

PLANNING AND ZONING COMMISSION

MEETING MINUTES

APRIL 17, 2014

AGENDA

1. **Avery Square – Starbucks Outparcel**
14-024INF **Hospital Drive**
Informal Review (Discussion)
2. **Emerald Parkway Phase 8 – Office Building**
14-027INF **Emerald Parkway**
Informal Review (POSTPONED)
3. **Zoning Code Amendment – Notification and Adult Family Home Amendments**
14-006ADMC **Administrative Request (Approved 5 – 0)**
4. **Perimeter Center PUD, Subarea F-4 – Perimeter Center Shopping Center Sign**
14-021AFDP **6644-6748 Perimeter Loop Road**
Amended Final Development Plan (Approved 5 – 0)
5. **Perimeter Center PUD, Subarea E – Chase Bank – Sign Modifications**
14-023AFDP **6271 Perimeter Drive**
Amended Final Development Plan (Approved 5 – 0)

Chris Amorose Groomes called the meeting to order at 6:31 p.m. and led the Pledge of Allegiance. Other Commission members present were Amy Krumb, John Hardt, Richard Taylor, and Victoria Newell. Joe Budde was absent. City representatives present were Steve Langworthy, Gary Gunderman, Jennifer Readler, Yazan Ashrawi, Claudia Husak, Jennifer Rauch, Dana McDaniel, Alan Perkins, Kristin Yorko, and Laurie Wright.

Administrative Business

Motion

Mr. Taylor moved, Mr. Hardt seconded, to accept the documents into the record.

Motion and Vote

Mr. Taylor moved, Mr. Hardt seconded, to accept the April 3, 2014, meeting minutes as presented. The vote was as follows: Ms. Amorose Groomes, abstain; Ms. Krumb, yes; Ms. Newell, yes; Mr. Hardt, yes; and Mr. Taylor, yes. (Approved 4 – 0 – 1)

Ms. Amorose Groomes noted the Emerald Parkway case was postponed and said there would be public notice when it is rescheduled. She determined the order for the agenda which was as follows: 1) Zoning Code Amendment – Administrative Request; 2) Starbucks outparcel informal review; 3) Perimeter Center PUD; and 4) Chase Bank sign. She briefly explained the rules and procedures of the Planning and Zoning Commission. She stated the two cases eligible for consent were pulled. [The minutes reflect the order of the published agenda.]

**1. Avery Square – Starbucks Outparcel
14-024INF**

**Hospital Drive
Informal Review**

Chair Chris Amorose Groomes introduced this application for a request for review and non-binding feedback for an approximately 1,800 square-foot coffee shop with a patio, drive-through, and associated site improvements for the Avery Square Shopping Center on the north side of Hospital Drive, 500 feet west of the intersection with Avery-Muirfield Drive.

Claudia Husak said this is an informal review for a Starbucks for the Avery Square Shopping Center. She presented the site information and highlighted the area just west of Wendy's/Tim Horton's restaurants where the applicant is requesting feedback.

Ms. Husak presented the 2010 Approved Development Plan that had been reviewed by both the Planning and Zoning Commission and City Council. She said it was brought forward for approval of the Kroger fuel station. She reported during the review process there significant discussion with the applicant regarding the abundance of parking spaces within the area and explained the additional square footage permitted in the development text. She noted the applicant showed an outparcel within this proposed area but did not have a user, and set aside the parcel to be reviewed later as part of a Final Development Plan. She said at the City Council level, when the Preliminary Development Plan was approved, they agreed with that idea but wanted to make sure they would have a say on the layout and amended the development text to require Council approval of the Final Development Plan in addition to the Planning and Zoning Commission (PZC). She reported the Preliminary Plan included access changes to the site where Hospital Drive provides the main access to the shopping center. She explained the access change was driven by Avery-Muirfield/Perimeter Loop Road intersection improvements, which will require a splitter island on Hospital Drive and an existing access point to be eliminated. She noted originally, the improvements were slated for 2014 but have been pushed back to 2017.

Ms. Husak presented detail for the proposal including a 1,800-square-foot kiosk for a Starbucks, a drive-through centric restaurant use, which the applicant would like feedback. She said the Code requires eight stacking spaces but 12 spaces have been incorporated into the design as well as an escape lane, patio area, overflow parking area, and landscape island ensuring the best circulation for drive-through service. She said the applicant proposes a monument sign that is not contemplated in the development text.

Ms. Husak showed more detail for the circulation plan that included the existing drive as well as new drive that would be in place at the same time the intersection improvements occur. She noted there has been a lot of discussion at both the PZC and City Council level regarding the challenges this access point presents and the adjacent uses, specifically the Wendy's/Tim Horton's restaurants that gets quite congested, especially at peak times. She said this elevates concern of introducing another drive-through oriented business that would share the same peak periods. She explained the changes would need to occur for right-in, right-out access on Hospital Drive that will shift the main access and this was emphasized to the applicant to have a plan before returning for approval of a formal application for the outparcel.

