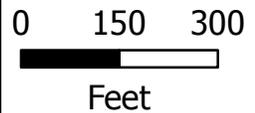


City of Dublin

15-022FDP/CU/PP/FP
 Final Development Plan/ Conditional Use/
 Preliminary Plat/ Final Plat
 Northstar Retail Outparcel
 7730 Sawmill Road



PLANNING AND ZONING COMMISSION

RECORD OF ACTION

JUNE 10, 2010

1. **NE Quad PUD, Subarea 5B – Chase Bank** **Sawmill Road & Summer Drive**
09-054FDP/CU **Final Development Plan/Conditional Use**
Continued

MOTION #2: To approve this Conditional Use application because it complies with the conditional use review criteria.

VOTE: 6 - 0.

RESULT: This Conditional Use application was approved.

STAFF CERTIFICATION



Claudia D. Husak, AICP
Planner II

**1. NE Quad PUD, Subarea 5B – Chase Bank Sawmill Road & Summer Drive
09-054FDP/CU Final Development Plan/Conditional Use**

Chris Amorose Groomes introduced this application involving a 4,210 square-foot bank with a drive-thru and associated site improvements on a site located on the west side of Sawmill Road, approximately 150 feet south of the intersection with Emerald Parkway. She said the application consists of two components, the final development plan and the conditional use, and two motions will be required. She swore in those intending to address the Commission in regards to this application, including Ben W. Hale, Jr., Smith & Hale, LLC and Kerry Reeds, MSI, representing the applicant, Thomas N. Moffatt, Chase Bank, and City representatives.

Claudia Husak highlighted the changes made to this application, based on the Commission's comments made when it was tabled at the April 8, 2010 meeting. She reviewed the site and surrounding area. She said the changes included the indication of the final development plan of the temporary drive that is serving the bank from an access point that has been approved by the City in 2004 as part of the Northeast Quad, Subarea 5A and B traffic study, which was rezoned in 2005. She said the drive-thru exit lanes have been decreased to a 35-foot width as requested. She said four parking spaces have been removed in the northeast portion of the site and four spaces were removed off the entry drive in the southwestern portion of the site. Ms. Husak said the applicant wants to keep some spaces closer to the front door, but overall, the parking has been reduced by eight spaces. She said connections of bikepaths have been smoothed out and made easier to navigate. She said a fountain has been included to aerate the pond water. Ms. Husak said tree replacement has been done on-site and on the overall outparcel. She said the architecture and signs have changed, based on the Commission comments from April.

Ms. Husak addressed Commission questions from the April meeting. She said the distance between the two proposed curb cuts on Summer Drive is 175 feet. She said the western access point along Summer Drive is directly opposite the access point to the Kroger store, and this applicant has sought and proposed a new traffic study is the right-in/right-out access point on Summer Drive as well as a right-in/right-out access point on Sawmill Road. She said these two access points were not contemplated by the 2004 traffic study, but are proposed as part of this final development plan for Chase.

John Hardt asked for clarification regarding the location of the Chase Bank property. Ms. Husak explained that Chase Bank was developing, but not purchasing the 3.08-acre site.

Ms. Husak said one of the access points is opposite an access point leading into the Scioto Crossing residential development, and there is a median on Emerald Parkway. She said it is going to be right-in/right-out access, and the full access is intended to occur by Kroger. She said nine existing trees would be impacted by this curb cut and subsequent access drive. She said seven trees would not meet the replacement requirement because they are either too small or in poor condition. She said two proposed multi-stemmed cottonwood trees totaling 83 caliper inches meet the tree replacement requirement.

Ms. Husak said the applicant has lowered the building height significantly and included a roof over the ATM lane that allows the wall sign to be at the Code height of 15 feet. She said the applicant has also decreased the letters size so that neither the letters nor the logo is above 30 inches tall, as previously approved.

Ms. Husak said the applicant continues to propose a sign on Summer Drive, which is a private road and is not eligible for a sign. She explained that there are instances in the City where there

is land with access or frontage on a public and on a private road, and it has been maintained that the Code does not permit signs on private roads. She said it would set a precedent. She said if the Commission was favorably looking upon that sign, it would require a motion to make a development text modification.

Ms. Husak said the applicant is also requesting approval of a conditional use for the drive-thru and a deviation from the stacking requirements. She said the applicant is requesting a stacking of five spaces, which Planning supports. She said it would not require a modification of the development text because the conditional use process has a built-in deviation as approved by the Commission at their review.

Ms. Husak said Planning has worked with the applicant to resolve five of the eight previous conditions from April, and Planning is recommending approval of the final development plan with the three remaining conditions, and approval of the conditional use without conditions.

Ms. Amorose Groomes invited public comment concerning this application. [There was none.]

