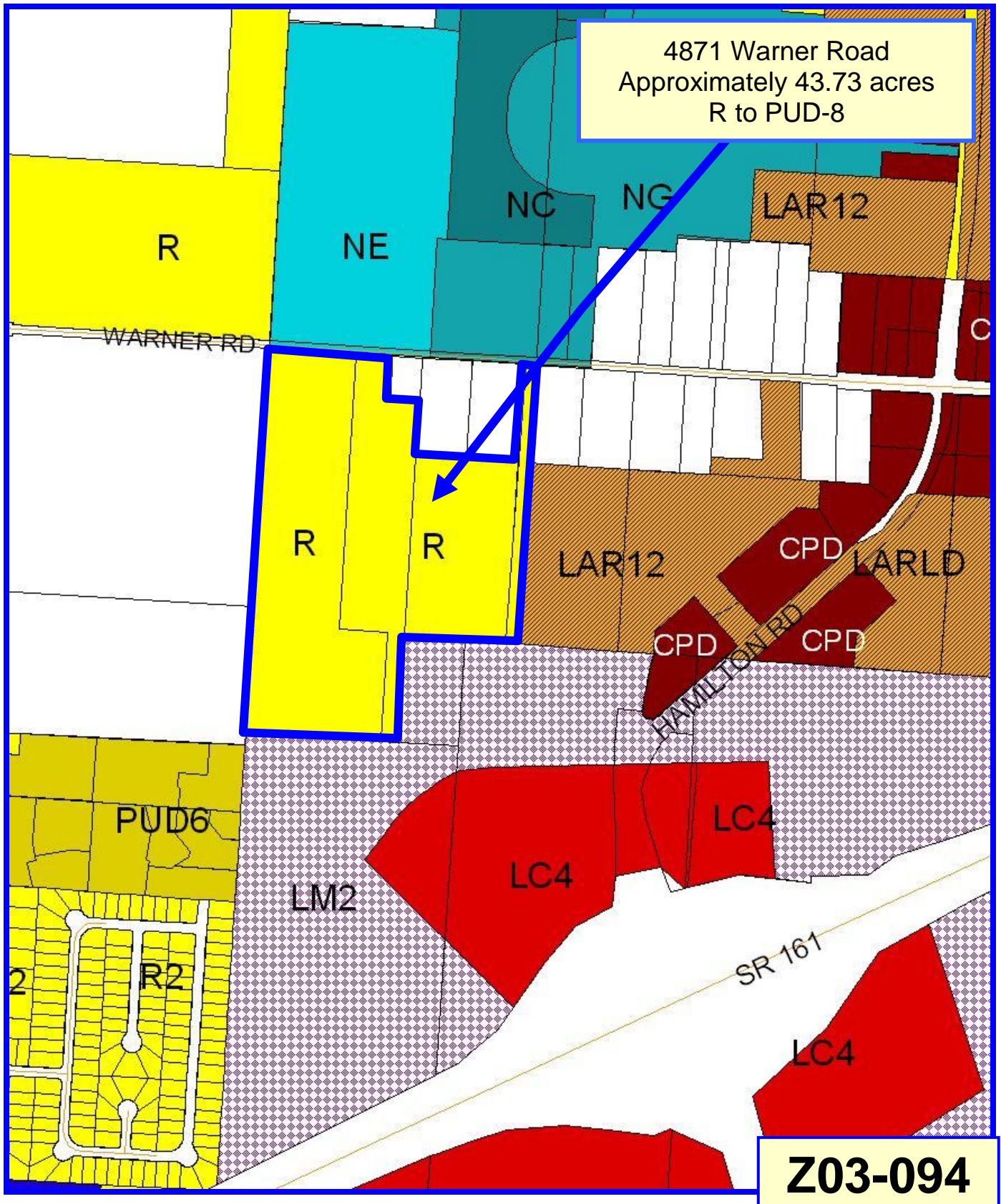
- o The PUD plan depicts the layout of the proposed development which is comprised of two areas. Area A is for the detached single-family units (patio homes), and Area B is for the attached multifamily units (town homes). Each area will have separate entrances from Warner Road and separate community facilities. There is no private street connection between the two areas with the exception of an emergency access drive. A thirty-foot wide landscaped buffer area is proposed on the south side of Area A, and a six-foot high wood privacy fence will be provided along the entire southern boundary of the site. A thirty-foot wide landscaped buffer area is proposed on the north side of Area B, and a twenty-foot wide landscaped buffer is proposed between the two areas. The PUD notes provide development standards for street alignments, model homes, a sales office, street trees, street lights, sidewalks, private street and alley width, building setbacks, minimum building separation, garage requirements and setbacks, on-street parking restrictions and signage, and an allowance for B.Z.A. variances.
- o The applicant and Staff are still negotiating the arrangement of the open space areas. A wetland is located in the 2.5± acre open space area located in the southwestern section of Area A. This open space area has been reduced in size from 5± acres as presented at the May 13, 2004 Development Commission meeting to 2.5± acres. Although the Parkland Dedication requirements for this rezoning were fulfilled as part of a development to the north (Albany Crossing), they were based on the arrangement of the open space and protection for the wetland that was presented to the Development Commission at the May 13, 2004 meeting, which have been changed significantly.
- o The site is included within the Pay as We Grow plan for the northeast growth corridor. The developer has committed to paying \$2,300.00 per dwelling unit towards infrastructure costs.
- o Warner Road is not listed in the *Columbus Thoroughfare Plan*. However, the City of Columbus Transportation Division has determined that Warner Road requires a minimum of 30 feet of right-of-way from centerline.

