



**Land Use and Long
Range Planning**

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ADMINISTRATIVE REVIEW TEAM

MEETING MINUTES

MAY 2, 2013

Attendees

Steve Langworthy, Director of Land Use and Long Range Planning; Rachel Ray, Planner II; Justin Goodwin, Planner II; Dan Phillabaum, Senior Planner; Claudia Husak, Planner II; Gary Gunderman, Planning Manager; Allan Woo, Fire Chief; Jeff Tyler, Director of Building Standards; Barb Cox, Engineering Manager; Colleen Gilger, Economic Development Manager; Steve Farmer, Police Lieutenant; Fred Hahn, Director of Parks and Open Space; Laura Ball, Landscape Architect; Ray Harpham, Commercial Plans Examiner; Teri Umbarger, BHDP Architects, representing Ohio University; Steve Simonetti, Edwards Communities Development Company; Stephen Caplinger, Creative Design + Planning; Tim Volchko, EMH&T; Kevin McCauley, Stavroff Interests Ltd.; and Flora Rogers, Administrative Assistant.

Steve Langworthy called the meeting to order.

Case Introductions

None

Determinations

1. 13-038MPR – BSC Commercial District – Dublin Plaza – Awesome Skin and Body Care – Sign – 333 West Bridge Street

Rachel Ray stated that the applicant had requested that this case be postponed.

2. 13-031ARB-MPR – BSC Sawmill Center Neighborhood District – Dublin Village Center – Edwards Apartment Building – Tuller Road and Village Parkway

Steve Langworthy said this is a request for review of a 324-unit podium apartment building to be constructed on an 8.32-acre site on the north side of a new public street in the BSC Sawmill Center Neighborhood District to the northeast of the existing AMC Theater. He said this Basic Plan Review application is for future Development Plan and Site Plan Review applications and is proposed in accordance with Zoning Code Section 153.066(D). He noted that the Administrative Review Team was asked to make a recommendation to the Planning and Zoning Commission on this application at today's meeting.

Rachel Ray said there are no new plans to review at this meeting, so she would provide an overview of what had been addressed in the Planning Report. She noted that the report outlines the review process, addresses the comments raised by the ART members, and includes a detailed Code analysis. She explained that the detailed Code analysis was provided for the applicant's benefit, given their expedited project timeline, in anticipation of what information would be needed for future application reviews. She stated that this level of detail was greater than what might typically be expected with future applications for Basic Plan Review.

Ms. Ray said she would begin by identifying the higher-level issues requiring specific discussion by the ART. She noted that Planning had noted the proposed block layout as exceeding the maximum block dimensions permitted by the Code for two of the new blocks proposed, and that the applicant is requesting to provide open space a small portion of the required open space on site and is requesting to pay a fee in lieu of open space dedication for the remainder, which requires Planning and Zoning Commission approval. She stated that the overall street network is generally consistent with the conceptual network shown in the Code, with the exception of the two blocks that exceed the maximum permitted block lengths, and the maximum permitted block perimeter for the proposed Edwards development site. She said however that Planning was recommending approval of the Development Plan Waivers requested for these block dimensions because of the configuration of the proposed podium parking building.

Ms. Ray said that in addition to the block layout and open space, which would receive further discussion in a moment, Planning had some concerns with the architecture of the podium-style apartment building design. She explained that the parking structure being on the ground floor has the potential to deactivate the streetscape, and therefore a higher level of architectural detail, landscaping elements, and high quality building materials would be required to minimize the overall mass of the building and enhance the streetscape. She said this was a detail that would be examined further at the Site Plan Review, but she wanted to make note of this point at this stage in the process for the applicant's reference.

Ms. Ray stated that she would move on to the specific comments raised by Engineering.

Barb Cox stated that as this project moves forward, Engineering will continue to review the public improvements and their impact on the development. She said that Engineering and the applicant have scheduled weekly meetings to continue to work to refine the necessary infrastructure improvements for this site.