Ms. Husak reiterated her proposed discussion questions:

1. Is the proposed outparcel development of a Starbucks drive-thru appropriate?
2. What further vehicular circulation considerations should the applicant make as part of this proposal?
3. Other considerations by the Commission?

Ms. Amorose Groomes invited the applicant to step forward and state his name and address for the record.

Charlie Fraas, 250 Civic Center Drive, Suite 500, Casto, said he has a long history with this project. He said over the last 15 years, they have seen a lot of development around this area and found there is lot of demand for different uses, especially for a Starbucks in the morning with a right turn/right turn entry to get coffee. He explained when they came in for the Kroger gas station, they knew conceptually what they wanted but were not quite sure. He said this proposal is a great use from a size standpoint because it allows overflow parking and fits well within the center. He contends that Starbucks is the right type of tenant for their community involvement, local footprint, and a green business in both building materials and operations for sustainability, sharing the same ultimate goals that the City of Dublin has. He said they understand the architecture will need to comply with existing materials and design style that is used in the shopping center. He clarified it is not a kiosk, but a small restaurant that will allow for couches and chairs. He reported they have spent a lot of time revising the existing entrance, due to the impending roundabout but now that has been pushed back. He said the entrance was planned to be as far away from the intersection as possible entering from the back way, with stacking that required them to restripe a continuous right-in as a separate lane that allows for more stacking. He believes that both intersections will be used in the morning. He understands it is not a good situation as it stands today. He said their plan will disperse the traffic a different way and asked for feedback from the Commission regarding the layout. He said when the City constructs the roundabout the new entrance will really come into play.

John Hardt asked for clarification on the current slide on the outbound lanes as having one left turn and one right turn, with the previous slide showed a median in Hospital Drive.

Mr. Fraas said this was a temporary solution, until the intersection closes altogether. Ms. Husak explained she did not include it in her presentation because we are essentially saying there is not an intermediate step.

Ms. Amorose Groomes invited public comment in respect to this application. [Hearing none.]

Ms. Amorose Groomes noted the discussion questions posed on the slide.

Amy Kramb said she would not support the monument sign because no others tenants were permitted this. She said they would be allowed the normal wall sign. She said she supports the Starbucks as a needed use but said the original entrance has to be closed. She was supportive of moving the entrance down to eliminate the conflicts with Wendy's/Tim Horton's congestion. She is not happy with a temporary solution. She said the intersection needs to be fixed.

Mr. Hardt thanked the applicant for coming in for an informal like this; there are not enough applicants that request the early feedback. He said he lives very close to the center and believes the site is over-parked and would welcome additional uses. He said he is supportive of the proposal on a conceptual level. He explained when the Preliminary Development Plan was reviewed previously, three major things were discussed: 1) gas station; 2) outparcel; and 3) drive-way realignment. He said tonight, we want to do all the positive things that bring revenue and do not want to do the one negative thing that does not have a return which is to move the driveway. He agrees with Ms. Kramb in that he does not know how this works with the current driveway. He does not believe that restriping to change the geometry, does not fundamentally change that everyone will be flowing through that one spot on the site. He said this needs to be explored by engineering and managed. He reiterated the building architecture needs to match the center. He agrees the signs need to be consistent with the other tenants. He said he would like to see this plan refined and developed further. He said in the Preliminary Development Plan there was a considerable amount of discussion about expectations for landscaping and the aesthetics of the whole area. He encouraged staff and the applicant to read through the history to ensure it meets those needs as the expectations are quite high.

Victoria Newell said she welcomes Starbucks to the community and said this is an appropriate use for this outparcel. She agreed with the other commissioners and said the design and signs need to match the center and be consistent. She said is not in favor of the monument sign, particularly in the location it is shown. She said the application is not rectifying issues of backup from the congestion produced by Wendy's/Tim Horton's, or Burger King. She stated that until we address the circulation in that center, you will compound that issue. She said she was uncomfortable with that little bit of parking left isolated and does not anticipate that will be used. She asked if that was needed in the parking count.

Ms. Husak responded the area was allocated for larger vehicle parking that use Wendy's during the lunch hour as an attempt to get them off of their site because circulation is so important there.

Ms. Newell said she was concerned with pedestrian traffic crossing the drive when you take into consideration that the Tim Horton's/Wendy's parking lot is filled to capacity; it is at the same peak time.

Ms. Husak said the striping was the solution to indicate a pedestrian crossing area. Ms. Newell said she understood why the striping was done in that manner. She said she is concerned with the small area of parking and would prefer it be landscaped.

Ms. Kramb said pedestrians need to be accommodated even for overflow parking. Ms. Husak confirmed there was a pedestrian crossing delineated across the drive aisle.

Ms. Newell said she was concerned people would not pay much attention to that, any more than they pay attention to the stop sign.

