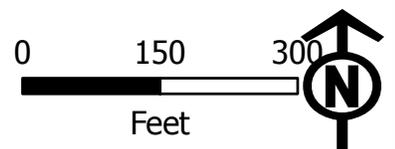


14-033FDP
 Final Development Plan
 Tuttle Crossing/I-270, Subarea 5A
 5515 Parkcenter Circle



Approved Development Text

- b. ~~Wall signage: each building facade shall be permitted its own wall sign as depicted on the submitted graphics drawing.~~
- c. ~~All signage shall be subject to applicable signage setbacks of Chapter 1189, Signs.~~
- d. ~~No temporary sign shall be painted or posted directly on the surface of any building, wall or fence. No wall murals shall be allowed.~~
- e. ~~No product signs shall be applied to windows for the purpose of outdoor or exterior advertising.~~
- f. ~~No roof signs shall be permitted. Nor should a sign extend higher than the building's exterior walls.~~
- g. ~~No flashing, traveling, animated or intermittently illuminated signs may be used.~~
- h. ~~No billboards, or electrical or other advertising signs shall be allowed other than a sign carrying the name of the business of occupying the site.~~
- i. ~~The wall signage on the east elevation shall be incorporated into the overall design of the building structure.~~
- j. ~~In order to accommodate a name change the signage outlined in this section may be refaced/replaced with a new name subject to staff's review that the square footage of each sign does not exceed the square footage of the corresponding sign depicted on the submitted graphics drawing.~~

Subarea A5 Development Standards (As approved by CC on 3/10/14):

The site comprises +/- 10.5 acres and contains a three-story corporate office building of approximately 116,500 square feet. The site, as originally planned, zoned and constructed in 1996 was owned by Duke and contained a single-user, BMW Financial Services. BMW Financial Services vacated the building in 2006. The building was then sold to CareyBPDublin, LLC which was a partnership between Edward Carey and GE, who leased the building to Nationwide Insurance from 2006 to 2011. In the summer of 2011, GE became sole Owners of the property and Nationwide vacated later that year, on 9/30/11 which was not anticipated. Since that time, the Owner has actively marketed the property in hopes of finding a single tenant user which has not occurred. There has been "real" interest with smaller users, and if the owner is going to compete with that market and attract smaller tenants, this will require additional parking and signage.

Approved Development Text

Development Standards:

In addition to the general standards of the Tuttle Crossing PCD text and plan, this Subarea shall be subject to the following requirements within that specific Subarea.

Permitted Uses:

The following uses shall be permitted within Subarea A5:

1. Those uses listed in the SO and OLR sections of the Zoning Code.
2. Corporate offices
3. Hotel and motel
4. Institutional uses
5. Ancillary commercial or restaurant uses within a structure primarily devoted to office or hotel uses.

Permitted Density:

The subarea can be used for medium to large scale signature type office buildings with integrated parking structures, the maximum density within Subarea A5 will be 17, 500 SF/Ac.

Yard and Setback Requirements:

1. Setback on Paul Blazer Parkway, Rings Road, and Parkcenter Circle shall be 30 feet for pavement and 50 feet for buildings.
2. Side yards shall be 25 feet for pavement and buildings. A zero pavement side yard may be allowed in cases where lots share common access drives, and the parking areas function as a single parking lot.
3. Rear Yards shall be 25 feet for pavement and buildings.
4. Total ground covered by all buildings shall not exceed 25 percent of the lot area. However, parking garages and buildings shall cover no more than 75 percent of the total area.

Approved Development Text

Height Requirements:

1. The maximum height for structures in Subarea A5 shall be measured per the Dublin Zoning Code and have a height limitation of 100 feet.

Parking and Loading:

1. Surface parking spaces may be reduced from 9 feet in width to 8 feet six inches with as approved in the development plan.
2. All other parking ratios and loading facilities shall be regulated by Dublin Code provisions.
3. Bank drive-thru requirements as per Dublin requirements.

Circulation:

1. Paul Blazer Parkway shall be a 100 foot right-of-way and a 56 foot pavement width. All other local public access street shall have a 60 foot right-of-way and a 32 foot pavement width.
2. Curb cuts on Paul Blazer Parkway shall be space a minimum of 200 feet (as measured from the driveway centerlines) with opposing cuts aligned or offset no less than 100 feet, with placement determined consistent with prudent traffic engineering principles and practice.

Waste and Refuse:

1. All waste and refuse shall be containerized and fully screened from view with a solid wall or fence.

Storage and Equipment:

1. No materials, supplies, equipment or products shall be stored or permitted to remain on any portion of the parcel outside the permitted structure. Mechanical equipment or other utility hardware on roof, ground, or buildings, shall be screened from public view with materials harmonious with the building.

Landscaping:

1. All landscaping shall be according to the Dublin Landscape Code provisions.
2. Within the setback area along Paul Blazer Parkway, a three-foot average height continuous earth mound shall be installed as well as one tree per 40 feet of frontage or fraction thereof. Trees shall be equally spaced, if possible.

Approved Development Text

3. To compensate for lost green space due to the zero side yard, additional interior parking lot islands along the access drive adjacent to Atrium Parkway were provided with a minimum width of 17 feet, as measured from face of curb to face of curb, and planted with a minimum of two 3 inch caliper trees per island, these shall be retained where feasible or replaced with the same size island and 3 inch caliper trees if adjustments are made to the islands.
4. All new interior parking lot islands shall have a minimum width per code and be planted with a minimum of two 3 inch caliper trees per island.
5. All trees removed, regardless of condition, shall be replaced with a total number of caliper inches equal or exceeding the total Diameter Breast Height (DBH) of trees removed. Caliper and DBH shall be defined according to the Dublin Tree Preservation Code provisions. All replacement trees shall be a minimum 3 inch caliper at planting and conform to the Dublin Landscape Code.
6. Replacement trees planted on the site shall be staggered along the perimeter of the parking area to the extent possible.

Building Identification Signage and Graphics:

Subarea A5 has a cumulative street frontage of 2,000 feet, with exposure on Parkcenter Circle, Paul Blazer Parkway, and Rings Road. The site is entitled to two identification signs, under the general provisions of the Sign Code.

In this case, frontage on three public streets but having the main building entries facing Atrium Drive, a private drive, and the desire to have multiple tenants, there is a need for an alternate sign package. The signs standards presented herein are generally in conformance with most of the provisions of the Dublin Sign Code, with several exceptions, the number of signs, number of colors used on the signs and the percentage of secondary image on the sign face. A final sign plan shall be presented at time of Final Development Plan and shall conform to the following standards.

The site will be entitled to the following signs:

- A. A maximum of two monument signs shall be permitted of 10 feet maximum height and 50 square feet in area per sign face. Monument signs may indicate multiple tenants.

Approved Development Text

B. A maximum of two canopy signs shall be permitted at major entries containing the building address (consisting of address numerals and street name). Address numerals/letters shall not exceed 24 inches in height. The maximum height of the canopy sign shall be 15 feet.

C. Directional Signs

- i. A maximum of three internal directional signs shall be permitted to serve as building directory(s) and be located within close proximity to the building entries. These signs shall have a maximum height of 6 feet and 6 square feet in area per sign face. These signs are intended to display the tenant name, suite and/or floor number.
 - ii. A site perimeter/external directional sign for the building address may be permitted along Parkcenter Circle near the intersection with Atrium Parkway. It shall be permitted to have the site address (consisting of address numerals and street name). Height shall not exceed 3 feet and maximum area shall not exceed 4 square feet per sign face.
2. The signs will present a high-quality, corporate image that is consistent with the building, the larger office park, and the Dublin community.
 3. All signs will be limited to four colors, including black and white.
 4. Other than indicated herein, all other signs shall adhere to the provisions of the Sign Code including, but not limited to, location, design, opacity, lighting, landscaping, etc.

Additional Commitments:

- A. The removal of the open space and trees and replacement with parking shall only be performed should the applicant determine this is necessary once a tenant(s) is secured and written documentation of need is provided to the City from the Owner.
- B. Site amenities such as picnic tables and trash receptacles located within open space areas to be removed shall be relocated elsewhere on site.