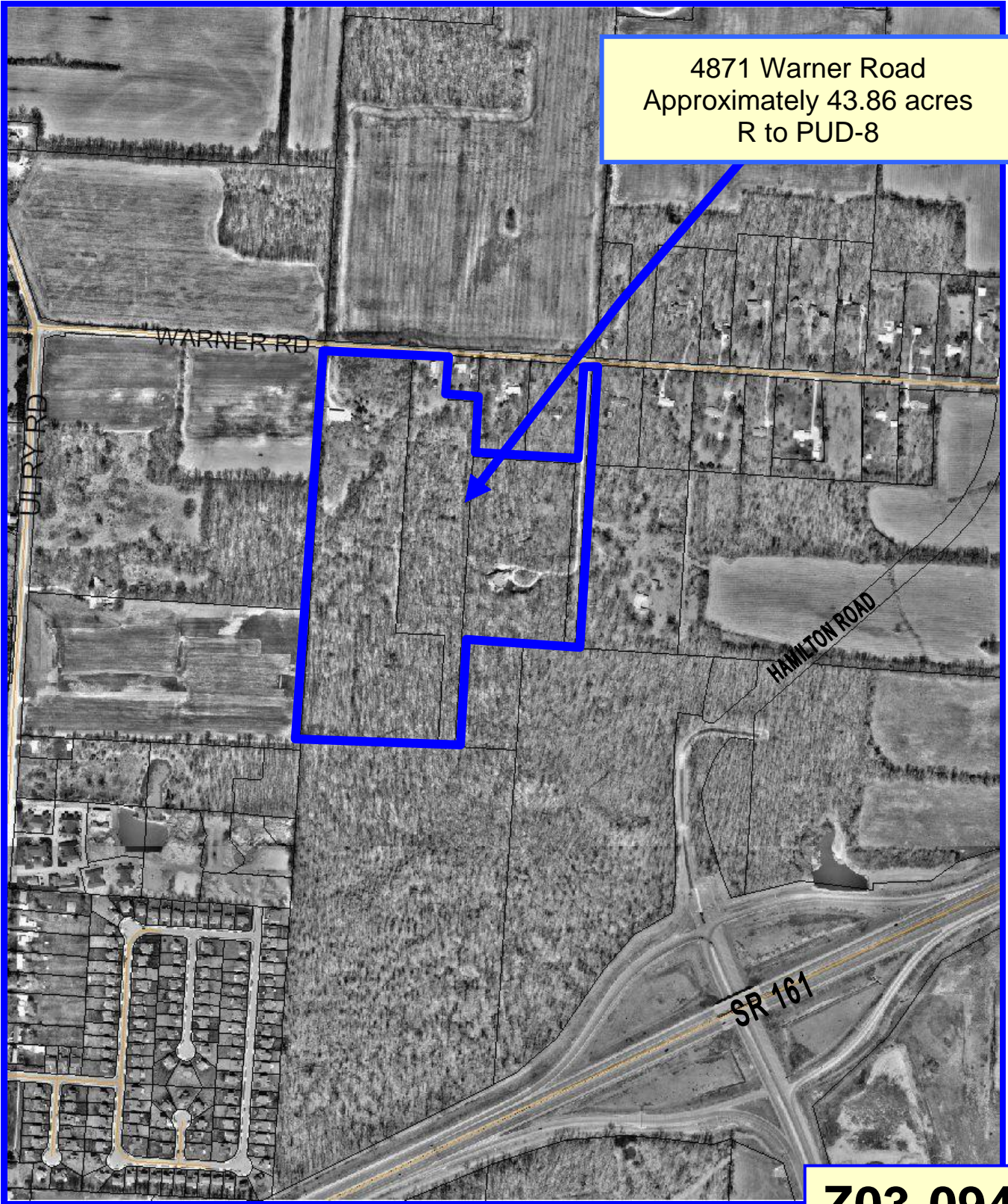
CITY DEPARTMENTS' RECOMMENDATION: *Disapproval.