Amy Kramb referred to the development text where it stated that the stacking requirement must meet Code. She asked if the Commission approves, does the text need to be modified.

Ms. Husak said the text did not because the Zoning Code review criteria for the conditional use specifically say it has to meet all applicable development standards, except as altered in the approval. She explained that if, as part of the Commission approval for the conditional use, they alter that standard, then it is handled.

Ms. Kramb noted that the Planning Report stated that Traffic Engineering said the right-in/right-out access was not justified. She asked whether it was approved by Traffic Engineering.

Paul Hammersmith said since the access point was on the private street, the City does not have the jurisdiction to regulate it, but it was determined from the analysis that it was not necessarily supported by it, and while the need for a right-in access is understood from a public convenience standpoint, there are also concerns regarding operational aspects on the right-out access as a result of increasing the conflict points on Summer Drive. He said they would like to see the raised median shown extended further so left-outs can be prevented. He said another concern was that there was no way of preventing a left-in movement and they would like to see it narrowed to force a very difficult movement, discouraging drivers from doing it.

Kevin Walter asked if the Summer Drive sign could be part of the conditional use to be tied to the operation of the drive-thru. He said he was not comfortable with making a development text change to locate the sign there.

Ms. Husak said it could not, because signs are not a conditional use. She said what would be approved is the use of the drive-thru and it has to meet the development standards, except as the Commission might alter them. She explained that the only portion of the standards that the drive-thru, as it is, does not meet is the stacking.

Ms. Amorose Groomes clarified that any development text change would carry over to the entire parcel, so whatever was built to the west of this site would also be able to do whatever signage

they felt appropriate. Ms. Husak said that would set the precedent of signs being allowed on Summer Drive for Subarea 5B.

Mr. Walter asked if they could have a monument sign. Ms. Husak explained that either a wall sign or a monument sign was permitted.

Todd Zimmerman said he did not want to deviate from the Code.

Mr. Walter said that the alignment of the cross access point at the western entry looked like it had shifted slightly to the east, perhaps ten feet so that the western edge does not line up with the Kroger western edge. He said he still did not like the way it was configured and he was concerned about approving it as presented.

Mr. Hammersmith said it would be refined in the final construction drawings as they are submitted for permit review. He said there was no great concern. He said are trying to make it as best possible, given the configuration.

Mr. Hardt said it was not clear what the trigger was that made the temporary drive shown go away. He asked if someone developed a piece of this Subarea with a parking lot that provides an internal circulation route, was that enough to trigger it.

Ms. Husak said Planning's point of view was that it had to go away once the connection has to be made between Summer Drive and Emerald Parkway. She said the concern was to have a logical connection between the north and south that does not have to make drivers wind their way through parking lots and deal with drivers backing in and out of parking spaces.

Mr. Hardt said the applicant has a City-approved full service curb cut that they are trying to make use of in the absence of any adjacent development, so the City is stuck with a temporary solution. He said if the rest of this Subarea develops in a piecemeal fashion, and the last connection is not made until the last outparcel in the northeast corner is sold, it seems to be a little too long.

Ms. Kramb said she did not understand why, if we know this is the one full access curb cut, it cannot be developed permanently now. She said at some point, there needs to be access to the bank.

Ben W. Hale, Jr., Smith & Hale, LLC representing the applicant, Thomas N. Moffatt, Chase Bank said the problem was that they did not know what the site plan is and anything they do is a guess. He said these kinds of sites often have multiple small buildings. He said anywhere they put the road back is probably wrong. He said it was not the location it will end up in because when it is extended, for instance and taken further to the east, they have to get rid of the road because it is too close to Sawmill Road in terms of stacking and other things.

Mr. Walter said he did not think it was the issue of the curb cut so much as the construction of the access, and the standard to which you would built that temporary lane is significantly different than what you would do in the long term. He thought the concern was from a cost perspective.

Ms. Amorose Groomes recalled comments at the previous meeting that Mr. Fishman made regarding the possibility of the City taking Summer Drive as dedicated to solve the problem.

Mr. Hammersmith said that the City was not interested in having it dedicated and he did not think the applicant would want to because once public right-of-way is established it affects setbacks. He said Summer Drive predominately serves a private interest and not public interest. He said the City did not have any interest in easements or anything like that.

Mr. Walter said he thought at some point, should the City decide that they would dedicate the road it solves the sign problems. He reiterated that he was leery of having a sign there that affects the entire subarea.

Mr. Hammersmith agreed that it would be nice to have a connection completed now, but he was 100 percent confident that they would not guess right on that alignment to the point of even five or ten feet in terms of trying to determine what the next outparcel configuration will be. He said stormwater and access management, parking standards, and greenspace are affected.