Subarea B - Internally Related uses:

Permitted Uses

RECORD OF PROCEEDINGS
Dublin City Council

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

March 10, 2014

Page 2 of 12

Held

20

recognizing March 2014 as National Athletic Month to Eric Leighton, lead athletic trainer for Nationwide Children's Hospital Sports Medicine, 5680 Venture Drive.

Mr. Leighton thanked Council and the City of Dublin for the recognition. Nationwide Children's Hospital is very proud to be part of the Dublin community. They participate with City Employee Health Fairs. Nationwide Children's has five buildings on its Dublin campus. Children's is the only hospital to have two sports medicine/orthopedic buildings dedicated only to children, one of which is in Dublin. They look forward to working in the future with the City.

CITIZEN COMMENTS

Wallace Maurer, 7451 Dublin Road stated that:

(1) During the two recent major blizzards, City snowplow drivers performed heroically. However, they knocked down his mailbox twice. His mailbox does not extend over the road, and it is a very expensive one. Mail cannot be delivered until a mailbox is in place. He was quite concerned about not receiving a valuable piece of anticipated mail.

Ms. Salay indicated that he should contact the City's Service Department to replace the mailbox, if it was impacted by City snowplows.

(2) He was unable to attend the recent State of the City event, so he watched it on DTV. The Master of Ceremonies was an ex OSU football player and seemed to turn the event into a football rally. Mr. Maurer was not pleased when the emcee patronized the City Finance Director, Ms. Mumma. He posed a question to Ms. Mumma, and her response could not be heard. Someone should have addressed this situation and should have provided a working microphone.

Ms. Chinnici-Zuercher responded that Ms. Mumma had a lapel microphone, but it was not working properly. They did provide a hand-held microphone, once the problem was identified and Ms. Mumma repeated her comments.

CONSENT AGENDA

(Items proposed for the Consent Agenda are acted upon by a single motion and vote of Council. However, upon request of a Council Member, any proposed Consent Agenda item may be removed from the Consent Agenda for further discussion/consideration under the regular order of business.)

Ms. Salay moved approval of the two items on the Consent agenda.

Ms. Chinnici-Zuercher seconded the motion.

Vote on the motion: Ms. Salay, yes; Mr. Lecklider, yes; Mr. Reiner, yes; Mayor Keenan, yes; Ms. Chinnici-Zuercher, yes; Mr. Peterson, yes.

- Approval of Minutes of Regular Meeting of February 10, 2014
- Approval of Minutes of Regular Meeting of February 24, 2014

POSTPONED ITEMS

Ordinance 70-13

Rezoning Approximately 10.5 Acres, Located on the West Side of Paul Blazer Parkway, Between the Intersections of Rings Road and Parkcenter Circle from PCD, Planned Commerce District (Tuttle Crossing/I-270, Subarea 5A) to PUD, Planned Unit Development District (Tuttle Crossing/I-270, Subarea 5A) to Modify the Development Text and Preliminary Development Plan Regarding Sign and Parking Requirements. (Case 13-056Z/PDP)

Ms. Rauch stated that Ordinance 70-13 was introduced at the August 12, 2013 Council meeting. The ordinance provides modifications to development text and the preliminary development plan related to parking and sign requirements for the

RECORD OF PROCEEDINGS
Dublin City Council

Minutes of

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10149

March 10, 2014

Page 3 of 12

Held

20

property located 5515 Parkcenter Circle. The 10.5-acre site is located on the south side of Rings Road, west of Paul Blazer Parkway. The existing 116,000 square foot building is located on the southern portion with parking located to the west and north, with a significant tree stand located within the northern portion of the site, adjacent to the retention pond. At the first reading, Council members expressed concerns with the site design, the removal of the landscaped island and the trees located within it. Since that time, the applicant has revised their submission to what is shown tonight. The revised design re-orientes the parking spaces, provides some additional landscape and trees within the interior of the parking area, as well as provides additional replacement tree areas on the site. The proposal does continue to reflect the removal of eight trees within the northern landscape area, due to their fair to poor condition and the relocation of six smaller trees identified as good within another portion of the landscape area on site. The modifications would then permit additional parking for the site from the existing 571 spaces to 677. This proposal continues to meet the lot coverage and landscape requirements with their text, and the Code as well.

The Planning Commission (PZC) did require a condition that the applicant demonstrate and secure a tenant and provide documentation to the City in order to make this modification to the site. In addition, they need to obtain Final Development Plan (FDP) approval from the Commission, should Council approve this modification.

The second part of the proposal is related to the signs, which would permit a combination of signs. Two monument signs, which would permit tenant names, one located at the intersection of Parkcenter Circle and Paul Blazer Parkway, and then another at the Paul Blazer entrance. Those would be permitted to have the tenant names. The text also would permit address numbers only, should these numbers be divided up with multi tenants, to help a particular visitor find the site. In addition, they would be permitted some smaller directory signs adjacent to the building entrances. At Council's request, staff has also provided some proposed sign details. The final details would have to be reviewed and approved by the Planning Commission, but this gives a general sense of what they could look like. The final details and locations would be approved through the FDP. The conditions required by PZC either have been addressed within the text, or will be addressed through the FDP process.

Mr. Lecklider stated that, for him, the priority would be the sufficiency of the perimeter screening. In many cases, that takes the form of mounding. When he visited the site, he observed more mounding along Paul Blazer Parkway. Council's policy over the years has been to screen parking spaces. However, there is not much mounding along Rings Road frontage.

Ms. Salay stated that is because there are beautiful trees in place in that location.

Ms. Salay inquired if there is a requirement, or could a requirement be put in place about a required length of time for the lease.

Ms. Rauch responded that there was not such discussion as part of this. She is not certain how the City would enforce that.

M. Salay stated that if Council approves this rezoning, it would approve the destruction of these trees. She believes it is not justified.

Mr. Smith noted Mr. Hale can respond to that question. Typically, commercial leases are for five or ten years, with options.

Ms. Salay indicated that she has an additional question concerning signage. If there can be multiple tenants – for example, there were four tenants – it would be difficult to read the names. If there are four businesses located there, it would be difficult to read the names. A number of other businesses have desired multi-tenant signs, but motorists cannot read them. In this case, will the buildings be named, or will Council be approving five small lines of text? If Council is going to modify the sign code for

RECORD OF PROCEEDINGS

Dublin City Council

Minutes of

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

March 10, 2014

Page 4 of 12

Held

20

this site, she wants to ensure it will be something legible and useful to the traveling public.

Mayor Keenan stated that this will require approval of the Planning Commission in any event.

Ms. Rauch added that the sign would be permitted either under the existing Code or through the text. The signage would ultimately be up to the applicant and approved by the Planning Commission.

Ms. Salay stated that she wanted to make sure this is included in the record of the discussion of this application.

Ben Hale, Jr., 37 West Broad Street stated this building has been on the market for quite some time, and a number of potential tenants have been identified but are not able to work within the waiting time involved for these approvals. They do believe that once this approval is received for the text changes, the process for the approval of the final development plan is generally predictable. This building is not unique. He recalls that one tenant did a substantial increase in their parking numbers, but now need to add another 350 spaces. They have not added any square footage in the office space. Employees are being housed in smaller spaces, and businesses are using cloud computing instead of servers. The needs in the workplace have significantly changed in terms of workspace. This building is unusual in that the current standards can continue to be met for lot coverage – 65 percent – and the limit for lot coverage in Dublin is 70 percent. They will replace the trees taken out, tree for tree, and they will do much of that in the setback areas. To do this will cost in the range of \$100,000. They do not want to make this investment unless they have a tenant who needs this space. They do not have an objection to making this conditional on having a tenant – to prove to staff that the need exists. They do not want to invest the \$100,000 if it is not needed to secure a tenant. Most leases are five to ten years, with several extensions available. When this is completed, they will have a building that is competitive in the marketplace. He views all real estate, especially this type, as a tremendous asset to the City. Buildings like this are as much the City's future as any others. They believe they will secure tenants, and their need for the modifications will be verified to staff. They are requesting approval from Council and look forward to collaborating with the City's business development staff in securing a tenant.

