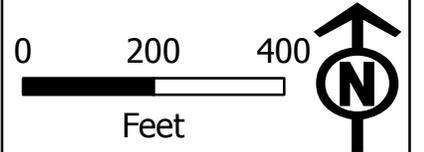


14-110AFDP
 Amended Final Development Plan
 Nationwide Insurance
 5525 Parkcenter Circle





City of Dublin

Land Use and Long
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PLANNING AND ZONING COMMISSION

RECORD OF ACTION

FEBRUARY 7, 2013

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

**1. Tuttle I-270 PUD - Nationwide
13-001AFDP**

**5525 Parkcenter Circle
Amended Final Development Plan**

<p>Proposal:</p> <p>Request:</p> <p>Applicant:</p> <p>Planning Contact:</p> <p>Contact Information:</p>	<p>Replacement an existing ground sign located along Parkcenter Circle for the Nationwide office building within the Tuttle I-270 Planned Unit Development District.</p> <p>Review and approval of an amended final development plan under the provisions of Zoning Code Section 153.050.</p> <p>DP Parkcenter Circle LLC, represented by Stanley Young III.</p> <p>Jennifer M. Rauch, AICP, Planner II.</p> <p>(614) 410-4690, jrauch@dublin.oh.us</p>
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MOTION#1: To approve this Minor Text Modification allowing the secondary image size to be 45 square feet for a sign along Parkcenter Circle within Subarea A of the Tuttle I-270 PCD for the tenant occupying 5525 Parkcenter Circle at the time of the approval of this application because the proposed sign is designed with creativity and high quality materials and fabrication.

* Stanley Young III agreed to the modification.

VOTE: 7 – 0.

RESULT: This Minor Text Modification was approved.

RECORDED VOTES:

Chris Amorose Groomes	Yes
Richard Taylor	Yes
Warren Fishman	Yes
Amy Kramb	Yes
John Hardt	Yes
Joseph Budde	Yes
Victoria Newell	Yes



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PLANNING AND ZONING COMMISSION

RECORD OF ACTION

FEBRUARY 7, 2013

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

**1. Tuttle I-270 PUD – Nationwide
13-001AFDP**

**5525 Parkcenter Circle
Amended Final Development Plan**

Proposal: Replacement an existing ground sign located along Parkcenter Circle for the Nationwide office building within the Tuttle I-270 Planned Unit Development District.

Request: Review and approval of an amended final development plan under the provisions of Zoning Code Section 153.050.

Applicant: DP Parkcenter Circle LLC, represented by Stanley Young III.

Planning Contact: Jennifer M. Rauch, AICP, Planner II.

Contact Information: (614) 410-4690, jrauch@dublin.oh.us

MOTION#2: To approve this Amended Final Development Plan application because it complies with Code, as modified the applicable review criteria and the existing development in the area, with one condition:

- 1) That any future sign modifications require approval by the Planning and Zoning Commission.

*Stanley Young III agreed to the above condition.

VOTE: 7 – 0.

RESULT: This Amended Final Development Plan application was approved.

RECORDED VOTES:

Chris Amorose Groomes	Yes
Richard Taylor	Yes
Warren Fishman	Yes
Amy Kramb	Yes
John Hardt	Yes
Joseph Budde	Yes
Victoria Newell	Yes

STAFF CERTIFICATION

Jennifer M. Rauch, AICP
Planner II

Communications

Claudia Husak reported that City Council approved the rezoning for the retail project on Perimeter Drive that Paul Ghidotti brought to the Commission a couple of months ago. She said that they are looking forward to beginning construction soon.

Ms. Husak confirmed that everyone interested is registered for the APA Conference.

Ms. Husak said that in light of every Commissioner being fairly comfortable using their City-issued iPads, the goal was to do away with paper materials, other than the plans which are supplied by the applicants, beginning with the March 7th Commission meeting, unless the Commissioners want to start next week. [No one responded.] She said if there are any issues, contact her or call her to let her know they are stopping by the office for help. Ms. Husak said naming conventions, or anything else that can be done to help troubleshoot can be sent to her via email. She said she would be happy to hear the suggestions, because she is looking at everything from how she uses it and she did not want to prescribe to the Commissioners at all. She asked that if there are issues, they should let Planning know so that they can work on them.