Ms. Ray said the ART report outlines the recommendations and had included the Engineering memo detailing the review of the drawings as submitted. Ms. Cox said they are moving through the Development Plan street network northeast of the theater building and have some concern with some of the intersections shown, including the intersection of Tuller Road with the new John Shields Parkway, and the intersection of that street with the new street proposed in front of the theater.

Ms. Ray presented the slide showing the proposed Edwards site plan. Ms. Cox noted that the dumpster is currently shown in the right-of-way for the new north/south street on the west side of the Edwards development.

Ms. Ray asked if there were alternative locations for the dumpster.

Stephen Caplinger, Creative Design + Planning, said this was the original location of the dumpster, designed to coordinate with the design of the building. He explained that the compactor and roll off container are shown near the maintenance office.

Ms. Cox said they could look at the easements and right-of-way lines, but encroachment into the right-of-way would require City Council approval. She said she was also concerned about sight triangles at the corner.

Mr. Langworthy asked if this particular issue could be resolved with the Site Plan Review. Ms. Ray said that it could. Ms. Cox noted that the condition of approval be reworded requiring the applicant to work with staff on the dumpster location.

Mr. Caplinger referenced the condition in the report to the Development Plan Review regarding the future improvements to Tuller Road. He said that they would like to go ahead in install all of the on-street parking now for use by the residents, rather than waiting until Tuller Road is completely redone.

Ms. Cox said that there was some concern with piecemeal improvements to Tuller Road, from driver predictability to the implications for the actual street section, but this topic could also be discussed further as the Development Plan application and Preliminary/Final Plat applications proceed.

Ms. Ray asked if the condition concerning the improvements to Tuller Road should be eliminated or reworded.

Ms. Cox suggested that the condition be reworded to reflect that the timing of the Tuller Road improvements should be coordinated with staff.

Ms. Ray asked that Parks and Open Space address the request for Open Space Fees-In-Lieu.

Fred Hahn said there was a lot of effort that went into developing the open space Code regulations, and it is important for this development to have public gathering spaces as amenities for the residents. He said that in addition to the open space serving as an amenity, it was important that land be dedicated with development as it occurs in order to achieve the open space network desired as a key component of the Bridge Street District plans.

Mr. Caplinger said he believed they were meeting the open space and gathering space needs of their tenants through the provision of the private courtyards.

Mr. Hahn stated that the Sawmill Center Neighborhood District is intended to be a public place and needs to have useable space that meets the spirit of the Code. Mr. Hahn said the Code does allow for off-site open space, so that was an alternative that could be explored.

Steve Simonetti, Edwards Communities Development Company, said they have 1.6 acres of private space and 1.4 acres of proposed public open space, which is about 3 acres on an 8 acre site, which equates to approximately 40 percent of private and public open space, which is a lot of open space for a project of this size.

Ms. Ray stated that the Code does not require the applicant to provide private open space, and the Code requires high quality urban open spaces that serve as "oases" and amenities in an urban environment, and they need to uphold that objective.

Jeff Tyler said the 40 percent is a choice based on their design with the large block sizes and the podium parking configuration.

Mr. Hahn stated that in addition to providing the required open space, the open space would

need to be designed to be usable, and not taken up by significant stormwater facilities, as was shown with Pocket Park D. He said that stormwater could be integrated if designed as an amenity such as a rain garden, but should not take up the entire space with a detention basin.

Mr. Caplinger said page 13 item #3 pocket park was mislabeled should be identified as "D". Ms. Ray confirmed and noted that the condition referencing this pocket park would be amended.

Ms. Ray asked Mr. Tyler to comment on behalf of Building Standards

Mr. Tyler said the building's architectural treatment on the north elevation on Tuller Road looks like the "back door" to the project and needs to have a similar architectural character in terms of materials and details. He suggested the use of additional shutters and variety of materials to help break up the building's mass.

Mr. Caplinger acknowledged Mr. Tyler's concern and stated that they planned to come back with additional building design details. He said they are working on the selection of the specific brick specifications, potentially using a brick with 3 colors, different color awnings, and roof materials with color variations to ensure that the building appears to look like smaller buildings.