Mayor Keenan stated that Council is very well aware of the economic realities with respect to the parking and the changing needs. Discussion occurred on this topic at the Council retreat.

Wallace Maurer, 7451 Dublin Road that he recalls Council Member Reiner pushed through legislation a few years ago related to conservation design. It meant, in essence, that the City should be so constructed that one could, from any point, see live earth beyond. There are references in a couple of places in these zoning documents to trees -- trees in good or fair condition or trees in any condition. His question is what constitutes "fair" in terms of survival under normal conditions?

Ms. Rauch responded that the trees are assessed by a certified arborist who determines whether a tree is in good, fair or poor condition.

Mr. Maurer noted that in the development text, there is a reference to height limitation and the statement there is for a height limitation of 100 feet. He recalls that the maximum height in Dublin was or is 45-50 feet – is that correct?

Ms. Rauch responded that it depends upon the development. Within this particular development text, the height was specified at 100 feet when this was originally created. It has not been modified from the original approval.

Mr. Maurer stated that under directional signs, he found a statement for which clarification is needed. "Signs will present a high quality, corporate image." He does not know what this would be.

RECORD OF PROCEEDINGS

Dublin City Council

Minutes of

Meeting

DRYTON LEGAL BLANK, INC. FORM NO. 10143

March 10, 2014

Page 5 of 12

Held

20

Ms. Salay responded that the Planning & Zoning Commission determines whether signage presents a high quality, corporate image at the final development plan stage. This provides the applicant a guideline for Dublin's expectations.

Ms. Chinnici-Zuercher added that one can look around Dublin and view the corporate signage in place that has been done very tastefully by corporations. This is not new language but what has consistently been required of corporations in signage.

Mr. Reiner stated that the landscaping fits the Dublin Landscaping Code, and the Code provides that screening must be done for all sides. Will that be accomplished with mounding?

Ms. Rauch responded that the applicant would have to meet that requirement with grading, mounding and trees located on center. Their intent is to meet the landscape Code.

Mr. Reiner stated that in looking at the plan view, he could not determine which were deciduous and which were evergreen. This relates to screening all the cars and the visual pollution of the glass and chrome. Is there to be further input regarding these items?

Ms. Rauch responded that at the time of final development plan, the specific species of what they will replace the trees with would be required as part of the Planning Commission review. Staff will ensure it meets the requirements.

Mr. Reiner stated that this is a very worthwhile project and it is important for the City to update this to meet the changing marketplace. He does want to ensure the aesthetics is not diluted in any way.

Ms. Chinnici-Zuercher noted that Council has spent significant time discussing the ever-changing workforce and the way companies currently operate and will operate into the future. Council is aware that there is a need to change parking lots in many of the existing corporate buildings. The key will be the perimeter screening. It still can be done in all of these circumstances and will ensure the aesthetics into the future. People have relied upon the high aesthetic standards that Dublin provides. She thanked Mr. Hale for his patience with the delays involved with this matter. She noted that she is appreciative of the changes from the original submission to meet the requirements, the intent and spirit of the Dublin Code.

Ms. Salay stated that she feels very strongly about this site and the trees in question being removed for the sake of adding 50 or so parking spaces. Her neighbors view these trees as a buffer to the water tower. They are quite beautiful and do not appear to be in fair condition. They are too valuable to be removed for the construction of a parking lot. She understands the need to change the City's parking code to allow more spaces and agrees with that. However, for this particular building and site, it is the wrong thing to do. She cannot support this and urges Council not to support this. A negligible amount of revenue/jobs are involved, and she believes that at some point a tenant will be secured for the building and the City will be glad that the trees were not removed. This is a unique site, and she cannot point to any other parking lot where five beautiful, mature trees will be removed. She believes that Council will have to defend its reason for removing the trees – should this rezoning be approved. She urged Council not to support this rezoning.

Vote on the Ordinance: Ms. Chinnici-Zuercher, yes; Mr. Reiner, yes; Mr. Lecklider, yes; Mr. Peterson, yes; Ms. Salay, no; Mayor Keenan, yes.

~~Mr. Hale addressed Council, noting that he has been coming to Dublin for 45 years and this is his last Council meeting.
(A round of applause followed.)~~

~~Mayor Keenan stated that he is aware that everyone has valued Mr. Hale's input over the many years he has been involved in Dublin development. His word has always~~

RECORD OF PROCEEDINGS

Dublin City Council

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

February 24, 2014

Page 4 of 13

Held

20

- **Resolution 12-14 (Introduction/vote)**
Authorizing the City Manager to Accept and Receive a 1.830 Acres, More or Less, Permanent Multi-Use Path Easement, Donated by the Board of Education, Washington Local School District (Dublin City Schools), Located on Hard Road, City of Dublin, County of Franklin, State of Ohio.
- **Resolution 13-14 (Introduction/vote)**
Declaring Certain City-Owned Property as Surplus and Authorizing the City Manager to Dispose of Said Property in Accordance with Section 37.08 of the Dublin Codified Ordinances.

POSTPONED ITEM

Ordinance 70-13

Rezoning Approximately 10.5 Acres, Located on the West Side of Paul Blazer Parkway, Between the Intersections of Rings Road and Parkcenter Circle from PCD, Planned Commerce District (Tuttle Crossing/I-270, Subarea 5A) to PUD, Planned Unit Development District (Tuttle Crossing/I-270, Subarea 5A) to Modify the Development Text and Preliminary Development Plan Regarding Sign and Parking Requirements. (Case 13-056Z/PDP)

Mr. Smith stated that the applicant's legal representative has requested that this matter again be postponed for hearing at the March 10 Council meeting.

Ms. Chinnici-Zuercher moved to postpone Ordinance No. 70-13 to the March 10 Council meeting.

Vice Mayor Gerber seconded the motion.

Vote on the motion: Ms. Chinnici-Zuercher, yes; Mr. Reiner, yes; Mr. Lecklider, yes; Mr. Peterson, yes; Vice Mayor Gerber, yes; Ms. Salay, yes; Mayor Keenan, yes.

INTRODUCTION/FIRST READING – ORDINANCES

Ordinance 11-14

Authorizing the City Manager to Execute Assignment, Real Property Necessary Conveyance Documentation to Acquire 10.00 Acres, More or Less, Fee Simple Interest Located East of Village Parkway and South of Tuller Road from Commercial Site Acquisitions, Inc. ("Casto") for Parkland and Right of Way.

Mr. Lecklider introduced the ordinance.

Ms. Grigsby stated that in 2013, Casto entered into a Real Estate Purchase and Sale Agreement with Byers Realty LLC to purchase the old Byers Chevrolet site, which is located at the intersection of Village Parkway and Cooperstone Drive. This legislation will authorize the City to accept an assignment from the Casto of all the rights and obligations of that agreement. The 10-acre site, which will be acquired for a cost of \$4.6 million, is a key piece of land for the construction and extension of John Shields Parkway as part of the Bridge Street development. The developer was successful in negotiating a good acquisition price from the company. Casto is also currently pursuing a residential development in that area -- Tuller Flats. She noted that this ordinance is not connected to that development in any way. This agreement will allow Casto to acquire the northern portion of this property when the roadway is completed for the market value of the site at that time.

There will be a second reading/public hearing at the March 10 Council meeting.

INTRODUCTION/PUBLIC HEARING/VOTE - RESOLUTIONS

Resolution 14-14 (Introduction/vote)

Authorizing the City Manager to Enter into a Contract with the Franklin County General Health District (DBA Franklin County Public Health) and

RECORD OF PROCEEDINGS

Dublin City Council

Minutes of

Meeting

DRYTON LEGAL BLANK, INC. FORM NO. 10148

January 27, 2014

Page 2 of 17

Held

20

Department. This has been the case with Assistant Chief O'Connell who has been very active in the community. He is confident that the transition will be seamless. Chief Woo noted that his own departure is scheduled sometime between May and the end of June. He thanked Council for all the support they have given him during his service.