The requested PUD-8, Planned Unit Development District would permit 109 single-family dwellings and 186 multi-family townhouses on 43.86± acres with 10.3± acres of open space and total gross density of 6.73 dwelling units per acre. The requested rezoning is consistent with the *Rocky Fork/ Blacklick Accord* (2003) with respect to land use recommendations, through working with the site's natural characteristics, and the setback and treatment along Warner Road. The PUD-8 development plan and notes provide customary development standards and provide adequate buffering and screening throughout the site. Staff is still negotiating the arrangement of the open space areas with the applicant, and would like the 2.5± acre open space area in Area A to be increased to further protect the wetland. Staff will not recommend approval until this issue is resolved, and requests that a recommendation for approval of this

rezoning request be conditioned on the applicant's commitment to resolve it prior to submission of an ordinance to Columbus City Council.

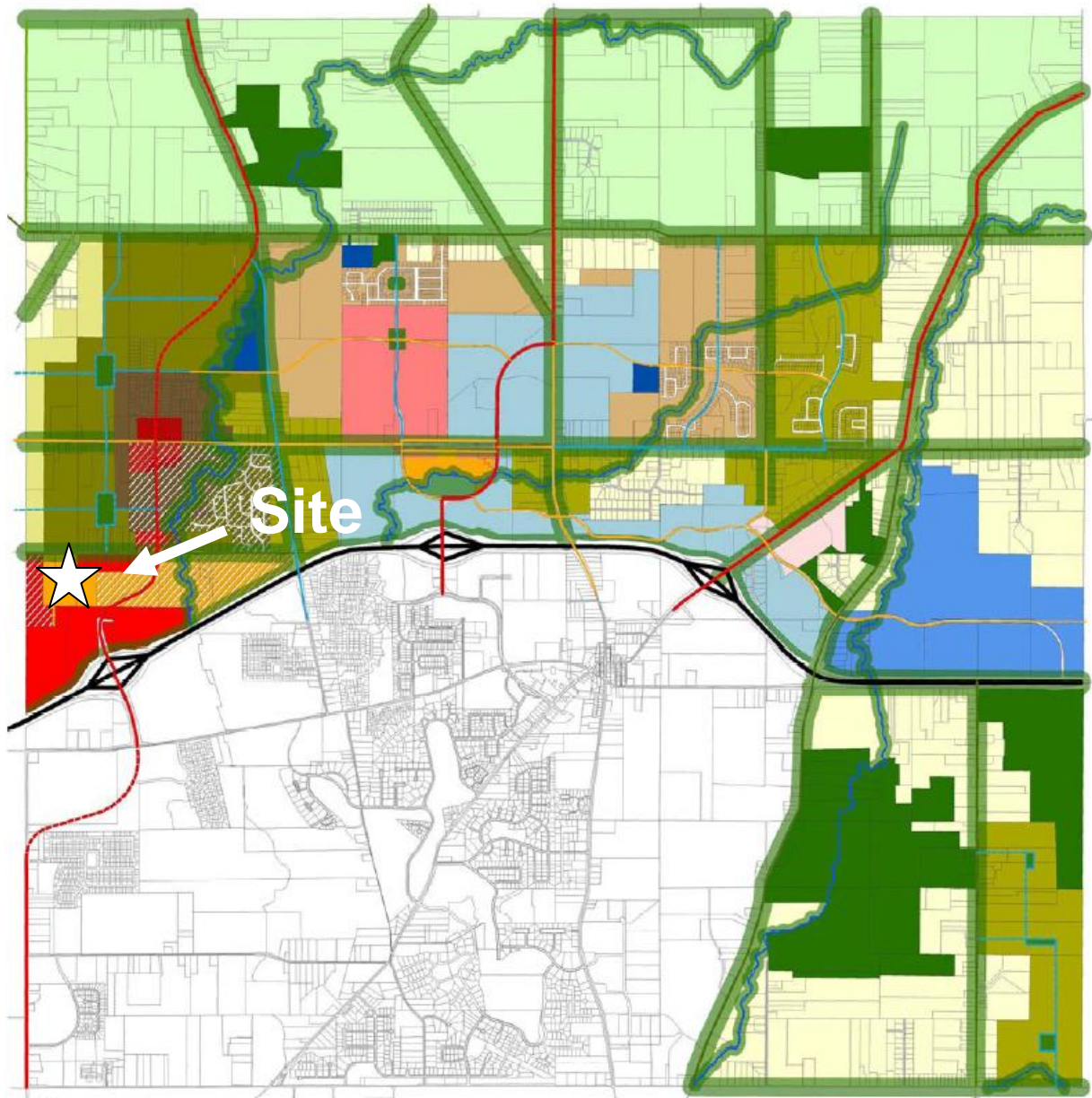
* The open space arrangement has been revised to the satisfaction of the Recreation and Parks Department. The resulting arrangement has increased the open space area in Area A to further protect the wetland and decreased the proposed single-family dwellings by one unit. The final PUD Plan reflects 108 single-family dwellings and 186 multi-family townhouses on 43.73± acres, with 10.8± acres of open space and total gross density of 6.7± dwelling units per acre.





4871 Warner Road
Approximately 43.86 acres
R to PUD-8

Z03-094



Legend

- | | | |
|------------------|---------------------|--------------------------------|
| Office | Park/Open Space | Edge |
| Office/Warehouse | Village Mixed Use | Neighborhood |
| Town Mixed Use | Town Residential | Neighborhood Center |
| Commercial | Village Residential | Neighborhood Center Commercial |
| Multi-Family | Rural Residential | Park Zone |
| Civic/Schools | | |

Preexisting zoning represented by hatching.