Mr. Tyler said the ART talked about bicycle parking and the alternative based on LEED requirements.

Ms. Ray said the Code allows the reduction of bicycle parking, although the applicant would be required to demonstrate the actual anticipated bicycle parking need, as well as to provide some bicycle parking spaces near the public entrances to the site and within the open space areas.

Mr. Caplinger said they could comply with the LEED standards for bicycle parking, but were not going to apply to be LEED certified, although they were planning to use a variety of development strategies that are consistent with LEED certification standards.

Ms. Ray said the request to use vinyl siding would require a Site Plan Waiver. She explained that the Code requires certain materials including brick, stone, glass, and fiber cement siding to be used for at least 80 percent of the façade, and the remaining 20 percent could include other materials, including high quality synthetic materials with demonstrated successful local applications. She stated that vinyl siding was not considered to be an acceptable material either as a permitted primary or secondary building material.

Mr. Caplinger thought they could get the vinyl use down below 20 percent and showed an example of the vinyl product Edwards uses on all their projects.

Mr. Ray said they need to provide documentation of successful installation and long-term maintenance to meet the criteria before its use could be considered.

Chief Woo asked if the proposed balconies shown on the elevations were planned to be functional. Mr. Caplinger said that most of them shown were intended to be usable.

Chief Woo said balconies shown against vinyl siding causes a concern for Fire, especially with the type of 13R sprinkler system proposed, being only a life safety system. He said the balconies with vinyl siding would become combustible areas. He said that other Fire comments

included that the setup zones should be established based on the size of the buildings and the type of systems being used, and he informed the applicant of the maintenance concerns he had with the 13R system, from installation and throughout the life of the project.

Mr. Simonetti said there was a detailed analysis completed and there will be strict rules prohibiting the use of grills or other devices on balconies.

Ms. Ray asked Mr. Farmer to provide Police's comments.

Steve Farmer said Police would like to note the potential security issues for the podium parking garage and the need for lighting and safety for the areas, since this area is currently experiencing a criminal element with property crimes.

Mr. Caplinger said there will be keycard access to door openings and the driveways into the parking areas.

Lt. Farmer said the parking areas need 24 hour lighting for safety.

Mr. Caplinger said the street lights will be standard.

Ms. Ray asked Ms. Gilger to provide Economic Development comments.

Colleen Gilger said they were supportive of the proposal, particularly with the projected demographics being empty nesters and young professionals desiring one and two bedroom housing options, since impact on the school district would be minimal.

Mr. Simonetti said the project is 70 percent one bedroom.

Ms. Ray reviewed the conditions and the next steps for Development Plan Waivers and Site Plan Waivers and the request for payment of fees in lieu of open space land dedication.

Mr. Langworthy said the applicants need to be prepared to make the case for these requests as part of the review by the Planning and Zoning Commission, noting that this is the first project to be reviewed under the Bridge Street District standards for Basic Plan Review, and as such, the project will be held to the Code.

Mr. Caplinger asked if it would be possible to schedule a meeting with Parks and Open Space to review the options for resolving the Open Space Fee-in-Lieu issue.

Kevin McCauley, Stavroff Interests, Ltd., stated that he thought the overall development could provide the appropriate amount of open space necessary for this development and other new development to the south, but it simply has not yet been designed, and that needs to be discussed.

Mr. Langworthy said the ART could consider the master plan for the entire area. Mr. Hahn agreed and encouraged the applicant to look at the areas immediately to the south of this site.

Mr. Simonetti said they are willing to provide an open space bank for the overall development master plan to fund the public spaces.

Mr. Hahn said he is open to ideas to resolve the issue of open space.

Ms. Ray agreed to arrange a meeting to discuss the issue of open space code requirements.