Assistant Chief O'Connell indicated he looks forward to working with Council. He added that he will also be available at any time, should Council need any assistance. He commented that the City and the Township's relationship has always been great. He acknowledged the support he has received from Chief Woo over the past years. Mayor Keenan congratulated him! He added that he served as a Washington Township Trustee at the time Alec O'Connell was hired. Strict testing requirements and educational requirements were established and he met all of these as he came up through the ranks from Lieutenant, to Captain, to Battalion Chief and Assistant Chief. He noted that former Chief Bostic is present tonight as well. Council looks forward to working with Assistant Chief O'Connell in his new role as Chief.

CONSENT AGENDA

(Items proposed for the Consent Agenda are acted upon by a single motion and vote of Council. However, upon request of a Council Member, any proposed Consent Agenda item may be removed from the Consent Agenda for further discussion/consideration under the regular order of business.)

Mayor Keenan asked if anyone wants to remove an item from the Consent Agenda. Hearing none, Ms. Chinnici-Zuercher moved approval of the actions for the three items on the consent agenda.

Mr. Lecklider seconded the motion.

Vote on the motion: Ms. Salay, yes; Mr. Lecklider, yes; Mayor Keenan, yes; Ms. Chinnici-Zuercher, yes; Mr. Peterson, yes; Vice Mayor Gerber, yes.

- Approval of Minutes of Regular Meeting of January 13, 2014
- **Resolution 05-14 (Introduction/Vote)**
Authorizing the City Manager to Execute a Contract with the Franklin County Public Defender Commission for the Defense of Indigent Defendants.
- **Resolution 08-14 (Introduction/Vote)**
Authorizing the City Manager to Enter into Memorandums of Understanding with the Franklin County Board of Elections for Use of Municipal Property in the Administration of Public Elections.

TABLED ORDINANCE SCHEDULED FOR PUBLIC HEARING

Ordinance 70-13

Rezoning Approximately 10.5 Acres, Located on the West Side of Paul Blazer Parkway, Between the Intersections of Rings Road and Parkcenter Circle from PCD, Planned Commerce District (Tuttle Crossing/I-270, Subarea 5A) to PUD, Planned Unit Development District (Tuttle Crossing/I-270, Subarea 5A) to Modify the Development Text and Preliminary Development Plan Regarding Sign and Parking Requirements. (Case 13-056Z/PDP)

Mayor Keenan stated that Council is expecting a report from staff on the issues involved in this matter. This report should be forwarded to Council for the first February Council meeting. Mr. Hale will be requesting that this item be postponed to the February 24 Council meeting, but he does have a few very brief comments about issues he would like Council to consider as they are reviewing the report. He invited Mr. Hale to comment.

Ben Hale, Jr., 37 W. Broad Street, Columbus stated that they are requesting that Council postpone this until the February 24 meeting so that Council has the opportunity to review the report that is forthcoming. Since this matter was heard by

RECORD OF PROCEEDINGS

Dublin City Council

Minutes of

Meeting

DRYTON LEGAL BLANK, INC. FORM NO. 10148

January 27, 2014

Page 3 of 17

Held

20

Council in August, they have continued to work with staff on some issues and improving the site plan. He emphasized that the client believes that this parking is needed if the building is to be rented. For some period of time, the client has been trying to rent this building, but without success. A condition of the Planning & Zoning Commission was that the applicant agreed not to do the improvements unless a tenant was secured who needed the parking and subject to staff approval. The applicant believes they truly need this parking in order for this building to achieve its potential. They believe that the report forthcoming will support this and also point out other buildings in Dublin that face these challenges. Such buildings are not only an asset of the owner, but also an asset of the City, as the economics of these buildings drive the City. The owners and the City needs to be partners and work together to achieve the highest use possible for these buildings. He will return on February 24, and he assured Council that they would not do the parking improvements unless they are needed. There is much more greenspace than required by Code, and their desire is to have a parking number that makes sense – not to maximize to the 70 percent allowed. They are hopeful when they return with a new site plan that they will obtain Council's support.

Ms. Salay moved to postpone Ordinance 70-13 to the February 24 Council meeting. Mr. Gerber seconded the motion.

Vote on the motion: Mr. Peterson, yes; Mr. Lecklider, yes; Vice Mayor Gerber, yes; Mayor Keenan, yes; Ms. Chinnici-Zuercher, yes; Ms. Salay, yes.

SECOND READING/PUBLIC HEARING - ORDINANCES

Ordinance 101-13 (Amended)

Amending Chapter 153.044, Technology Flex (TF) District of the Dublin Code of Ordinances (Zoning Code) to Permit Commercial Vehicle Rental as a Conditional Use, and Section 153.002, Use Definitions, to Add a Use Definition for "Truck and Van Rental Establishments." (Case 13-104ADM)

Mr. Gunderman noted that this Code amendment was originally requested by Mr. Hale on behalf of their client to permit some truck and van rental. Planning staff has redrafted the language from what was originally submitted. The ordinance is fairly simple and straightforward, but an error in the original drafting of the ordinance was made. The updated version is on the dais tonight and includes a sentence that was inadvertently omitted when the first draft was done. This language was part of the Planning and Zoning Commission recommendation.

Mr. Gunderman summarized the provisions:

1. Added definition of truck and van rental.
2. Included this in the Technology Flex District as a conditional use
3. Specific use standards – 20,000 square foot minimum.
4. Not permitted on lots bordering either the freeway, arterial roads, or residential property.
5. Designated for rental vehicle parking area.
6. Maximum of a 26-foot length for the largest truck that can be utilized on the property.
7. Servicing the vehicles, other than minor washing and cleaning, will be indoors.
8. Screening is already provided for in the Tech Flex District for Outdoor Storage.
9. A cross reference to the Landscape section of the Code is included.

He shared an area map that delineates the Tech Flex Zoning where this can apply – those areas are outlined. A large part of it is along Shier-Rings Road. The red and green reflects the major arterials onto which these activities cannot be fronted. This reduces the number of potential locations.

The truck sizes range from a 10-foot van to a 26-foot truck. He shared photos of examples of these truck sizes.

RECORD OF PROCEEDINGS

Dublin City Council

Minutes of

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

August 12, 2013

Page 8 of 23

Held

20

Ms. Chinnici-Zuercher moved to dispense with the public hearing and treat as emergency legislation.

Mr. Gerber seconded the motion.

~~Vote on the motion: Mrs. Boring, yes; Mr. Keenan, yes; Mr. Reiner, yes; Ms. Chinnici-Zuercher, yes; Mr. Gerber, yes; Mayor Lecklider, yes; Vice Mayor Salay, yes.~~

~~Vote on the Ordinance: Mr. Gerber, yes; Vice Mayor Salay, yes; Mr. Keenan, yes; Mrs. Boring, yes; Ms. Chinnici-Zuercher, yes; Mayor Lecklider, yes; Mr. Reiner, yes.~~

Ordinance 70-13

Rezoning Approximately 10.5 Acres, Located on the West Side of Paul Blazer Parkway, Between the Intersections of Rings Road and Parkcenter Circle from PCD, Planned Commerce District (Tuttle Crossing/I-270, Subarea 5A) to PUD, Planned Unit Development District (Tuttle Crossing/I-270, Subarea 5A) to Modify the Development Text and Preliminary Development Plan Regarding Sign and Parking Requirements. (Case 13-056Z/PDP)

Mr. Gerber introduced the ordinance.

Ms. Rauch stated that this ordinance provides for rezoning of 5515 Parkcenter Circle. The site is located to the west of Paul Blazer Parkway, south of Rings Road and contains a 116,000 sq. ft. building in the southern portion of the site. It has a jogged property line along the western edge. It has some access and easement agreements as outlined in the memo and that create limitations for parking. Part of this proposal includes modifications to that parking lot. A flood plain is located in the northeast corner as well as an offsite stormwater pond located in the northwest part that serves this site as well as the sites to the west and to the south. The proposal includes two pieces:

1) Proposed modifications to the development text regarding signage. The existing text permitted two monument signs with a total of 26 sq. ft. for each sign with a 10-foot height restriction; four colors were permitted; secondary image was permitted at 26 percent of permitted sign face. With this proposal, the applicant is proposing to include two monument signs: one at the entrance off Paul Blazer Parkway and one along Parkcenter Circle, which is located to the south. In addition, they are proposing to include canopy signs along the western frontage. The text makes allowances for a single or multi-tenant user, depending on how this building would ultimately be leased.