Mr. Hardt asked if Wendy's has an agreement to use that as overflow parking or is it just habitual. Mr. Fraas said because of the strict parking requirements at the time, areas did not have to be defined but the shopping center was entitled to give them extra parking.

Mr. Hardt vaguely remembers this situation and asked if there is a formal agreement in place, which would need to be worked out.

Richard Taylor said the biggest issue is the existing drive/new drive situation and he would like to see it corrected. He said there is going to be a lot of congestion no matter how we restripe or reconfigure that intersection. He said Mr. Hardt mentioned the previous entryway design and we did spend extensive time on landscape and signs. He recommended putting in an internal driveway and providing enhancements as the second phase. He agreed with the others, he would not support a monument sign and believes it is easy for Starbuck's customers to find the locations. He asked if the existing drive was eliminated, if that would provide an opportunity to completely rethink the geometry of the site, suggesting flipping it 180 degrees. He said this would accomplish a couple of things with that entrance being gone: 1) direct access to the main drive instead of going around the back side of the parking lot; and 2) the north end of the lot could serve as the escape lane, using the existing pavement. He said Starbucks could interface with the driveways at the perimeter of the large parking in the same way Burger King and Wendy's/Tim Horton's does rather than taking people all the way into the site and moving around and back out again; a net loss.

Mr. Fraas asked to get a summary of everyone's thought on that.

Mr. Taylor said he was in favor of the project and his favorite part is that we would introduce a significant area of green in an area that has none right now.

Ms. Amorose Groomes said Starbucks would be an asset to this site and is supportive of the use. She said the pressure that is on the existing intersection at Perimeter Loop is intense and this will increase that intensity on that intersection, which is already operating as an "F". She cannot in good conscience put

more pressure on an intersection that is operating as an “F”. She said she would not support this going forward without a reconfiguration of that intersection and would not support holding off on landscape enhancements. She said it all needs to come in at one time for the benefit of the tenants of that center. She believes that is a high occupancy center with very little vacancies and when one tenant goes out, something comes in very quickly. She said more creative things could happen to utilize the drive aisles; she can easily see stacking of 15 – 20 cars in line for Starbucks. She understands the applicant has exceeded the stacking requirement but when this center was build, she is not sure if Starbuck’s had even hit the Midwest. She said Tim Horton’s does not have enough stacking. She sees a huge asset to that outparcel with the reconfiguration of the intersection because they can stack cars all the way to the drive aisle and they will. She agreed the building would have to match the center.

Ms. Amorose Groomes invited the applicant to ask questions and get clarity.

Ms. Newell wanted to follow up to say she was not comfortable leaving the landscaping until a second phase. She said she has seen a number of trees that are dead within the islands. Ms. Amorose Groomes commented that there are a lot of ash tree failures that have not been dealt with yet. Mr. Fraas explained the trees were treated with fertilizer that killed them and they are in the middle of a lawsuit to remedy the situation.

Mr. Fraas thanked the Commission for their input, encouragement, and support for the application. He said unfortunately, they are not in a position to move that driveway as part of the condition with the tenants. He said if they cannot do it the way it is, they might have to wait.

Ms. Amorose Groomes said we would welcome Starbucks to the community in this location and hopefully they can figure out a way to make that work with the balance of the tenants.

**2. Emerald Parkway Phase 8 – Office Building
14-027INF**

**Emerald Parkway
Informal Review**

This case was postponed prior to the meeting.

**3. Zoning Code Amendment – Notification and Adult Family Home Amendments
14-006ADMC**

Administrative Request

Chris Amorose Groomes introduced the application for a request for amending the Dublin Code of Ordinances (Zoning Code) Section 153.234(C)(3) to modify the notification requirements to be consistent with City Council Rules of Order; and Amending Chapters 153.002, and 153.073 to add requirements regarding Adult Family Homes.

Jennifer Readler said this case was tabled at the April 3, 2014 meeting with direction from the Commission for staff to meet with the residents and discuss in more detail, the residents’ concerns that were voiced at that meeting. She said they had the opportunity to meet with the residents on April 9, 2014 and discussed the case law and the state and federal regulations that govern these types of uses. She reported the residents would like a larger dispersal distance than is being proposed in the Code Amendment tonight. She said while state law permits municipalities to limit the excessive concentration, it does not define the parameters so it was suggested that the residents get the City’s assistance seeking verification for what that really means. She said they revised the Code Amendment so all the regulations are in one place.

Ms. Readler presented the proposed Code Amendment to:

- Add adult family homes as permitted uses in single-family residential districts, as required by the Ohio Revised Code (1-5 unrelated adults)

- Add adult care facilities as permitted uses in multiple family residential districts, as required by the Ohio Revised Code (3-16 unrelated adults)
- Add definitions for adult family homes and adult care facilities in section 153.022
- Add 500-foot minimum distance requirements for above facilities measured from property line to property line by shortest distance
- Require adequate off-street parking for employees
- Revise the notice requirements for rezoning hearings to provide additional methods of advertising such as the City's website or other generally accepted medium, as designated by City Council
- Place all other amendments in one new code section – Section 153.073

Ms. Readler concluded that the Law Department and Planning recommend that the Planning and Zoning Commission recommend approval of this amendment to City Council.