Amy Kramb asked that the naming convention discussion be delayed until the Commission Roundtable.

Administrative Business

Ms. Amorose Groomes announced that the three cases on the agenda were all eligible for consent.

Richard Taylor said he would like to discuss all three cases.

Victoria Newell referred to the email sent by Mr. Hardt earlier today and asked what was the response to his question. She said she had the same concern as Mr. Hardt, and was wondering what was precipitating that application.

Ms. Husak said that for Case 3 - Celtic Crossing, a communication from Planning was sent to the Commissioners members earlier today in the DropBox folder and paper copies were available.

Ms. Amorose Groomes determined that the three cases would be heard in the order of the published agenda. She briefly explained the rules and procedures of the Planning and Zoning Commission.

1. Tuttle I-270 PUD - Nationwide 13-001AFDP

5525 Parkcenter Circle Amended Final Development Plan

Chair Chris Amorose Groomes introduced this application requesting to replace an existing ground sign located along Parkcenter Circle for the Nationwide office building within the Tuttle I-270 Planned Unit Development District. She said the application will require two motions.

Ms. Amorose Groomes swore in those intending to address the Commission in regards to this case including Stanley Young III, Columbus Sign Company, 1515 East Fifth Avenue, Columbus; representing the applicant, DP Parkcenter Circle LLC, 600 E. 96th Street, Suite 100, Indianapolis, Indiana, and City representatives.

Jennifer Rauch presented this application for review and approval of an amended final development plan, which requires a text modification. She said the existing two; five-story buildings are connected by a glass atrium. She said access to the site is provided off Parkcenter Circle.

Ms. Rauch said the site currently contains two signs. She said for the existing sign located on I-270 is not proposed to change as part of this proposal. She said the subject of this application is the replacement of

the sign located in the entrance island off Parkcenter Circle with a sign that matches the design of the sign on I-270. She said the proposed sign includes the logo for Nationwide, which is the blue frame with the center removed, and the Nationwide copy on the bottom. She said the proposed sign meets Code with the exception of the size of the secondary image. She said ten feet is the overall height, and they are permitted up to a 15-foot high sign. Ms. Rauch said as proposed, the sign meets location and color requirements.

Ms. Rauch said given the unique design of the sign with the opening in the center, it was determined by Planning that they would calculate the area of this sign in terms of the logo without the empty space inside the blue rectangle. The logo size would then be 14.5 square feet, larger than the maximum permitted secondary image size, which is 10 square feet, so a text modification is required to accommodate that. Ms. Rauch said that Planning is recommending approval for modification of the development text to permit the secondary image size at 25 percent of the maximum permitted area for this subarea of the text, and is also recommending approval of the amended final development plan with no conditions.

Stanley Young III, Columbus Sign Company, representing the applicant DP Parkcenter Circle LLC, said that Nationwide in trying to continue their effort to maintain a consistent identity, want to replace the sign and bring it into conformance with the image that they want to present. He said the proposed sign represents a sign that is currently available, and if approved by the Commission, it would be submitted for a sign permit before installation.

Ms. Amorose Groomes asked if anyone wished to make any public comment regarding this application. [There was none.]

Amy Kramb asked how the size of the square on proposed sign compared to the one on I-270, which looked huge.

Ms. Rauch said that the overall area of the sign on I-270 is 77 square feet.

Ms. Kramb noted that the proposed sign is 43 square feet and asked if the area is measured the same.

Ms. Rauch confirmed that was correct if they were measuring around the perimeter of each sign. She explained that since the sign was on I-270, an increased square footage is allowed, so they are permitted up to 80 square feet.

Richard Taylor said he had big concerns about this because this was not the way that we have measured sign areas in the past. He said that the Commission has seen numerous signs and presentations about how sign areas are calculated. He recollected using a case with channel letters as a good example that they drew a large square around the whole sign, and the area of the sign that is within that bounding box where it touches the edges of the sign. He said that they have not picked out the circle in the middle of the 'O' or the space between the letters, or any of that kind of thing. Mr. Taylor said that the space between that is as much a part of the sign as anything else. He said if it was transparent glass, it would be the same. He said in his opinion, the size of the secondary image on this proposed sign is 43 square feet, which is four times what is permitted, not 14 square feet. Mr. Taylor said that he could not support a sign that large.