Mayor Lecklider asked for clarification. The memo states that the existing text allows for two monument signs. Are they proposing two additional monument signs?

Ms. Rauch responded they are not – they are just swapping these out for new size requirements. The details of the signage will be required with the final development plan.

Ms. Salay stated that the applicant would have the ability to have the requested signage by right if Council were to approve this ordinance, even without viewing the signage proposed.

Ms. Rauch responded that is correct. The canopy signs are address number only and would be limited to the western frontage. The reason that is included as part of the text is that the Code permits 18-inch letters and the applicant is requesting 24 inches. The directional signs include three internal directional signs, which are limited to six square feet and would be located adjacent to the building, if developed in a multi-tenant fashion. They do have one external directional sign that meets Code requirements for size. They included that in order to be comprehensive. It is anticipated at the southwest corner, but would be limited by Code to the directional signs requirements of four square feet and three feet in height. This was modified from the Planning & Zoning Commission review. Originally, there was an additional monument sign proposed as well as some additional wall signs for the tenants. The

RECORD OF PROCEEDINGS

Dublin City Council

Minutes of

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

August 12, 2013

Page 9 of 23

Held

20

applicant has removed that from the proposal, and the documents submitted to Council reflect these modifications.

2. The second part of the proposal is modifications to the proposed development text and the preliminary development plan regarding parking. The required parking for this site is at a ratio of 4/1,000. They actually exceed that and are at almost 5/1,000 presently. Given the changes in the market and the demand to lease this building by particular tenants, the applicant is requesting modifications to permit upwards of 6 spaces per 1,000 sq. ft. In order to do this, the applicant is making three modifications:

1. Reduce the size of the parking space width to 8.5 in order to accommodate and create additional parking spaces.
2. Removal of some existing parking lot island, generally in the northern portion of the site.
3. Make modifications within the northern area, which is fairly significant as this is currently open space with a large number of landmark trees. The applicant provided a detailed survey from an arborist and staff has met with them on site to review the trees and the survey. There was significant discussion at the Planning and Zoning Commission about this. In the study, it was identified that 5 of the 7 landmark trees were in poor condition and should be removed.

Planning and Economic Development recognized that this would be a significant change in policy for the City, and the City takes significant pride in trees and landscaping. The memo also notes some significant policy discussion at the Planning and Zoning Commission hearing whether the proposed site modifications, although counter to Code, would make the site more economically viable. Continuing with the current practice may result in having a less competitive economic development for this building. This matter was thoroughly discussed at the Commission, and staff has provided some suggested alternatives for tree replacement. Under the current Code, they would be required to replace 131 caliper inches and so Planning suggested an alternative – to do a complete tree replacement, which would be over 280 caliper inches once the landscaping is removed from the site. The applicant would be responsible for replacing all the trees that would be removed as well as deferring the parking and modifications to this site until such time as the applicant or tenant determines it is necessary. They would not be permitted to apply for a building permit and make these changes without documentation and information from their particular tenant that this was actually required. As part of that review, Planning and Zoning Commission recommended approval to City Council with eight conditions. Staff is recommending approval of the rezoning at the August 26 meeting. She offered to respond to questions, adding that the applicant is present as well.

Mr. Reiner stated that if 280 caliper inches of trees are to be replaced, and yet the green spaces and green islands are to be eliminated, where will the 280 caliper inches be located?

Mr. Rauch responded there was significant discussion of this matter. There are some sparse areas on the perimeter of the parking area. A condition is recommended to add additional trees, particularly with the removal of some interior landscape islands. The applicant will be required to fill in those places along the parking edge where additional trees can be accommodated. If they cannot locate all of the 280 caliper inches on the site, they can pay a fee. The goal is to have the trees planted on the site, keeping in mind good landscaping practices. The final details will be provided at the final development plan.

Mrs. Boring commented that in Bryson Cove, many trees were planted but due to crowding and the number of trees, they did not mature as they should. It would be important to be mindful of good landscaping practices.

RECORD OF PROCEEDINGS
Dublin City Council

Minutes of

Meeting

DAYTON / LEGAL BLANK, INC. FORM NO. 10148

August 12, 2013

Page 10 of 23

Held

20

Mr. Reiner asked how the Commission perceived stripping the greenways out and was there any other option available to accommodate the needed parking?

Ms. Rauch responded that there was significant discussion about this at the Planning and Zoning Commission. As part of the initial meetings with the developer, staff attempted to identify other alternatives. However, there are significant access easements that limit where parking can go – particularly in the northern portion of the parking lot. Further, the property line jogs and so part of their development is not on their property. In addition, there are flood plain issues in the northern portion of the site. Many alternatives were explored in trying to minimize the reduction of the open space.

Mr. Reiner stated that everyone has mixed feelings as the City wants to support the owner in leasing the building, but a feature that draws people to Dublin is that Dublin is green and attractive – including parking lots with landscaping and shade trees versus a “sea of asphalt.” As a landscape architect, he is looking for a viable solution or common ground – a building that everyone is proud of and is attractive, yet helping the applicant to meet the City’s parking requirement.

Ms. Rauch stated that the same discussion took place at the staff level. In viewing the existing trees on the site, staff considered various alternatives – but arriving at the critical number needed by the applicant for parking is very challenging. The applicant can address the economic side of this matter. From a site analysis standpoint, this is very difficult to accomplish.

Mr. Reiner asked if the trend toward cubicle design for office space has affected the parking calculations.

Ms. Rauch responded affirmatively. The amount of office space that accommodates an employee is less than it was when the building was constructed, which affects the parking calculations.

Mr. Reiner agreed that this is a problem with many existing office buildings.

Ms. Rauch agreed, noting that several buildings in the surround area have a similar issue.

Ms. Chinnici-Zuercher stated that this constitutes a major policy departure and should have been brought to Council for review before sending it to the Commission. In her view, this policy issue is not the purview of a board or commission.

Vice Mayor Salay agreed, noting that this policy issue was beyond the parameters of what the Planning and Zoning Commission should consider.

Ms. Chinnici-Zuercher pointed out that the case was brought to the Commission by staff. She could not support this application tonight because Council needs to have this policy discussion and determine what it should be going forward. She is not debating that there are economic development issues involved, but Council needs to review what alternatives exist. Secondly, she is very concerned about why any economic development perspective would be brought to the Planning and Zoning Commission; that is a Council issue, and historically, the Planning and Zoning Commission has not considered applications on any economic development basis. In fact, they were exempted from that being a consideration of their decision making. In the memo, it indicates there were a number of serious policy concerns that were raised as a result of this application, but those concerns are not articulated. She understands the problem -- particularly with the large office buildings along I-270 and the workforce needs. But Council as a body needs to have a work session to discuss such a policy. She believes that this policy is a foundation of the community, and Council needs to consider all the alternatives available before approving an isolated case.

Vice Mayor Salay stated that she is disappointed that Council is having this policy discussion at this time, because Dublin is different and does not allow a “sea of asphalt” in parking lots. Dublin has landmark trees that are preserved. She

RECORD OF PROCEEDINGS

Dublin City Council

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

August 12, 2013

Page 11 of 23

Held

20

understands that this existing building needs more parking in order to be competitive in the marketplace. However, in this case, landmark trees are involved. This is a beautiful site because of the trees, and this is an amenity for a future lessee. There are other sites where parking can be maxed out, but this is not one of them. In her view, this is such a departure from the City's policy that she cannot support it. This building is competitive and located on a beautiful site, and that is an amenity that will attract the right tenant at some point. This does not constitute a basis to set aside everything that makes Dublin special. Economic development is very important, but there are other sites in the community where parking can be modified. She is also disappointed that the Planning and Zoning Commission was charged with having such a discussion. Her expectation is that they review the landscaping, the zoning, and that the policy discussions occur at Council. She cannot support this application.

Mrs. Boring agreed with Vice Mayor Salay. The bigger issue for her is that a conflict occurs when the Planning and Zoning Commission is expected to consider economic development in their deliberations. She agrees that this is not the right site for maximizing the parking capacity. She cannot support this application.