Ms. Amorose Groomes asked the Commissioners if there were any questions for Ms. Readler. [There were none.]

Ms. Amorose Groomes invited public comment and asked Deb Mitchell to step forward and state her name and address for the record.

Deb Mitchell, 178 Longview Drive, said she wanted to extend her presentation from the previous meeting and reiterate a few points that the residents would like to make in response to the April 9, 2014 meeting with Frost Brown Todd. She said one of the key priorities for Dublin per the City's website is a liveable, sustainable, and safe set of neighborhoods. She said one of the phrases that they have developed among the residents and used in several works by legal and planning scholars is the notion of "balanced neighborhoods" that are sustainable. She explained when the single-family nature of the neighborhoods are maintained, including diverse groups of folks living in adult family facilities as well as those living in traditional configurations, there is sustainable balance. She said based on law and research done on this shared topic, the whole notion of the law is to make sure disabled have every opportunity and right to live in residential settings along with everyone else, to live, thrive, and grow, without barriers. She said the FHAA amendments in 1988 solidified this. She said a neighborhood cannot be residential or "normal" if several adult family residential facilities are located there.

Ms. Mitchell reiterated that the neighbors welcome diversity but making sure there is that balance is also important. She stated there is no magic number and asked how much is too much. She noted that many municipalities as well as states have passed ordinances reflecting that balance is consistent with what many legal and planning scholars have said such as roughly one adult family facility per street and not clustered in any one neighborhood or area. She provided examples in several cities where they adopted the 100-feet to 1,325-feet dispersal distance ordinances to maintain balance. She said the real estate market and home values have dropped in the last five years allowing more ease for developers and entrepreneurs to buy multiple homes for adult facilities. She said she is all for capitalism but she is a neighbor, too.

Ms. Mitchell said clustering was likely to happen in Dublin without adequate dispersal distance if left at 500 feet. She noted on one particular street, a developer has actively tried to buy additional houses on that street for this use. She explained that some neighborhoods disproportionately attract some developers who wish to grow their adult family facilities in number and footprint, which will force an imbalance. She presented a map that showed an area that contained an existing adult residential facility and provided a hypothetical scenario to show dispersal of 500 feet. She said this area in mid-century Dublin could have 6 – 9 facilities, depending on where the property lines are drawn and the residents recommend more than 500 feet for dispersal and balance.

Ms. Mitchell said not much action has been taken in Ohio and asked that the City of Dublin take the leadership position. She noted that the residents do not believe a defensible, zero-risk position would ensure balance. She said they are willing to accept some uncertainty about a possible legal challenge and acknowledge a trade-off because they care about balance. She said one neighborhood is being actively pursued with two or three homes per street. She encouraged the Commission to weigh the risks with potential outcomes and presented some scenarios in the form of a decision tree.

Roger Vogel, 177 Longview Drive, said they met the other night with Legal but had questions that reflected what the residents of Dublin have. He referred to the memorandum from the Legal team that showed the main bullet points, specifically points one and three:

- Such facilities may need to be required to comply with area, height, yard, and architectural compatibility requirements that are uniformly imposed upon all single-family residents, within the district or zone.
- Adult family homes must comply with general fire and building restrictions such as area, height, yard, and architectural compatibility.

He referred to Section 153.073 of the existing Code that we are considering amending, titled Comprehensive Residential and Neighborhood Improvement. He questioned the section that deals with Home Occupation (B) and assumed that an adult family home would come under the heading of home occupation.

Ms. Readler said it would not. She explained there was a subsection that is applicable only to home occupations and state law specifically says to treat these facilities as single-family homes.

Mr. Vogel said they have to comply with area, height, yard, and architectural compatibility requirements.

Ms. Readler said that is applicable to ANY single-family home.

Mr. Vogel asked how removing garaged doors and turning garages into bedrooms is not a violation.

Ms. Readler said that is not a violation.

Mr. Vogel again challenged the architectural compatibility as it pertains to the garage and the stipulation that there should be no change in the outside appearance of the building or premise.

Ms. Readler said that only applied to home occupations.

Mr. Vogel then asked about the parking provision where home occupation parking on non-curbed streets is prohibited.

Ms. Readler said they created a parking restriction in this new amendment, requiring off-street parking for employees.

Mr. Vogel questioned the Code referring to cars of customers and so forth does not apply to the single-family homes.

Ms. Readler stated that applies only to home occupations.

Mr. Vogel said he was puzzled about the conformity.

Richard Taylor said there are a whole bunch of requirements in the Zoning Code that apply to single-family homes, beyond the section Mr. Vogel is referring to.