Rocky Fork/Blacklick Accord (2003)

Z03-094

RECORD OF PROCEEDINGS - excerpt

September 15, 2005

7:00 PM
New Albany Village Hall
99 West Main Street, New Albany

I. *Call to Order*

Meeting opened at 7:10 pm at New Albany Village Hall with the following members present: Doug Burnip, Bill Carleton, Michele Shuster, Tedd Hardesty, Andrew Show, and Franz Geiger(c). Eileen Pewitt was absent.

Staff members present were Ken Klare and Kathryn Meyer.

1. 4871 Warner Road (Z03-094) (Albany Landing)

Review & Action of Columbus rezoning application to develop 44.0 acres located on the south side of Warner Road just east of the township line

Zoning Request: To rezone from R, Rural to PUD-8, Planned Unit Development

Proposed Use: One & multi-family condominium dwellings – 295 du's @ 6.7 du/ac

Applicant: Dominion Homes, Inc.; c/o John Kennedy / Laura Comek

Applicant Presentation: Representing Dominion Homes, Mr. John Kennedy requested a reconsideration of the Panel's previous approval (February 2004) due to a change in the product type and site plan. Forrest Gibson, the land planning manager for Dominion Homes, presented the proposed plan and the changes, resulting from a market shift in demographics and off-site conditions. Two access points off Warner Road and the setback from the drainage creek remains the same. Because of the significantly different lifestyles between residents of the townhomes and those of the ranch condominiums, the two segments are physically separated by a landscaped buffer with no other connection than a provision for emergency vehicles. Mr. Gibson reported that the extent of the wetland area was confirmed by their environmental consultant. Though adjacent land to the south is a conservation area, a thirty foot buffer is provided along that border. The exterior appearance of the units was shown. Mr. Matt Callahan from Dominion Homes said the average price for the patio homes would be \$200-225,000 and \$140-200,000 for townhomes. Association fee about \$90 a month. Insurance and water would be extra.