Mr. Gerber stated that he agrees with these comments. The parking issues are not new, and the City has been aware of these concerns for a number of years. These issues should not have been brought to the Planning and Zoning Commission. Council has asked for information from staff in order to establish policies to address the current expectations, but this has not occurred to date. He is not prepared to vote on this tonight, and perhaps a motion to table is in order.

Mrs. Boring stated that her concern is with what happens in the future if the building is sold and the additional parking not needed. What would remain would be a large sea of asphalt.

Mr. Gerber responded that these are considerations for a policy discussion at Council.

Vice Mayor Salay added that it may be challenging to establish a comprehensive policy, as each site is different. There are sites where maximizing the parking numbers is appropriate, but this is not one of them. Perhaps this would have to be done on a site by site basis.

Mr. Reiner suggested this rezoning be tabled so that the applicant can revise the proposed parking.

Mayor Lecklider invited the applicant's representative to testify.

Jack Reynolds, Smith & Hale, 37 W. Broad Street, Columbus stated that he is present tonight because Mr. Hale is on vacation. After hearing the comments from Council tonight, he requests that Council table this rezoning to allow for more discussion. They had significant discussions with the Planning and Zoning Commission about all of these matters. They would like an opportunity to discuss the issues with Council at a work session, if possible. Mr. Hale made a lengthy presentation to the Planning and Zoning Commission and they would like an opportunity to return to Council for further discussion.

Ms. Grigsby stated that the issue of parking ratios are similar to some of the issues that prompted recent changes in the sign code. Staff brought information to Council, based on the requests made by businesses. Council then reviewed the information and made recommendations. The sign code was eventually amended. With the parking requirements, there was previous discussion, but due to the difference in sites, it was determined that it would be considered project by project. When the application was

RECORD OF PROCEEDINGS
Dublin City Council

Minutes of

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

August 12, 2013

Page 12 of 23

Held

20

filed for the Parkcenter site, it was scheduled for Planning and Zoning Commission review. The reason the economic development issues were discussed at the Planning and Zoning Commission is because that is what prompted the request for the zoning change. The owner has had leasing issues for the building, and has turned away tenants because the parking could not accommodate the users. For this reason, the information was provided to the Planning and Zoning Commission as part of their review.

Ms. Chinnici-Zuercher stated that she is not aware if the development review process provides for this, but it seems that such a policy discussion should come to Council prior to the application moving forward to the Planning and Zoning Commission.

Mrs. Boring noted that even if the economic development considerations were not given to the Planning and Zoning Commission and they disapproved the application, the application would still come to Council for review. They have the discretion to override the Planning and Zoning Commission's decision. Therefore, there is an existing process that accommodates this.

Vice Mayor Salay stated that what she has heard them say is that the Planning and Zoning Commission had to weigh many economic development issues, and she does not want to place that responsibility on the Commission during their review. Staff was obviously cognizant of this problem, and she believes that the policy discussion will need to be done on a site by site basis. She emphasized that her comments are not related to this particular application, but simply an issue with this site. She would not support removal of these trees.

Mr. Keenan stated that he is confused about the parking ratios and it appears there is a market change that has occurred. There was a similar discussion about parking lots as a "sea of asphalt" in retail centers. Is this situation different?

Ms. Grigsby responded that the retail centers have different requirements, based on square footage. There have been some changes in the number of spaces required at such centers, based upon the known uses and parking spaces needed, based on experience.

Mr. Keenan summarized that the City needs to be cautious in this deliberation and be mindful of the uses involved.

Vice Mayor Salay stated that in her view, a compromise for this case would be the restriping of the lot, maximizing the existing parking. She is aware that other businesses in the area may have additional parking that could be used, subject to an agreement.

Mayor Lecklider stated that it would be useful for Council to have a discussion to provide guidance to staff. Many Council members have served on the Planning & Zoning Commission and are aware of the history of this issue. Discussion of the guiding principle with respect to landscaping and screening is in order and how this screening might be accomplished if not through the landscaped islands as has been done in the past. Removing trees is also a concern. All of this needs to be balanced with the economic development interests. It would be important to schedule this discussion in the near future. If acceptable to the applicant, Council can table this matter in order to have this discussion. The applicant can continue to have discussion with staff regarding the status of this matter.

Mayor Lecklider moved to table Ordinance 70-13.

Mr. Gerber seconded the motion.

Vote on the motion: Mr. Reiner, yes; Mr. Keenan, yes; Mrs. Boring, yes; Ms. Chinnici-Zuercher, yes; Vice Mayor Salay, yes; Mr. Gerber, yes; Mayor Lecklider, yes.

RECORD OF PROCEEDINGS

Dublin City Council

Minutes of

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

August 12, 2013

Page 13 of 23

Held

20

Mr. Reiner suggested that the applicant reconsider the plan to explore all alternatives to accommodate the parking on the site.

Mr. Reynolds responded that they would be pleased to present the various iterations of the plan in their attempt to preserve the green space. They are hopeful that Council will meet with them to discuss this.

Ms. Chinnici-Zuercher clarified that Council is aware that the applicant went through this exercise, but Council is not accepting what they have proposed. Council does not want to hear the same presentation Mr. Hale gave to Planning & Zoning Commission, which the Commission accepted. The applicant needs to consider other alternatives.

Ordinance 71-13

Authorizing the Provision of Certain Incentives to Decillion Healthcare LLC to Induce it to Locate an Office and Associated Operations and Workforce within the City, and Authorizing the Execution of an Economic Development Agreement.

Mr. Gerber introduced the ordinance.

Ms. Gilger stated that staff has been meeting with representatives of a start-up pharmaceutical company. Most of the start-up will occur through merger and acquisitions, purchasing companies that have existing drug licenses. Decillion is looking to locate a facility in the northwest Columbus area, creating 22 pharmaceutical positions by 2018. They are looking to either purchase a building or lease for 10 years. The EDA includes a seven-year, 12 percent performance incentive tied to a 10-year lease or a purchase of a facility in Dublin. The incentive is valued at \$21,000 and staff estimates the City would net approximately \$131,000 over the term. They have identified several potential locations in Dublin, and they will have company representatives at the second reading.

There will be a second reading/public hearing at the August 26 Council meeting.

Ordinance 72-13

Authorizing the Provision of Certain Incentives to ProspeX, LLC to Induce it to Retain an Office and Associated Operations and Workforce within the City, and Authorizing the Execution of an Economic Development Agreement.

Mr. Gerber introduced the ordinance.

Mr. Clarey noted that ProspeX is a business services firm and specializes in sales and management training as well as sales lead generation services. The company is currently located at 7001 Post Road. Staff assisted them in a real estate search for possible sites in Dublin, given the recent purchase of the building by Ohio University. They currently have 25 employees and plan to expand to 50 positions over three years. The proposed EDA includes a 15 percent performance incentive on withholdings capped at \$15,500. An item of note is that the performance incentive is on new withholdings only. In addition, a \$2,500 relocation grant is included. Both of those incentives are contingent upon execution of a five-year lease. The City estimates this will net approximately \$160,000 in retained and new withholdings over the term of the agreement. He offered to respond to questions.

Ms. Chinnici-Zuercher asked if they have identified a location.

Mr. Clarey responded that they have two potential locations identified, but are not disclosing them due to company negotiations underway.

In response to Mrs. Boring, Mr. Clarey noted that the \$160,000 includes both the retained payroll and new positions.

There will be a second reading/public hearing at the August 26 Council meeting.