Ms. Ray showed the following slides to review each of the recommendations with their conditions (amended conditions in **bold**):

1. The Administrative Review Team recommends **approval** to the Planning and Zoning Commission for the request for Basic Plan Review (Development Plan) with 8 conditions:
 - a. That the applicant coordinate driveway access along John Shields Parkway (Street Segment 1) to direct pedestrian activity, subject to approval by the City Engineer;
 - b. That driveway access points along the neighborhood streets (Street Segments 2 and 3) be coordinated and aligned, subject to approval by the City Engineer;
 - c. That heightened architectural detailing and an open space node be provided at the intersection of Street Segments 1 (John Shields Parkway) and 2 at the southwest corner of Block B;
 - d. That the applicant work with the property owner to reconfigure the proposed open space to provide the required open space "node" at the intersection of Street Segments 1 and 2, with open spaces (pocket plazas or pocket parks) at a minimum of three, if not all four corners of the intersection and provide the minimum required 1.49 acres of open space on-site and/or within 660 ft. of the development site;
 - e. That the applicant submit a demolition plan in addition to a plan for the interim site conditions, including grading, seeding, parking lot reconfiguration, etc. as part of the Development Plan Review;
 - f. **That the applicant coordinate the timing of the improvements to Tuller Road with the City Engineer;**
 - g. That the applicant provide a phasing plan as part of the Development Plan Review; and
 - h. That the applicant provides all necessary public and private infrastructure plans as part of the Development Plan Review.

2. The Administrative Review Team recommends that the Planning and Zoning Commission consider **approval** of the following Development Plan Waivers:
 - a. Table 153.060-A, Maximum Block Dimensions, for Block B (Edwards Apartment Building site) to exceed the maximum permitted block length of 500 feet at approximately 658 feet, and exceed the maximum permitted block perimeter of 1,750 feet at approximately 1,987 feet, and allow Block C (AMC Theater site) to exceed the maximum permitted block length of 500 ft. at approximately 658 feet.
 - b. 153.063(C)(5)(a), Placemaking Elements, Shopping Corridor, to not be required to provide the minimum 600 linear feet of mixed use "shopping corridor" development as part of this Development Plan/Site Plan Review, and instead ensure that the shopping corridor is provided on the blocks south of Street Segment 1 (John Shields Parkway).

3. The Administrative Review Team recommends **approval** to the Planning and Zoning Commission for the request for Basic Plan Review (Site Plan Review) with 8 conditions:
 - a. That the ridge lines parallel to the streets be interrupted to meet Code Section 153.062(D)(2)(c);
 - b. That the applicant provide a pedestrian circulation plan demonstrating safe access to the building for residents and visitors;
 - c. That the building's architecture be modified to provide the appropriate vertical façade divisions (no spans greater than 40 feet), horizontal façade divisions (detailing required within 3 feet of the top of the ground story), and required change in roof plane (changes required every 80 feet) to meet the Podium Apartment Building Type requirement;
 - d. That "Pocket Park **D**" be redesigned to eliminate the proposed detention basin and reconfigure the stormwater management facilities (if needed) to maintain usable, accessible open space area;
 - e. That the applicant provide publicly available bicycle parking facilities within the streetscape and within the pocket parks and plazas for visitors and residents;
 - f. That the applicant provide additional details regarding the parking structure operation and circulation at the Site Plan Review;
 - g. That the surface parking lot plans be modified to provide a street wall consistent with Section 153.065(E) with the landscape treatment required by Sections 153.065(D)(5)(a) and (c);
 - h. **That the applicant work with Planning and Engineering to reevaluate the proposed dumpster location in relation to the proposed right-of-way, prior to Site Plan Review.**
4. The Administrative Review Team recommends that the Planning and Zoning Commission consider **disapproval** of the Site Plan Waiver for Section 153.062(E)(1), Façade Materials – Permitted Primary Materials.
5. The Administrative Review Team recommends that the Planning and Zoning Commission consider **disapproval** the request for payment of a Fee-in-Lieu of open space land dedication.

Mr. Langworthy asked if the Administrative Review Team members had any further questions or concerns regarding this proposal. [There were none.] He confirmed the Administrative Review Team's agreement of the recommendations and the conditions as amended and that the recommendations will be forwarded to the Planning and Zoning Commission on May 16th.