Warren Fishman said if approved, this would start a dangerous precedent. He asked if the sign on I-270 met Code.

Ms. Rauch explained that the I-270 sign was measured using the outer edges of the sign and no account was taken for it being Nationwide's logo because they said that was the frame of their sign. She said that interpretation could have been taken for this sign as well, but their logo is Nationwide's sign. She said

they could be permitted up to 50 square feet if Planning were going to interpret it this way. She said that on I-270 the sign area, including the blue frame and everything, totaled 80 square feet and it was not accounted for that being a logo. She said typically, the blue square would be limited to 20 percent of those 80 square feet, and that was not how the existing I-270 sign was constructed or approved. Ms. Rauch said that Nationwide's other signs in other locations are calculated the same way as the I-270 sign. She said however, given the recent discussions between the Commission and Planning about logos and how they are going to be calculating that, Planning interpreted this proposed sign this way. She said that for the Audi sign, they removed the internal part of the rings for Audi, and approved that proposed sign with their logo as well.

Claudia Husak said that previously when the Nationwide signs were approved, the blue square was not considered as a logo.

Ms. Amorose Groomes said she did not know that the logo relation to the text is really the concern. She said she thought the greatest concern was the calculation omitting the interior portion of the sign. She said she thought the relationship between text and logo is less important than the overall size of the sign.

Ms. Rauch said if the Commission did not want to interpret it that way, the applicant would either have to shrink the entire sign because the logo would have to be 20 percent or it could be calculated the way it has been calculated in every other instance for the sign with 50 square feet permitted, not considering it to be a logo.

Ms. Kramb asked what the total area of the proposed sign would be if calculated the other way.

Ms. Rauch said it would be 43 square feet. She said what was permitted per Code is 50 square feet.

Ms. Kramb said she was more comfortable calculating the sign area as it had been done previously, and not changing the text to allow a large secondary image. She said she had no problem with the look of the sign, but she thought it was a little large for what was needed. She reiterated that she was not willing to change the text to allow this sign.

Victoria Newell said she agreed. She said if the area was subtracted out for other signs, it would become too complicated to look at a proposed signs consistently and fairly.

Ms. Amorose Groomes said that Mr. Taylor's description of channel letters was very illustrative of that cutting out the middle of every 'O' and 'P' could become very confusing at the minimum.

Ms. Newell noted that the proposed sign at the entry drive was higher than the sign being replaced. She asked if it would be located past the sight visibility triangle.

Ms. Rauch confirmed that the Engineering had determined that the proposed sign was set back far enough to meet that requirement.

John Hardt said he had nothing against the great corporate citizen, Nationwide Insurance and wanted to be as helpful as possible. He said he thought the sign was very creative. He said however, the problem was with the paper trail that will be created. He said he would like to find another way to do this. Mr. Hardt said he agreed with Mr. Taylor that every single channel letter sign the Commission has seen had holes in it, and they have never discounted the hole. He said to take this proposed sign and measure it like every other sign at 43 square feet it would meet the Code and the only hurdle is how to measure the secondary image.

Ms. Newell asked if it was felt that they would be providing the same consistency to this applicant since the way their existing sign was viewed previously when it was committed.

Mr. Hardt said this is a PUD, and they are requesting an amendment to a final development plan for a sign that is unique. He said it seemed that somewhere there was an opportunity to approve this specific sign.

Ms. Husak suggested that the only thing they could do was to say that it is not the logo or a secondary image, otherwise, they will have to modify the text.

Mr. Hardt said although it was not germane to this case, he did not realize that the Audi logo was calculated the same way, and he was really disappointed to hear that. He said he would not have voted for it if he had known that. He said if it was included in the Planning Report, he missed it or it was absent. Mr. Hardt said he was open to suggestions on different ways to get a conclusion that this applicant wants.