City of Dublin

Land Use and Long Range Planning
5800 Shier Rings Road
Dublin, Ohio 43016-1236
phone 614.410.4600
fax 614.410.4747
www.dublinohiousa.gov

PLANNING AND ZONING COMMISSION

RECORD OF ACTION

JULY 18, 2013

The Planning and Zoning Commission took the following action at this meeting:

2. Parkcenter Circle PUD 13-056Z/PDP 5515 Parkcenter Circle Rezoning/Preliminary Development Plan

Proposal: Modifications to the development text regarding parking and sign requirements for an existing office building located on the north side of Parkcenter Circle, west of the intersection with Paul Blazer Parkway.
Request: This is a request for review and recommendation of approval to City Council for a rezoning with preliminary development plan under the provisions of Zoning Code Section 153.050.
Applicant: Carey BP Dublin LLC; represented by Linda Menerey, EMH&T.
Planning Contact: Jennifer M. Rauch, AICP, Planner II.
Contact Information: (614) 410-4690 or jrauch@dublin.oh.us

MOTION: Richard Taylor made a motion, Warren Fishman seconded the motion, to approve this Rezoning/Preliminary Development Plan application because it complies with the rezoning/preliminary development plan criteria and the existing development standards within the area, with eight conditions:

- 1. The development text and plans be modified to require the total inch replacement for the trees for the site regardless of condition, which would require the replacement of 280 inches as shown on the preliminary development plan and any additional inches identified for removal on the final development plan or during construction.
- 2. The removal of the open space and trees and replacement with parking only be accomplished should the applicant determine this is necessary once a tenant(s) is secured and written documentation of need is provided from the *owner*.
- 3. The trees planted on site be staggered along the perimeter of the parking areas, to the extent possible to fill in the sparse areas.
- 4. One of the two proposed signs located along the Parkcenter Circle frontage be eliminated.
- 5. The overall height of the canopy sign be limited to 15 feet.
- 6. A final sign plan be presented as part of the final development plan.
- 7. The applicant eliminate the provisions for a tenant sign on the building elevation.
- 8. The applicant work to relocate the amenities from the open space area elsewhere on the site, should the area be removed.

Ben Hale, Jr., Agreed to the above conditions.

VOTE: 6 - 1.

RESULT: This Rezoning/Preliminary Development Plan application was approved.

RECORDED VOTES:

Chris Amorose Groomes Yes
Richard Taylor Yes
Warren Fishman Yes
Amy Krumb No
John Hardt Yes
Joseph Budde Yes
Victoria Newell Yes

STAFF CERTIFICATION

Jennifer M. Rauch, AICP
Planner II

**2. Parkcenter Circle PUD
13-056Z/PDP**

**5515 Parkcenter Circle
Rezoning/Preliminary Development Plan**

Chair Amorose Groomes introduced this application as a request for review and recommendation of approval to City Council for a rezoning with preliminary development plan regarding parking and sign requirements for an existing office building located on the north side of Parkcenter Circle, west of the intersection with Paul Blazer Parkway.

Ms. Rauch stated the property located at 5515 Parkcenter Circle is framed by four roadways; three public: Rings Road to the north, Paul Blazer to the east and Parkcenter Circle to the south; and one private: Atrium Parkway to the west. She said the site is outlined in yellow and shows the unusual property lines, which limits the parking configurations and includes area in the southwestern portion with development that is not on their property. She said there are access and easement agreements that were established with the original development, which also limit parking locations. She said the site contains 116,000 square feet of building space with parking located to the south and west with the majority of it located to the north of the building. She indicated the areas in the northern portions of the site that includes the floodplain, a large open space area with significant landscaping, and the off-site storm water pond that serves this site and the surrounding properties.

Ms. Rauch stated there are two major parts to this proposal: signs and parking lot with landscaping modifications. She said with regard to the signs the existing development text permits two monument signs with a total of 52 square feet, divided equally between the two signs, 10 feet in height, four colors and increased secondary image. She said the applicant is requesting a series of different signs. She said the applicant is proposing three monument signs, one at the main entrance off Blazer Parkway and two along Parkcenter Circle, one of which Planning recommends be removed. She said the applicant also indicated canopy signs, which would be address only signs with an increased letter height of 24 inches, where 18 inches would be permitted. She indicated the proposal includes a tenant wall sign along the western elevations, which Planning recommends removal. She said the final sign component is the proposed: one external directional sign located along Parkcenter Circle, which meets Code and three internal directional signs located at the building entrances, which could include tenant names and addresses.

Ms. Rauch said the second part of the application, which includes more significant changes to the proposed parking provisions. She indicated Code requires parking for office at a ratio of 4 spaces per 1,000 square feet, with the site providing 571 spaces, at a ratio of almost 5 per 1,000. She said the applicant is requesting to provide parking at a ratio of almost 6 per 1,000. She said as outlined in the report, the request is related to changes in the development world where larger office buildings can lease less space and employ more people creating a need for additional parking. She indicated the applicant is proposing three modifications to create additional parking spaces. She said the northern parking area is proposed with a decrease in the width of the parking spaces from nine feet to 8.5 feet. She stated this method has been approved by the Commission for other buildings within the City. She said they are also proposing to remove interior landscape islands and based on the information provided the site will continue to meet the interior landscape requirements. She said Code does not identify where or how many spaces are required per landscape islands.

Ms. Rauch the most significant change is the removal open space area in the northern parking area, which proposes the removal of existing landscaping and a significant number of landmark trees. She said the applicant has provided a detailed tree that identifies seven trees in that area, five of which are in poor condition and are recommended for removal. She said when staff reviewed this proposal there was very significant discussion about tree preservation and economic viability of a site. She stated that staff posed two discussion questions: does this proposal present sufficient examples of site modifications that

should be permitted to make a site more viable even though they may run counter to the current intent of the Code and the character defined by the City; or

should the City continue with its current practices and Code and accept that this may result in a less competitive economic development environment. She said based on these questions Planning did not review this proposal lightly or come to a recommendation quickly. She said staff worked with the applicant to determine if other alternatives would be feasible, but the site has a number of limitations, leaving the proposal as the most practical options.

Ms. Rauch said Planning has identified several alternatives regarding the tree removal and replacement for the site and follows: 1) require the total inch replacement for the site regardless of tree condition. Meaning they would be required to replace 280 inches, 2) require the total inch replacement for the large trees within the open space regardless of condition only. Meaning they would be required to replace 213 inches, and 3) approve the removal of the open space and trees within this area as an alternative. Should the applicant determine this not be necessary once a tenant is secured they would not be required to construct the additional parking within this area. She said Planning recommends alternatives 2 and 3, which are incorporated in the proposed conditions. She said Planning also modified the second condition, the very last word regarding the documentation portion to be *owner*, instead of *tenant*.

Ms. Rauch said Planning recommends approval of this Rezoning with a Preliminary Development Plan with six conditions:

- 1) The development text and plans be modified to require the total inch replacement for the trees (84-97) within the open space regardless of condition, which would require the replacement of 213 inches.
- 2) The removal of the open space and trees and replacement with parking only be accomplished should the applicant determine this is necessary once a tenant(s) is secured and written documentation of need is provided from the *owner*.
- 3) The trees planted on site be staggered along the perimeter of the parking areas, to the extent possible to fill in the sparse areas.
- 4) One of the two proposed signs located along the Parkcenter Circle frontage be eliminated.
- 5) The overall height of the canopy sign be limited to 15 feet.
- 6) The applicant eliminate the provisions for a tenant sign on the building elevation.

Ms. Amorose Groomes asked if the applicant was present.

Mr. Ben Hale (37 West Broad Street, Columbus, OH) stated they agree with the conditions. He said over the last few years this property has been shown to a number of potential tenants, but nothing has been secured because the building did not have enough parking. He said these tenants would not consider the building if the site did not have the parking ratios. He said the applicant is in agreement they will not construct the additional parking unless it is determine to be needed. He said in order to attract a tenant they need the approval in place so we are able to offer them the additional parking. He stated they agree with the tree replacement as outlined by staff, but no changes will be made on this property until we have proven to the staff it is necessary for the tenant. He said the proposal meets the interior landscape requirements and lot coverage. He said the applicant has agreed to make the changes to the sign proposal as Planning recommends. Mr. Hale stated they desire better identification and the opportunity to permit multiple tenant options should the building be occupied with multiple tenants. He said they will return with a final development plan for signs, landscape and tree replacement details.

Ms. Amorose Groomes asked if anyone in attendance would like to speak with respect to this application. [There was none.]