Mr. Taylor said he thought the building was more attractive with both signs. He said the real issue was not whether it was one or two signs, it was how the building is identified. He said if it was identified in a way that is visible from both of the roads, then that could be accomplished with one two-faced sign as opposed to two separate signs on the building. He said he was not in favor of the second sign, but he was in favor of a different way of looking at signage on this property. Mr. Walter and Ms. Kramb agreed.

Ms. Kramb asked if a two-sided monument sign could be used. Ms. Husak said that in lieu of both wall signs, that was possible at the corner.

Mr. Hardt said he was in favor of the second sign last month, and aesthetically he agreed with Mr. Taylor, however, 'the Code says what the Code says'. He said he was not inclined to create that precedent.

Ms. Amorose Groomes asked that the Commissioners discuss any conditional use issues or concerns. [There was none.]

Ms. Amorose Groomes referred to the proposed rocket fountain in the pond shown on the Landscape Plan LP-1, and asked what the ultimate elevation height of the fountain water was. She expressed concern that the wrong kind of fountain might be too close to the roadway producing overspray and ice.

Kerry Reeds, MSI, said he envisioned it to be six to eight feet. He agreed that they did not want to have any 'blow-by' onto the adjacent roadways. Ms. Amorose Groomes suggested a condition limiting the ultimate height of the fountain water to eight feet.

Ms. Amorose Groomes expressed her concern about the English ivy shown on the west side of the transformer and its viability in the service area. She suggested a Burgundy Glow Ajuga instead. Mr. Reeds agreed.

Ms. Amorose Groomes said regarding the landscape median, if the right-in/right-out access was on Summer Drive, she agreed that the island is going to need to be beefed up significantly. She

asked if they go with that direction, that they meet Engineering's satisfaction. Ms. Husak said that language is included in the report, but it could be conditioned.

Mr. Walter said he appreciated what Mr. Hammersmith said but he was not sure that making that median bigger is going to stop that traffic. He said before, he was in favor of eliminating that right-in/right-out access and just continuing a landscape feature through there and providing a larger stand of trees or something like that which would grow to maturity and would look better there.

Ms. Amorose Groomes said the only reason she could see for the right-in/right-out access was due to the signage issue.

Ms. Kramb said the right-in/right-out access was too close to the main entrance and not necessary. She said she did not like to add extra curb cuts that are not needed.

Mr. Hardt said he thought the geometry of the island should be altered and trusted the Engineering department would take care of that.

Mr. Zimmerman agreed that the island should be extended and changed. He said he had no problem with the right-in/right-out access.

Ms. Kramb confirmed that the 'bollards' were guards to prevent drivers from hitting the teller machines. She did not want to see them painted yellow, orange, or anything other than the brick-color shown.

Mr. Hardt commented that the architecture had vastly improved since April. He thanked the applicant for the effort. He suggested that the pillars that held up the drive-thru canopy looked thin and that they should be looked at when the architecture is finalized, particularly in the east/west direction. He reiterated that the architecture was much improved and he appreciated it.

Ms. Amorose Groomes asked if the applicants needed to make a decision whether they wanted a monument sign or wall sign.

Ms. Husak said the Commission would need to approve a monument sign, if that is what the applicant wanted, so with the condition, they have the option of either keeping the sign on Sawmill Road on the wall, as is, or coming back to the Commission with an amended final development plan.

Mr. Hale said the applicant's preference was to keep the wall sign. He said they also agreed to work with Engineering to construct the island the way they want it.

Mr. Hale agreed to the six conditions listed below on behalf of the applicant, Thomas N. Moffatt, Chase Bank.

Motion #1 and Vote – Final Development Plan

Mr. Taylor made the motion to approve this Final Development Plan application because it complies with the PDP, the criteria, and the existing development standards within the area with six conditions:

- 1) That the standard Emerald Parkway mound be installed prior to planting any required replacement trees;
- 2) That the wall sign along Summer Drive be removed;
- 3) That the wall sign include three layers of color film to be consistent with Subarea 5A;
- 4) That the height of the spray of the fountain not exceed eight feet;
- 5) That the English ivy around the transformer be replaced Burgundy Glow Ajuga; and
- 6) That the applicant work with Engineering at the Building Permit stage, to limit access to the eastern right-in/right-out access point by extending the median.

Mr. Zimmerman seconded the motion.

The vote was as follows: Ms. Amorose Groomes, yes; Mr. Walter, yes; Ms. Kramb, no; Mr. Hardt, yes; Mr. Zimmerman, yes; and Mr. Taylor, yes. (Approved 5 – 1.)

Motion #2 and Vote – Conditional Use

Mr. Taylor made the motion to approve this Conditional Use application because it complies with the conditional use review criteria.

Mr. Zimmerman seconded the motion.