Mr. Vogel asked for clarification that none of these under 153.073 apply to single-family homes.

Ms. Readler said the subsection he is delineating is only applicable to home occupation. She explained the City of Dublin has a Code Enforcement Department that oversees any violations reported.

Ms. Amorose Groomes asked if there was anyone else that wanted to speak with regards to this application.

Mary Ellen Wissel, 57 Longview Drive, said she had the 1954 survey of the old Longview Addition for Longview Drive. She said a 500-foot distance between property lines would allow every fifth residential property to be an adult family home on Longview Drive. She said she was concerned with the possibility of that excessive concentration and the dispersal distance of 500 feet is not adequate or appropriate in this specific context.

Ms. Amorose Groomes asked if Ms. Readler wanted to respond at this time to the initial questions of defensibility.

Ms. Readler reported that there is a case of 500-foot dispersal decided in the 6th Circuit Court of Appeals in Michigan that struck down a 1,500-foot distance. She said the distance in dispersals is not clear but the 500-foot distance has been considered by court and upheld, which prompted the rationale behind suggesting that number.

Ms. Amorose Groomes said Ms. Mitchell made some outstanding points of the policy decisions as it relates to these and when this is forwarded to City Council, it does not become the Zoning Code. She said it goes to them to weigh in on the policy aspects, getting to the hands that it really belongs in, who are the policy decision makers for the City of Dublin who are capable of taking calculated risks. She explained that is not the role of the Commission. She encouraged them to get the best representation through their elected officials on City Council whereas the Planning and Zoning Commissioners are volunteers. She emphasized the need to stay engaged and fight for the integrity of their neighborhoods.

Ms. Newell asked if there were other ways to come up with dispersion without putting a limitation on what that distance in feet but perhaps a stipulation of one or two residence per street is permitted. Ms. Readler said there were other options such as one per street, one per block, and other different delineations besides using that firm number.

Ms. Newell asked if there were other cases found where they used another form that was upheld.

Ms. Readler answered no.

Motion and Vote

Mr. Hardt moved, Mr. Taylor seconded, to recommend approval to City Council of the Zoning Code Amendment request. The vote was as follows: Ms. Kramb, yes; Ms. Newell, yes; Ms. Amorose Groomes, yes; Mr. Taylor, yes; and Mr. Hardt, yes. (Approved 5 – 0)

4. Perimeter Center PUD, Subarea F-4 – Perimeter Center Shopping Center Sign 14-021AFDP 6644-6748 Perimeter Loop Road Amended Final Development Plan

Chris Amorose Groomes introduced the application for a request for a new joint identification sign to be located at the Perimeter Loop Road entrance for the Perimeter Center shopping center on the east side of Perimeter Loop Road, southeast of the intersection with Avery-Muirfield Drive.

Ms. Amorose Groomes swore in witnesses that intended to address the Commission on this case.

Jennifer Rauch said the applicant is proposing to install a new joint identification ground-mounted sign within the southern landscaped area at the main entrance off of Perimeter Loop Road. She presented the view looking south to show the formal evergreen hedge and stone columns that line the edge of the site where the proposed sign would be positioned. She noted the application falls well within the Zoning Code requirements of an 80-square-foot sign with a 15-foot tall height restriction. She said the proposed sign has a beige cabinet with blue push through letters, is 60-square-feet, and the overall height is 9.5-square-feet. She said Planning recommends moving the sign back into the landscape area to make it more integrated into the main entrance. She said the conditions stipulate moving the sign back to maintain the setback and the stone on the base of the sign should match the existing stone columns. She said Planning recommends approval with the two conditions. She said for joint identification signs, Code permits the shopping center name but no tenant names are permitted.

Amy Kramb said the Code states the sign can identify only the name of the shopping center and does not say anything about a secondary image. Ms. Kramb said a website address and phone number was a logo. Claudia Husak said the intent behind the Code language “only the name of the shopping center” was to prohibit the names of the tenants in the center from being identified on the sign.

Victoria Newell said she cannot support this sign. She interprets the Code to mean the name of the center only, which is consistent with the other joint identification signs with the City of Dublin.

Ms. Kramb said this was a permanent sign that says “call us and lease”. She said she was not in favor of making a permanent sign of that message.

Ms. Newell said she checked the website and this is a real estate website; so to her, this is advertising. Ms. Kramb agreed.

Ms. Amorose Groomes invited the applicant to come forward and state his name and address for the record.

Steve Hutchinson, with DDR Continental, 3300 Enterprise Blvd., Beachwood, Ohio 44122, apologized for not having the sign contractor present. He said he met Ms. Rauch previously to review the design and location of the sign, and iron out any concerns. He said this is the first time he has heard concerns about the shopping center identification including our logo and phone number on the bottom. He said their intent was to gain identification of the shopping center. He said he understands the concerns about location and it was proposed that way to get visibility from both directions and said maybe there could a different location they could mutually agree upon. He said he was more than happy to answer any questions.