Ms. Kramb said she agreed with Planning to permit only two monument signs with the external directional sign with the address only, and agreed with removing the tenant sign. She confirmed the reduced parking space width had been approved before by the Commission and agreed with that modification. Ms. Kramb said she agreed with the removal of the landscape islands, as long as the site continued to comply with Code. She raised concerns about removing the northern open space area with the landmark trees. She stated she thought there should be complete tree replacement regardless of condition. She said the open space area was originally an amenity, or a park and purposely located there and she could not imagine cutting down all of those trees.

Mr. Hardt said this application generally struck him, because the planning report included information from economic development stating different parking ratios are needed for office buildings today, which seems plausible. He said what is alarming is that two years ago the Commission reviewed a Code amendment to the parking provision that recommended the opposite. He said he thought it was an example of how careful we need to be when we are proposing changes to the Code, because we were asked to do something a few years ago that was contrary to what the market is telling us. He said we disapproved the proposed modification for a variety of other reasons, but would have been interesting if they had been approved. Mr. Hardt stated that as far as this application is concerned, he wanted to confirm the interior landscape requirements and the overall lot coverage requirements per code would be met.

Ms. Rauch confirmed his inquiry stating that the final interior landscape requirements would have to be confirmed at the final development plan stage, but based on the preliminary information the proposal would meet those requirements and the lot coverage requirements.

Mr. Hardt asked for examples of other sites where the width of parking stalls have been reduced. Ms. Rauch stated Metro Place was one example. Ms. Husak listed IGS and stated a portion of their lot is identified for compact spaces.

Mr. Hardt said he agreed with Planning on the use of only two monument signs, the removal of the tenant sign and the use of the canopy signs. He asked to review the final design of the canopy signs, because they can be done really elegantly or really badly. He said that he did not have a problem with the text saying the canopy signs are permitted as long as the signs are returned for review. He requested a condition be drafted requiring the applicant to show the canopy sign details as part of the final development plan.

Mr. Hardt said we have had a number of instances where various different companies have asked for relief to respond to current market conditions and I am supportive of that. He said we want to create an environment where we encourage businesses to locate and grow, but the piecemeal process to address the individual needs is not effective. He said we need to address these issues for parking and signs more holistically. He said we have a Code that is archaic and out of date and we should modify the entire Code once and for all.

Mr. Hardt said as long as the proposal meets our landscape and parking lot requirements, and with the caveat that the open space area will not be removed until necessary, he was supportive of the application.

Ms. Newell said she was in favor of the two monument signs. She said she did not expect the land to always stay exactly the way it is, but she was conflicted about removing the open space area. She said the only way she could support the proposal was because we were requiring the applicant to prove they absolutely need the parking before they remove the open space. She said she would the applicant to relocate the amenities from open space area and reincorporate them elsewhere on the site.

Ms. Rauch suggested a condition of approval to work with the applicant to incorporate the amenities elsewhere on the site. Ms. Newell agreed.

Mr. Budde stated there were a number of excellent comments and he finds that staff has done a good job of working with the applicant. He said he was supportive of the project and as it is a needed change given the difficulty in leasing the building. He said given the continued compliance with the Code he was supportive.

Mr. Fishman agrees with what everyone said, but he wished they could find another way or place to park the cars, such as a joint agreement with adjoining building. He recalled being on the Commission when the site was originally developed and several members were passionate about the trees and he would hate for them to be removed. He said he did not want to sacrifice the beauty of Dublin. He said he wanted to emphasize changing the Code decrease the size of the building and increase the amount of land for building sites.

Mr. Taylor said he agreed with Mr. Hardt. He said it might be ok to remove the open space area in the overall scheme of things, if other things can happen. He said he agreed with Mr. Hardt about updating the Code. He asked the applicant to describe the character of the tenants who want this extra space.

Mr. Chris Potts with Colliers International (6891 Old Court, Westerville) said this buildings been a project for Colliers for three years with Nationwide Insurance as the most recent tenant. He said in today's environment tenants want to drive more efficiency and productivity with their office space, which results in more employees needing more parking. He said they have been approached by adjacent building owners requesting shared parking agreements and we turned it down and we turned the income for the ownership, because we did not want to give up our parking. He said the same thing would happen if we approach Atrium II, because they have vacant space that needs to be filled. He said we are competing against each other with the same goal of leasing property and large vacancies in other markets. Mr. Potts said it is common practice for tenants viewing the market to say we have a parking requirement and your building is not even going to make the list because it does not meet our standards. He said the office space per person is decreasing and driving this need from tenants.

Mr. Taylor said he did appreciate the two questions proposed on Page 8 as that is the core of the discussion. He thanked staff for identifying these.

Ms. Amorose Groomes confirmed the proposal met the lot coverage requirements. Ms. Rauch said the proposal indicated 65 percent, where 75 percent is permitted. She said this would be verified in detail at the final development plan.

Ms. Amorose Groomes stated a previous Commission worked hard to save the landmark trees and it is very difficult to think about removing them. She said the only redeeming quality to removing the trees is the type of trees that they are removing. She stated silver maples barely made the list of the landmark tree program because of their nature as trees with short life space and surface root systems. She said it is likely they did well here because they sit low on the site adjacent to the pond. She stated the only reason she was supportive of the tree removal was because they are silver maples, and if they were oak trees, or another type of maple tree it would be far more difficult.

Ms. Amorose Groomes said we need a better long term solution and she believed structured parking was an answer. She said she was not inclined to save the parking lot islands because they are not inhabitable for trees unless we do some significant work to them. She said it is unfortunate, but the trees are not the best trees we could have for this site.

Mr. Hardt said he would cast a positive vote for this proposal on the basis that the Code requirements for landscaping and lot coverage were met.

Ms. Amorose Groomes said she would like to see an enhanced outdoor environment for the employees with the final development plan with additional site amenities.

Mr. Fishman asked if the applicant was replacing the higher number of inches. Ms. Rauch said Planning recommended the replacement of 213 inches, which was not a complete replacement, it was replacement of those inches in the open space. She said the complete tree replacement is 280 inches of trees.

Mr. Fishman said the applicant should replace the 280 inches. Ms. Rauch said the 280 inches was for all the inches on the entire site that are removed, regardless of their condition.

Ms. Rauch said the higher replacement number was an alternative provided by Planning, which the Commission could require.

Ms. Amorose Groomes stated there is a lot of area on the site for tree replacement. Ms. Rauch agreed and identified that was the reason why Planning provided the Commission with an alternative.

Ms. Amorose Groomes said because of the number of landmark trees proposed to be removed she felt the increased replacement was justified.

Mr. Fishman said we do not want the fee paid in lieu, but the trees planted on the site. Ms. Rauch agreed, but stated there will come a point where a maximum number of trees can be provided on site with best management practices.

Ms. Rauch clarified the conditions have been modified to reflect the Commissioners' discussion. Mr. Hale agreed to the conditions.

Mr. Taylor made a motion to approve this Rezoning/Preliminary Development Plan application with 8 conditions:

1. The development text and plans be modified to require the total inch replacement for the trees for the site regardless of condition, which would require the replacement of 280 inches as shown on the preliminary development plan and any additional inches identified for removal on the final development plan or during construction.
2. The removal of the open space and trees and replacement with parking only be accomplished should the applicant determine this is necessary once a tenant(s) is secured and written documentation of need is provided from the owner.
3. The trees planted on site be staggered along the perimeter of the parking areas, to the extent possible to fill in the sparse areas.
4. One of the two proposed signs located along the Parkcenter Circle frontage be eliminated.
5. The overall height of the canopy sign be limited to 15 feet.
6. A final sign plan be presented as part of the final development plan.
7. The applicant eliminate the provisions for a tenant sign on the building elevation.
8. The applicant work to relocate the amenities from the open space area elsewhere on the site, should the area be removed.

Mr. Fishman seconded the motion. The vote was as follows: Ms. Kramb, no; Ms. Amorose Groomes, yes; Mr. Hardt, yes; Mr. Budde, yes; Ms. Newell, yes; Mr. Fishman, yes; and Mr. Taylor, yes. (Approved 6 – 1.)

**3. Goldfish Swim School
13-062CU**

**6175 Shamrock Court
Conditional Use**

Chair Amorose Groomes introduced this application for the conversion of an existing 8,450-square-foot industrial tenant space to an indoor recreation facility with a swimming pool. She said the site is located