Case Review

3. **13-036WID-DP – ID-1 – Ohio University Heritage College of Medicine – Site & Architectural Modifications – 7001, 7003 Post Road**

Steve Langworthy said this is a request for architectural modifications to three existing buildings and site modifications to include eliminating portions of an existing parking lot and providing landscape enhancements for this proposed college campus. He said this Development Plan Review application is proposed in accordance with Zoning Code Section 153.042(D). He stated that this application had been introduced at last week's ART meeting, and asked the case manager, Dan Phillabaum, to provide an update.

Dan Phillabaum said he had consolidated comments received from the ART, mostly from Fire and Building, and forwarded those comments to the applicant. He said they are still compiling other comments related to stormwater management.

Teri Umbarger, BHDP Architects, said they would need to file a permit for the stormwater. She said the fire connection on the lab building will be on the south or east side of the building and would prefer to mount it on the side of the building.

Chief Woo said the fire connection cannot be on the building and needs to remain a free standing hydrant or connection.

Ms. Umbarger referred to Fire's comments regarding the generator screening and security, which would not be an Ohio University issue since they do not own the generator in question. She said it belongs to a tenant that will remain in that location until 2017.

Chief Woo said the generator needs to be secured in accordance with the new State Fire Code and regardless of who owns it, there needs to be a non-combustible barrier around the tanks. Jeff Tyler agreed it is a Fire Code provision that will need to come into compliance.

Ms. Umbarger said she understands the comments regarding the access road but felt since the access had been there before they obtained the property, she questioned if the access needed to be repaired.

Mr. Tyler said this was a change of tenant with a more intense use and the access needed to be brought into compliance.

Mr. Phillabaum said the campus signs were going to be withdrawn from this review and will be brought back at a later time.

Ms. Umbarger said they have until April 2014 to establish a sign package and would be anticipating bring that review back within the next couple of months.

Ms. Umbarger said they will be making revisions to the plans and will be resubmitting soon.

Mr. Phillabaum said any revision on the fire compliance can be completed with the permit process. Mr. Tyler said they would be doing a site permit and could submit electronically.

Mr. Phillabaum said they could meet at the applicant's convenience to discuss any other issues, and that this application would be back before the ART for a determination on May 16th.

4. 13-037WID-DP – ID-1 – Nestlé QAC Expansion – Site & Architectural Modifications – 6625 Eiterman Road

Steve Langworthy said this is a request for a 32,000-square-foot microbiology lab addition and associated site improvements to the Nestlé Quality Assurance Center. He said the site is located to the west of Eiterman Road and south of the South Fork Indian Run in the West Innovation District, and this Development Plan Review application is proposed in accordance with Zoning Code Section 153.042(D). He noted that this application had been introduced to the ART at last week's meeting, and asked the case manager, Justin Goodwin, to provide an update.

Justin Goodwin said the applicants are not present but the big item for discussion is the requested tree waiver. He said the applicant is requesting to remove 1,200 inches and only replace 450 inches. He said they had a conference call Monday to review the landscape plan and should be able to meet tree-for-tree calculations, and could get the numbers reduced to be more comparable to a request for tree waiver that Council is used to reviewing.

Steve Langworthy asked how many 24-inch or greater trees were being removed.

Mr. Goodwin said there were only six trees that large that are in "good" condition that would be removed. He said they need to clear up some discrepancies and would anticipate Council review on May 20th and ART determination on May 16th.

Barb Cox said they need to submit details and their calculations for storm water and how they are meeting the requirements within the floodplain.

Mr. Langworthy asked if there were any further comments from the ART. [There were none.]

Mr. Goodwin said this application would be back before the ART for a determination on or before May 16th.

Administrative

Mr. Langworthy asked if there were any changes to the April 25, 2013 meeting minutes. Flora Rogers noted that Dan Phillabaum and Justin Goodwin had submitted modifications to the minutes sent out earlier in the week. Mr. Langworthy accepted the minutes into the record as amended.

Mr. Langworthy confirmed there were no further items of discussion and adjourned the meeting.