Ms. Newell said she would like to see the sign integrated into that entry feature.

Ms. Kramb asked if there would be a sign on the other entrance that matches. Mr. Hutchinson said they were not proposing that at this time.

Ms. Newell said she would not support this sign.

Ms. Kramb said she would support it if we removed everything but the “Perimeter Center” text.

John Hardt said he took a different perspective but had the same outcome. He said he interpreted the Zoning Code as an issue of defining the function of a sign and his interpretation of the sign is intended to say you have arrived at Perimeter Center and this is where you turn to enter. He said this proposal goes beyond that and he cannot support it for that reason. He said he does not agree with staff’s proposed location. He said other monument signs in the area like Wendy’s, Walgreen’s, Burger King, are all incorporated into the landscape features that surround them and many of them respect the rhythm of the

stone piers and expect this sign to fall into that same nomenclature given that the shopping center is part of a larger cohesive development where great lengths have been taken to make sure the architecture and the aesthetic is consistent. He noted one of the issues they have had recently is there are a lot of signs that come in here and the graphics and the artwork look great but not when executed. He said before he could support this, he wants to see some construction details to better understand how it is fabricated and details on the materials proposed. He said it is important for the aluminum sign cabinet to interface with the stone base and handled in an elegant way. He suggested a limestone cap to match the other stone features in the area. He said he needs to see some refinement of how those materials fit together. He said he is fine with the sign in concept. He understands the center is entitled to a joint identification sign by Code and would be happy to approve one but not this one.

Richard Taylor agreed with Mr. Hardt's comment about the construction of the signs. He said construction in the field did not live up to the promise of the rendering at all. He said his comment is for the sign vendor; he does not like the sign at all. He said it belongs in front of an office park or as a great headstone. He said he did not understand the relationship of the arch or the keystone to anything in the center. He said it was a very large bland slab and a lot more could be done to make it more attractive. He explained the tenants have spent millions of dollars to improve their property and for that reason alone these tenants deserve a sign that is truly spectacular. He noted they have focused on signs a lot lately and reviewed past decisions and find this is an opportunity to do that better. He said he liked the idea of push through letters; however, everyone is doing that now. He said the success of that varies and has a lot to do with the quality of the fabricator. He said the arch comes down on top of the lettering and looks cramped, which he does not like. He said a lot more can be done with this instead of a big aluminum cabinet on top of a stone face; he would like to see some artisanship. He agreed with staff on the location. He said he would like the design to pick up the building materials and blend with the landscaping. He said he thought it could bring the architecture out to the street to better tie the sign into the site.

Ms. Amorose Groomes said she agreed with her fellow Commissioners. She said this center has a really great feel with Giant Eagle Market District and the relocation of Rusty Bucket. She said they have done a fantastic job on the interior build out and it has a very comfortable feel. She said she does not support the sign in any form or fashion based on the same criteria heard. She said she thought a great place for a sign for this center would be on the stone wall of entrance fountain with pin mounted lettering to match the feel and balance of the center. She noted the great water feature, when operational, is very attractive and can see working some letters in that area somewhere. She said coming down the road, when you get a good look at this sign, it is probably getting a little bit late to make this movement. She does not know that anyone is going to come to this center because of this sign; they will come because of the quality of tenants that are in the building. She said it would be appropriate to do something outstanding and not a monument sign.

Ms. Amorose Groomes invited public comment with respect to this application. [There were none.] She said at this point we can either vote or possibly table this case.

Mr. Hutchinson requested this proposal be tabled.

Motion and Vote

Mr. Hardt moved, Ms. Newell seconded, to table this case. The vote was as follows: Mr. Taylor, yes; Ms. Krumb, yes; Ms. Amorose Groomes, yes; Ms. Newell, yes; and Mr. Hardt, yes. (Approved 5 – 0)

5. Perimeter Center PUD, Subarea E – Chase Bank – Sign Modifications
14-023AFDP **6271 Perimeter Drive**
Amended Final Development Plan

Chris Amorose Groomes introduced the application for a request for the replacement of two existing ground signs for the Chase Bank located at the southeast corner of Perimeter Drive and Avery-Muirfield Drive.

Ms. Amorose Groomes swore in witnesses that intended to address the commission on this case.

Jennifer Rauch said this proposal is for modifications to two existing ground sign cabinets for Chase Bank. She noted the existing sign locations and bases will remain. She said the first ground sign is located adjacent to this private drive off of Perimeter Drive and the second ground sign is along the Avery-Muirfield Drive frontage, about halfway down, behind the bike path. She said Code permits two signs for lots with two frontages with a total of 66.5 square feet for sign area and a maximum height of 9 feet as measured from the curb. She said typically, sign modifications can be made at a staff level but those modifications are limited to a sign face change that does not alter the height or the area which the total of this proposal does.