Staff Input: Mr. Klare reviewed the conditions of the previous approval in February 2004 regarding maintaining tree lines and buffer edges. Both site plans were presented for comparisons. Mr. Klare explained the development potential of surrounding properties and the

previously proposed connections to with them, (applicant conveyed that Patti Austin, Columbus Traffic Engineer, did not want or need such connections). Single-lot homes are replaced with condominium patio homes. Intentionally segregated from one another, the patio homes and attached townhomes sections each will have their own entrance and clubhouse. Density increased by six units. Previously preserved woodland/wetland area has been significantly reduced to 22 acres. Mr. Klare conveyed a request from Maureen Lorenz, Columbus Recreation & Parks, to eliminate the four southern homes to further protect the wetland area. New plan indicates less homes fronting Warner Road. Setback from Warner Road is less than half of what is required by the Accord, but is consistent with what was previously approved. Naturalized planting of trees and the required number of trees along the rural corridor isn't specified. Though a 30' buffer occurs on the southern boundary, the patio homes will be closer to the manufacturing zoned land to the south than the previously approved single-family homes would have been.

Public Input: None.

Panel Discussion: Mr. Franz Geiger was concerned with the loss of connectivity between developments. Staff did not know whether the land to the south was buildable or not. Warner Road will be widened in the near future. Mr. Show asked about roof shingles and lighting. Applicant agreed to use architectural shingles and comply with all the lighting provisions of 3.3, the mounding of 3.2.7, and to provide the required quantity of trees of 3.2.1.

Applicant told Mr. Carleton that the homeowners association would maintain the curb and guttered private streets. Being not impressed with TND developments so far, Mr. Show is concerned with future maintenance. Mr. Show also thought we were falling short of a seamless community and interconnectivity. Mr. Hardesty also was disappointed by the loss of connectivity, particularly within the development. Mr. Gibson said focus groups were concerned with safety, hence the enclave layouts of one way in and out.

Mr. Show thought the overall density was too much.

Also not a fan of the TND, Mr. Geiger wanted to see more green space and space to recreate, though he realized density was already approved. Applicant told Mr. Burnip that about an acre of the southern open space would be useable. Applicant wants to locate street trees between the homes which would be about a 38' spacing. Mr. Burnip didn't like the look of that spacing. They would plant the same number of trees per the 30' spacing requirement. Applicant said the Accord requirement on tree caliper is contrary to that suggested by the City Forester.

MOTION: To recommend approval of the submitted proposal subject to all the agreed to stipulations in accordance with the checklist.

MOTION BY: Geiger / seconded by Shuster

RESULT: Conditionally Approved (6-0)

p = partially met ? = cannot determine (-) N/A = not applicable

ROCKY FORK - BLACKCLICK ACCORD - EVALUATION CHECKLIST 2

1.0 KEY PRINCIPLES (NON-NEGOTIABLE)	YES	NO	COMMENTS
1.1 Maintain aesthetic character of rural roads.	✓		Accord calls for a 250' setback along Warner Rd. 110' is proposed. (140' previously approved.) Including small area of tree preservation, half of frontage will appear more open.
1.2 Use open space as an organization element.	✓		Organizes around drainage area & 2.5 ac. open space.
1.3 Use a compact form of development in town and village clusters with defined edges such as green belts and natural corridors.	✓		
1.4 Develop mixed uses in town and village centers.	-	-	N/A.
1.5 Develop diversity in housing prices and types.	✓		Patio homes and attached dwellings.
1.6 Create a center focus that combines civic, cultural, and recreational uses.	-	-	Separate peripheral clubhouses for each of the segregated developments.
1.7 Create an ample supply of squares, greens, parks and landscaping.	✓		23% designated as proposed open space.
1.8 Guarantee permanent protection of greenbelts, streams, creeks, woodlands, grasslands, wetlands, and historic sites.	✓		100' tree preservation corridor is identified over stream.
1.9 Development in town must be located within easy walking or biking distances of other neighborhoods, schools, retail centers and transit stops.	✓		Centrally located.
1.10 Development must pay its own way. (Staff in process of refining what's included in this principle, such as schools, parks, utility and road infrastructure, and city services; therefore an evaluation isn't given at this time.)	-	-	Participant in PAWG and Northeast MOU.