Mr. Taylor pointed out that the proposed text amendment would increase the sign area from 20 percent to 25 percent. He said the other interpretation is that this is not a secondary image, and if not, this is all moot because it is an acceptable sign without any issues. Mr. Taylor said that a secondary image typically would be a sign shape with text and an additional graphic or something that is a secondary image. He said it seemed acceptable to him that if this was a large sign and on the left side, it had a square with Nationwide inside, that would be considered a secondary image on the sign. Mr. Taylor said in this case, it seems that the secondary image and the sign are the same thing. He said if it was considered that this is just a big blue sign cabinet with a big hole in the middle with the word 'Nationwide' on it and there is no secondary image involved, it was acceptable. He said he understood that Nationwide intended it to be their logo and it is used as their logo, but it may not be being used as a logo in this particular case.

Mr. Fishman asked if it was a solid blue sign would it meet the Code.

Ms. Amorose Groomes said at 43 square feet it would be meet Code.

Ms. Kramb said that it came down to the definition of a secondary image.

Mr. Taylor suggested that the problem was that it was being called a secondary image, which it would be if it were on a larger sign field, but it is not.

Mr. Hardt said that hypothetically, if this were H&R Block and that was a green square without a hole, it would be exactly what was being described, and it would meet Code.

Ms. Husak pointed out that the green block was the H&R Block logo. She said that the Nationwide blue square is their logo, and a logo is a secondary image.

Ms. Amorose Groomes asked for solutions to be suggested that would create a proper paper trail.

Ms. Husak said that the only option that Planning sees if the Commission is okay with the sign at the proposed size with this arrangement is to amend the text to allow secondary images to be 43 square feet.

Ms. Kramb said she was not willing to amend the text because of future applications that might be submitted. She reiterated that she was okay with the proposed sign, but not with the signs of the next tenant in the building.

Mr. Hardt asked if there was a mechanism that they could amend the text to allow secondary image in the case of this user, and not future users.

Ms. Readler said she thought that with any text there is always going to be the argument about consistency and the application of it, but she thought they could put limitations because they are making modifications to the text that work consistently if they approve that any new sign will have to come in subsequent reviews that are necessary.

Steve Langworthy suggested there could be the caveat that other Nationwide signs on the campus are computed in the same way and that way it would be consistent.

Mr. Readler said then, they would have more substantiation for allowing for interpreting it this way for one particular sign and not creating precedent in any way, but calculating it and construing it as secondary images, and they need to be careful of that.

Ms. Amorose Groomes said she thought it was important that we communicate that we calculate this sign as a whole, and not a circle. She said that she personally would like not to ever see another sign come before the Commission calculated in that manner again. She said she also missed it on the Audi sign. She said although the Commission had discussed handling signs with secondary logos differently, they were letting the secondary logo images become larger, but she did not recall them ever talking about not calculating all of the area.

Ms. Newell said she did not think it was clear to any of the Commissioners the last time. She said she did not even remember that being presented that Planning subtracted a portion of the area when they looked at the rings in the Audi sign.

Ms. Amorose Groomes reiterated for the record that she did not want to ever see another sign before the Commission calculated this way. She requested that Ms. Readler to suggest the best way to get from Point A to Point B.

Ms. Readler said the best mechanism to add would be a condition on the amended final development plan approval, and that Ms. Husak was drafting one.

Mr. Taylor suggested a way to determine a secondary image was that it had to be secondary to something, and this is not secondary to anything. He said this was primary in this case that also happens to be a logo, and maybe the Audi sign was also calculated that way. He said it did not say 'Audi' on the sign, it just had the four rings so that was the sign.

Ms. Kramb said when the secondary image is the whole sign, then it should be considered differently.

Ms. Amorose Groomes asked if every logo is a secondary image or if it is just a logo, is it then the primary image.

Mr. Taylor said he thought they all agreed that the sign was not too big. He said it was just an esoteric question if it was a secondary image and how big it was, and if there are signs relating to them. He said he was willing, unless it was felt it would cause problems in the future, to consider this as being a blue sign with a hole in it and the word 'Nationwide' at the bottom and there is no secondary image, in which case it goes away.

Mr. Langworthy said that would be the cleanest way to handle it.

Ms. Kramb agreed.