Ms. Rauch presented the sign along the Avery-Muirfield Drive frontage showing the existing sign on the left side of the screen and the right side showed the proposed sign image. She explained for both of the signs proposed, the brick base would remain and the internally illuminated cabinets with black aluminum face with white push through letters will be altered. She said the sign height will be increased from 5 feet, 9 inches to 7 feet, 5 inches and the square footage will be increased from 26 square feet to 41 square feet with the 3-foot tall brick base. She noted both signs are located on a mound and this first sign being discussed has a mound of about 1.5 feet, which brings the total height of close to 9 feet. She said this proposed sign includes secondary images at 5 percent of the proposed sign face. She presented the second sign, located on Perimeter Drive, to show the cabinet will be extended to meet the brick base removing an existing 4-inch gap between the sign cabinet and the base. She noted the square footage remains at 24-square-feet, and 4 feet, 10 inches in height. She said this was located on a more significant mound, which is about 3.5 feet but also under that 9 foot height requirement as measured from the curb. She said the proposed sign includes secondary images and lettering at 18 percent of the proposed sign face that include a line, logo, and text that reads *Chase Private Client*.

Ms. Rauch said Planning is recommending approval as it meets criteria for an Amended Final Development Plan, with conditions. She said the applicant is present to answer any questions.

Victoria Newell questioned the approved development text of 9 feet or 8 feet.

Ms. Rauch said they included the general requirements which are at the beginning of the document, which stipulate an eight foot height requirement but when you scroll through to Subarea E, there are more specific sign requirements which permit 9 feet above grade and referred her to the 10th page of her overview, starting with the word "graphics".

Ms. Newell said the only reason she asked her to pull this case from the consent agenda was she thought the sign was too high but is more comfortable with the sign now and consistent with the surrounding properties.

Ms. Amorose Groomes asked Amy Krumb if she had any comments while she sorted through her notes and Ms. Krumb responded that she did not.

John Hardt confirmed if old cabinets were being replaced. He referred to a note on page 5 about painting the existing sign cabinets and requested clarification. He said on the previous case he had commented on the sign connecting to the base. He said the new cabinets being proposed are high quality and he was appreciative of that. He said he is willing to grant a little bit of latitude of dimension by a couple of inches to get those cabinets to sit on the base properly. He asked if the new signs are to be internally illuminated with LED lights and are they currently.

Jim Hartley with Signcom, Inc., 527 W. Bridge St., confirmed they are internally illuminated and the light fixture in the photo must be leftover for signs prior to the existing cabinets as they were non-illuminated cabinets with external illumination.

Mr. Hardt said at a minimum, those external flood lights are not active and would prefer that they are removed.

Richard Taylor noted the basic concept of these signs is similar to the previous case, in that we have a large slab. He said unlike the previous case, where we have a simple sign that was not successful, this proposal is an example of a simple sign that is successful as it is clean, simple, straightforward. He said the cabinet details are still important, the edges where things come together. He said if it looks like one giant chunk of black granite, then he would give it a "thumbs up".

Mr. Hardt said the existing sign on Avery is pretty good.

Ms. Amorose Groomes requested to see the slide with the sign that had all of the text on it. She reported that she spent some time on the Private Client website today and it clearly states at the bottom of their website that they are an affiliate of Chase but they are not part of Chase and none of these funds are FDIC insured and clearly a separate business venture. She said this is an investment group and is uncomfortable adding the text of the *Chase Private Client* on the bottom of this sign. She said per the website and you click on the locations of their Private Client group, they also list different locations and anticipate we will get sign change requests at all those other locations, too, as this is a relatively new launch for Chase. She noted in the development text, it states where more than one tenant occupies the building, there should be one sign identifying the name of the building only. She is concerned if we get multiple business ventures, it is similar to our grocery stores with adding Starbucks and other businesses inside them of everyone wanting a piece of the sign on the outside. She said she cannot support this sign as she believes this does not meet the text. She said the website clearly states this is a different operation from Chase Bank.

Ms. Rauch said that was not her impression. Mr. Hartley said he did not know all the legalities of it and asked if he could produce something that proved they were an entity of Chase, and not a separate tenant, would that satisfy the Commission.

Ms. Amorose Groomes said they are an affiliate for sure but what constitutes an affiliate and what constitutes a tenant. She said Starbucks could probably say they are an affiliate of Kroger but admitted that was probably not the best example but emphasized she thought they were treading on a slippery slope.

Ms. Kramb said the Fifth Third on Rt. 161 offers four different services.

Mr. Hartley said it would be similar to saying Photo inside of Kroger and not Starbucks. He said it is expressing one of the entities in there, not a separate entity.

Ms. Newell said Huntington's name directly across the street has a similar condition whereas they have a reference to personal investment but cannot remember what that exact phrase is but she knows it is subtext below the Huntington sign.

Mr. Hartley said he understands the concern about listing tenants and respects the Code and if we felt that was a tenant, he would not list it.