2.0 STRATEGIES	YES	NO	COMMENTS
2.1 Development should be compatible with the rural landscape.	✓		See 1.1. Three patio homes & two clubhouses front Warner.
2.2 Higher density residential should be located adjacent to open space.	-	-	Lower density adjacent to major open spaces. Higher density townhouses abut multi-family & commercial use zones.
2.3 Natural features should be preserved.	✓		100' tree preservation corridor over stream. 2.5 ac wetland.
2.4 Retail development should be community-based.	-	-	N/A.
2.5 Developers should be encouraged to mix uses and housing types where appropriate.	✓		Patio home condominiums and attached dwellings.
2.6 Historic and cultural resources should be protected and preserved.	-	-	N/A.
2.7 Scenic qualities along roadways should be maintained.	✓		Somewhat. Scenic qualities not identified.
2.8 Rural character of the land along regional roads should be maintained.	p		Existing large lot homes removed. Character of open space unidentified, however setback & tree preservation contributes to maintaining rural character.
2.9 Density bonuses and design flexibility are encouraged to allow cluster development.	-	-	N/A.
2.10 Neighborhood commercial uses should be confined to community centers or plazas.	-	-	N/A.
2.11 Future development should have adequate facilities such as parkland, schools, and police protection, to support the new development.	-	-	See 1.10.
2.12 Land that has direct access to the expressway should be designated for light industry, office or commercial use.	-	-	N/A.

p = partially met ? = cannot determine (-) N/A = not applicable

3.0 GENERAL DEVELOPMENT STANDARDS				YES	NO	COMMENTS
3.1 Open Space						
3.1.1	Strategies to preserve and maximize open space.	✓			Organizes around drainage area & 2.5 ac. open space.	
3.1.2	Maintain major stream corridors in their natural state or allow such state over time.	-	-	N/A.		
3.1.3	Construct pathways through stream corridors.	-	-	N/A.		
3.1.4	Rural road open space should be left in its natural wooded state, be allowed to revert to that state, or remain as farmland or grassland.	✓			Character of setback area unknown.	
3.1.5	Open space should connect with stream and rural road spaces and with each other.	✓				
3.1.6	Maximum lot coverage shall not exceed 70% including buildings and parking lots. Dedicate at least 30% of the site to open green space.	p			Mostly likely will comply with less than 70% lot coverage. 23% open space identified.	
3.2 General Landscape, Screening, & Buffering						
3.2.1	Street trees on both sides of new public and private streets at a maximum separation of 30 feet apart, unless tree groupings are more practical.	p			PUD text specifies 1 tree per dwelling for patio homes. Applicant commits 1 street tree per 30' frontage in townhouse area.	
3.2.2	Preserve or replace hedgerows on rural roads and arterials. Within rural road setback, provide 4 trees/100 linear feet in natural hedgerow manner.		✓		Existing trees remain, but no additional trees shown along 600 ft. frontage (24 req'd).	
3.2.3	Landscaping within the setback along roadways should appear natural in character.		p		Some existing trees retained. Formal street trees.	
3.2.4	Site layout should avoid unnecessary destruction of wooded areas. Attempt to preserve existing trees and tree rows.	✓				
3.2.5	Landscape designs reviewed by registered landscape designer or architect.	✓			Though not specifically acknowledged; plan by POD design.	
3.2.6	Headlight screening in parking lots a minimum of 4 feet.	-	-	N/A. No parking lots shown.		
3.2.7	Mounding if used for screening, shall have a maximum 3:1 slope with landscaping.		?		Not addressed.	
3.3 Lighting						
3.3.1	Fully shielded, cut-off lighting used.		?		Not addressed.	
3.3.2	Security lighting is "motion sensor" type.		?		Not addressed.	
3.3.3	Outdoor light poles do not exceed 30 feet.		?		Not addressed.	
3.3.4	All wiring is underground.		?		Not addressed.	
3.3.5	All external outdoor lighting fixtures are similar.		?		Not addressed.	
3.3.6	Ground mounted lighting is shielded and landscaped.		?		Not addressed.	
3.4 Roadways						
3.4.1	Roadways should follow the Roadway Plan.	-	-	N/A.		
3.4.2	Appropriateness of street light fixture, type, and light level of the luminaire.		?		Lighting is not included as part of development proposal.	
3.4.3	Size and use of streets should be consistent with Accord.	-	-	N/A. Applicability unclear. All streets are private.		