Mr. Taylor said he was not in favor of continually granting exceptions and a little here and there because it erodes the paper trail and consistency that we are trying to have.

Ms. Newell pointed out that McDonald's sign with golden arches could be interpreted as a logo or the whole text that spells out their name. She said this proposed sign is similar because it says 'Nationwide' as part of that logo and how has been consistently measured and applied when they are looking at measuring that logo.

Ms. Amorose Groomes said in particular, some of the McDonald's signs just have the 'M' without a red backdrop or anything.

Ms. Newell asked if they clearly saw the 'M' as a logo and it was a logo when it is a part, so is this a logo when it is Nationwide's name.

Ms. Readler said if it was their goal was to make signs like this not be construed as the secondary image, they may need to tweak that language a little and just doing a brief review of the definitions because of the way they interplay, not necessarily from the secondary image definition.

Ms. Newell clarified that her question was in terms of how Planning has reviewed something like McDonald's where there are both a recognizable logo image that is included with the name of the company.

Ms. Husak said that a business name is a business name and would by definition be considered the primary image. She said if it is 'McDonald's' including the arch, it is the business name. She explained that if it was just the 'M' arches, then they would look at it as a secondary image or as their logo. She said it was the business name that is exempted from the definition. She said that was a conversation the Commission had when they were discussing the logos, sizes, and colors of logos.

Mr. Taylor referred to the comment Mr. Hardt made earlier about this being a creative sign. He recalled that the Commission discussed creative signs, but they never fully vetted out whether fish, bicycles, and all that would be considered secondary images. He recalled that in the Bridge Street Corridor, they were interested in having signs as much as they could reasonably do so, that reflected the nature of the business in the actual design of the sign, and not just logos and text. He said maybe this is an example of exactly that in they have a creative sign and the shape of the sign reflects the nature of the business that qualifies as a secondary logo. Mr. Taylor said as a group, the Commission and Planning agree, maybe the solution here is to disapprove this application and let it go with a sign that meets the Sign Code.

Ms. Kramb said she would like to limit the text modification to the tenant, Nationwide. She said she was okay with the sign proposed, but she did not want to leave the door open for all future logos for other tenants. She said she agreed with Mr. Taylor's idea that because there is no primary image, then the secondary image becomes the whole sign and it is just a sign that meets Code.

Ms. Rauch clarified that the 'Nationwide' text was the primary image as defined by the Code because that was their business name.

Mr. Taylor said the question was, 'Is there a secondary image?'

Ms. Amorose Groomes said that everything without the word 'Nationwide' was considered a secondary image. She said that if it did not say, 'Nationwide' on the sign, there could an argument, but it does.

Ms. Newell said that was what she was getting to in terms of McDonald's because we interpret when the 'M' is included with the text that it is not considered a secondary image, and that is what she thought they had in this instance.

Ms. Amorose Groomes said although on the whole, it meets the Code, but it does not meet the letter of the law.

Ms. Kramb said that it meets the number, but does not meet the definition.

Ms. Newell said if it was a big blue box, the proposed sign would be fully compliant with the Code, and there would be no issue.

Ms. Rauch proposed the following text modification:

1. To allow the secondary image size to be 45 square feet for a sign along Parkcenter Circle within Subarea A of the Tuttle I-270 PCD.

Ms. Kramb said she was satisfied but wanted to make sure the condition is specific to this tenant.

Ms. Newell requested that something be added to the text in regards to the uniqueness of the sign.

Mr. Hardt referred to the Code, 'Signs shall be designed with a maximum of creativity and the highest volume materials and applications.' He said that fact that they are meeting that standard was why he was okay with what they were seeing.

Ms. Newell said that it should be put in the text because it is unique. She suggested copying the Code and including it in the development text.

Mr. Taylor said the potential problem will be that either the Commission or Planning will be placed in the position of informing an applicant that they do not like a sign someone else thought was a creative sign.

Ms. Newell said that when aesthetics and creativity are applied it is always going to create a subjective interpretation from them.