Ms. Amorose Groomes reiterated that was her issue and did not know if anyone agrees with her.

Mr. Taylor said that maybe the situation Ms. Newell mentioned, it may be more of a service provided by that company, but was uncertain.

Ms. Newell said when she reviewed this prior to the meeting, she had thought of Huntington across the street and thought if it was permitted there, she would not have an objection to it.

Mr. Taylor said that had not occurred to him but now that the issue is out there, he would like to find out more about this Private Client and move this to another meeting.

Ms. Husak said at the Huntington, they are the only tenant.

Ms. Amorose Groomes said they do not do banking operations at that location.

Ms. Husak said there are two Huntington Banks, one at this northern site that is just a bank facility and then at the very end of that building, they provide only financial services.

Mr. Taylor said he likes the signs a lot and Ms. Amorose Groomes said she did not dislike the sign at all. Mr. Taylor invited a legal opinion so not to set a bad precedent.

Mr. Hartley said he thought the second line was just a way for Chase to advertise their investment entity but not a separate entity, but whatever pleases the Board.

Jennifer Readler suggested a condition where we look into to ensure there is not a separate tenant situation.

Ms. Amorose Groomes said she is pretty sure they are separate and is not real comfortable with a condition.

Mr. Harley said if it is found to be separate, he could do a different design of the sign.

Ms. Kramb asked if a condition would be put on it as long as Chase Private Client was not a tenant or do they need to come back.

Ms. Amorose Groomes said she could not vote for a sign when she does not know what the text is going to look like.

Ms. Kramb said they would have to come back for a new sign if it turns out there is some type of corporate agreement between them.

Mr. Taylor said he would rather not condition it and would like the situation reviewed and brought back.

Ms. Rauch said she would like to investigate as there are other buildings that have multi-tenant signs in the area. She said they have two different signs on the same base but is not clear what subarea they are in.

Mr. Hartley said they have been updating this sign all over Columbus with this tagline so it is possible that other branches will be updated.

Ms. Amorose Groomes said, according to the Private Client website, there are four additional locations.

Ms. Rauch said the development requirements for those locations may be different based on their zoning.

Mr. Harley asked for this case to be tabled.

Ms. Amorose Groomes invited public comment at this time as the case was heard somewhat out of order.
[Hearing none.]

Motion and Vote

Mr. Taylor moved, Mr. Hardt seconded, to table this case. The vote was as follows: Ms. Amorose Groomes, yes; Ms. Krumb, yes; Ms. Newell, yes; Mr. Hardt, yes; and Mr. Taylor, yes. (Approved 5 – 0)

Communications

Ms. Amorose Groomes asked if there were any communications to be relayed and discussed. [There were none.] Ms. Newell asked if Amy Salay was the new Commissioner. Claudia Husak said it was announced Monday night that as an elected Council representative, she was appointed to the Planning and Zoning Commission. Ms. Husak said that in the past, this has greatly improved communication between the two bodies.

Ms. Husak said Mr. Budde will be out at the next meeting and asked the Commission how they would like to schedule the election of officers. Ms. Amorose Groomes stated that the Rules require they do it in the month of April or as soon as feasible. She requested that it was removed from tonight's agenda as there were two folks absent. She said Ms. Salay had indicated tonight was the only meeting she had a conflict in the near future. Ms. Amorose Groomes proposed that they wait until Mr. Budde is back as it is an important decision and everyone should have a vote. Jennifer Readler said it was within the Chair's discretion. Ms. Newell agreed it was a courtesy to other members to wait until everyone was in attendance.

Commission Roundtable Discussion

Ms. Amorose Groomes asked if there were any items for a roundtable discussion. Ms. Newell noted the Appearance Code and the Home Occupation sections, which needed to be discussed and asked that it be moved to the forefront and not put off for too much longer. Ms. Amorose Groomes agreed it was long overdue and there have been significant changes in materials, etc. She asked if a target date could be set. Ms. Husak asked if they could have time to discuss. Steve Langworthy asked if the Appearance Code would just be addressed. Ms. Amorose Groomes said yes, generally speaking, a wide scope. Ms. Husak proposed the first meeting in June to start a discussion. Mr. Taylor said there is an industry in town that will be dramatically affected so he recommended they have enough meetings that we include a representative from the building industry. Ms. Husak said the chief building official is an architect and has been engaged on Tartan Ridge architectural issues.

Mr. Hardt referred to a communication received earlier today that the ART had approved an OU sign. He asked to see the graphics. Ms. Husak said the PZC agenda for May 1 would go out tomorrow. She said there are two things these signs entail that require action by the PZC and you will have that information for your next meeting. Mr. Hardt said he would wait for the packet information. He said he was a little confused about which parts the ART approved and what action is needed from the PZC but understood that would all be discussed later.

The meeting was adjourned at 8:30 p.m.

As approved by the Planning and Zoning Commission on May 15, 2014.