LAW OFFICES

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***Via Hand Delivery
and Facsimile 645-2260***

Mr. Greg Davies
Deputy Director, Regional Growth
City of Columbus
Department of Development
50 W. Gay Street
Columbus, Ohio 43215

**Re: Albany Landing
4871 Warner Road
Application No: Z03-094**

Dear Greg:

This letter is to follow up on our discussions concerning the captioned zoning, and the understanding of the applicant, Dominion Homes, Inc. that the property will be included within a Pay As We Grow plan for the northeast growth corridor. While the terms of the Memorandum of Understanding remain to be worked out, we do understand from our involvement with the City on issues related to this area generally that the financial elements of the program will include submission of the property to a tax increment finance district, inclusion of the property within a community development authority providing for a 4 mil surcharge over a period of 20 years, and a developer contribution (either cash or in-kind contributions toward area wide infrastructure) of \$2,300 per unit. Further, we understand that the Memorandum of Understanding will also

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Page Two
September 26, 2005

acknowledge that the City will provide timely sanitary sewer service to this site, and address the timing and specific elements of the payment of the developer contribution, which will not initiate until sewer service is made available. We will continue to work with City representatives as to the timing and approach to this issue.

I trust this letter addresses the Pay As We Grow question adequately for purposes of our rezoning. If you have questions or feel we need to discuss the matter further, please let me know. Otherwise, please confirm with Shannon Pine that you are satisfied with our commitment on this issue.

Very truly yours,
CRABBE, BROWN & JAMES, LLP


George R. McCue

GRM:cs

cc: Shannon Pine, Council Activities
Matt Callahan, Dominion Homes
John P. Kennedy
Laura MacGregor Comek

City of Columbus | Department of Development | Building Services Division | 757 Carolyn Avenue, Columbus, Ohio 43224

PROJECT DISCLOSURE STATEMENT



Parties having a 5% or more interest in the project that is the subject of this application.
THIS PAGE MUST BE FILLED OUT COMPLETELY AND NOTARIZED. Do not indicate 'NONE' in the space provided.


STATE OF OHIO
COUNTY OF FRANKLIN

APPLICATION # Z03-094

Being first duly cautioned and sworn (NAME) Laura MacGregor Comek, Esq.
of (COMPLETE ADDRESS) 500 S. Front St., Suite 1200, Columbus, Ohio 43215
deposes and states that (Name) is the APPLICANT, AGENT or DULY AUTHORIZED ATTORNEY FOR SAME and the following is a list of all persons, partnerships, corporations or entities having a 5% or more interest in the project which is the subject of this application in the following format:

- Name of business or individual
- Business or individual's address
- Address of corporate headquarters
- City, State, Zip
- Number of Columbus based employees
- Contact name and number

If applicable, check here if listing additional parties on a separate page (REQUIRED)

1. Dominion Homes, Inc. 5000 Tuttle Crossing Blvd. Dublin, Ohio 43016 Attn: Matt Callahan, (614) 356-5000 Columbus-Based Employees: 130+/-	2.
3.	

SIGNATURE OF AFFIANT

Subscribed to me in my presence and before me this 24th day of AUGUST, in the year 2005

SIGNATURE OF NOTARY PUBLIC

My Commission Expires:


 RITA MARTIN
 NOTARY PUBLIC, STATE OF OHIO
 MY COMMISSION EXPIRES 09-24-05

This Project Disclosure Statement expires six months after date of notarization.

Notary Seal Here