Ms. Rauch proposed the following language for the Minor Text Modification:

1. To allow the secondary image size to be 45 square feet for a sign along Parkcenter Circle within Subarea A of the Tuttle I-270 PCD for the tenant occupying 5525 Parkcenter Circle at the time of the approval of this application because the proposed sign is designed with creativity and high quality materials and fabrication.

Mr. Hardt asked if Nationwide was indeed a 'tenant.'

Mr. Young confirmed that Nationwide was a tenant.

Motion #1 and Vote - Minor Text Modification

Mr. Taylor moved to approve this Minor Text Modification allowing the secondary image size to be 45 square feet for a sign along Parkcenter Circle within Subarea A of the Tuttle I-270 PCD for the tenant occupying 5525 Parkcenter Circle at the time of the approval of this application, because the proposed sign is designed with creativity and high quality materials and fabrication.

Mr. Young, on behalf of the applicant, agreed to the Minor Text Modification.

Ms. Newell seconded the motion.

The vote was as follows: Ms. Kramb, yes; Mr. Fishman, yes; Ms. Amorose Groomes, yes; Mr. Hardt, yes; Mr. Budde, yes; Ms. Newell, yes; and Mr. Taylor, yes. (Approved 7 – 0.)

Motion #2 and Vote - Amended Final Development Plan

Mr. Taylor moved to approve this Amended Final Development Plan application because it complies with Code, as modified the applicable review criteria and the existing development in the area, with one condition:

- 1) That any future sign modifications require approval by the Planning and Zoning Commission.

Stanley Young III, on behalf of the applicant agreed to the above condition.

Ms. Kramb seconded the motion.

The vote was as follows: Ms. Amorose Groomes, yes; Ms. Newell, yes; Mr. Fishman, yes; Mr. Hardt, yes; Ms. Kramb, yes; and Mr. Taylor, yes. (Approved 7 – 0.)

**2. Lowell Trace – Section 2 - Lots 62, 63, and 64
12-088AFDP/FP**

**6432 and 6444 Phoenix Park Drive
6455 Newgrange Drive
Amended Final Development Plan/Revised Final Plat**

Chair Chris Amorose Groomes introduced this application requesting a modification to an approved development text to revise the No-Build Zone requirements for three developed single family lots and to revise the Final Plat accordingly. She said the site is located north of Phoenix Park Drive, west of Newgrange Drive, and west of the intersection with Tullymore Drive. She said the application will require three motions. Ms. Amorose Groomes said that the Commission is the final authority on the proposed text modification and final development plan and the revised final plat will be forwarded to City Council on the Commission's recommendation.

Ms. Amorose Groomes swore those intending to address the Commission in regards to this application including the applicant Christopher Cline, Blaugrund, Herbert, & Martin, (300 West Wilson Bridge Road, Worthington, Ohio) and City representatives.

Claudia Husak said that Planning was approached by the new owner of Lot 64 who was trying to get a zoning clearance prior to or after purchasing this residence. She explained that there was a deck located in the No-Build Zone (NBZ), and to receive a clearance from Zoning for this lot the only available avenue is to change the NBZ created on the plat. She presented a graphic showing the distance of the existing NBZ for the three lots. She noted that the surrounding lots have 35-foot NBZ to the north and a 30-foot NBZ to the west. She said this proposal is to continue those two lines and take the hatched area on the approved Final Plat out of the NBZ.

Ms. Husak said that the Minor Text Revision requested is in the Development Text and graphics showing how the lots are laid out and created and where setbacks are supposed to be and where houses are supposed to be are included in the meeting packets. She pointed out that one of the graphics had a note saying 'That No-Build Zones should be 100 feet from the right-of-way for lots that are not corner lots.' She demonstrated where the 100-feet from the right-of-way would have been measured from the line back. Ms. Husak said that Planning is recommending a text modification to no longer require these three lots to have to adhere to that note in the development text.

Christopher Cline, Blaugrund, Herbert, & Martin, said that this was a February 1988 rezoning. He explained that the NBZ mentioned in the text says no fences or outbuildings, so the deck and the at-grade patio was the issue raised by the title company. He said as a real estate lawyer, that it was not a fence or an outbuilding, and that is okay and it has been since the house was built in the 1990s. Mr. Cline said the problem they had now is that there are different definitions of NBZs.