The vote was as follows: Mr. Hardt, yes; Ms. Kramb, yes; Mr. Walter, yes; Ms. Amorose Groomes, yes; Mr. Zimmerman, yes; and Mr. Taylor, yes. (Approved 6 – 0.)

**2. Perimeter Center PCD, Subarea F – Giant Eagle 6015-6804 Perimeter Loop Road
09-115Z/PDP/FDP/CU Rezoning with Preliminary Development Plan
Final Development Plan/Conditional Use**

Chris Amorose Groomes introduced this application regarding a rezoning for a new Planned Unit Development District (PUD) to establish Subarea F-4, for 15.9 acres, currently in Subarea F of the Perimeter Center Planned Commerce District (PCD). She said the rezoning is intended to facilitate the expansion of the existing Giant Eagle grocery store, the addition of a gas station and pharmacy drive-thru for the grocery store and increase the amount of outdoor dining areas in the shopping center. She said this application consists of three components, a rezoning with a preliminary development plan, the final development plan (FDP), and the conditional use (CU). She explained that the Commission will need to make three motions and the rezoning will go to City Council for a final decision. She said the Commission is the final authority on the FDP and the conditional use. Ms. Amorose Groomes swore in those intending to address the Commission on this case, including Ben W. Hale, Jr., Smith & Hale, LLC, representing the applicants, Developers Diversified Realty and Pat Avolio, Director of Development for Giant Eagle, and City representatives.

Ms. Amorose Groomes asked for clarification regarding the gas station portion of this application. Ms. Husak explained that the gas station was part of the preliminary development plan. She said this was a complicated application which she would guide the Commission through with a table in her presentation which would explain each of the components in detail.

Ms. Amorose Groomes pointed out that the Commissioners had received additional literature on this application received after packets were distributed.



PLANNING AND ZONING COMMISSION

RECORD OF ACTION

APRIL 8, 2010

CITY OF DUBLIN,

Land Use and
Long Range Planning
5800 Shier-Rings Road
Dublin, Ohio 43016-1236

Phone/ TDD: 614-410-4600
Fax: 614-410-4747
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Creating a Legacy

The Planning and Zoning Commission took no action at this meeting:

1. **NE Quad PUD, Subarea 5B – Chase Bank** **Sawmill Road & Summer Drive**
09-054FDP/CU **Final Development Plan/Conditional Use**

Proposal: A 4,210-square-foot bank with a drive-thru and associated site improvements within Subarea 5B of the NE Quad Planned Unit Development District. The site is located on the west side of Sawmill Road, approximately 150 feet south of the intersection with Emerald Parkway.

Request: Review and approval of a final development plan under the Planned District provisions of Code Section 153.050 and a conditional use under the provisions of Code Section 153.236.

Applicant: Thomas N. Moffatt, Chase Bank; represented by Aaron L. Underhill, Smith & Hale.

Planning Contact: Claudia D. Husak, AICP, Planner II.

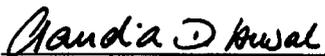
Contact Information: (614) 410-4675, chusak@dublin.oh.us

MOTION: To table this Final Development Plan/Conditional Use application at the request of the applicant.

VOTE: 7 – 0.

RESULT: This Final Development Plan/Conditional Use application was tabled.

STAFF CERTIFICATION


Claudia D. Husak, AICP
Planner II

opposite the Kroger Marketplace site and a right-in/right-out on Emerald Parkway with a landscaped median. She said Planning is concerned with the circulation pattern that the Chase site is stipulating onto the rest of the site is not as efficient as it could be.

Ms. Husak said the applicant is proposing to install an east-west drive to provide access to the Chase site that would connect the full access point opposite Kroger and a secondary access point that is proposed to specifically serve Chase Bank. She said that Planning and Engineering are concerned that the driveway throat of this access is very short and necessitates a sharp turn that would be difficult to navigate and does not provide enough stacking spaces. She said that Planning is proposing a condition that this access drive be temporary and only permitted as long as there is no final development approved or proposed on the remainder of the site.

Ms. Husak said there is a third access point proposed directly on Sawmill Road which was not contemplated in the original rezoning, but is included in the revised traffic study and is a right-in/right-out which is in the jurisdiction of the City of Columbus that has been approved.

Ms. Husak said the site details include a stormwater retention pond with landscape features and enhancements with a seating area with paver stones, a sidewalk along Summer Drive and a bikepath along Sawmill Road with a connection to the front door of the bank. She said the bikepath has been suggested by the Bicycle Advisory Task Force to be straightened but avoid the existing trees in the southeast corner of the site.

Ms. Husak said the drive-thru is located on the northern façade and designed to lead to a wide 57-foot exit throat. She said that Planning requests that the applicant decrease this exit area to 35 feet and increase the landscaping to make the traffic movements more clear.

Ms. Husak said the development text indicates architecture is required with the same degree of exterior finish across all of the subareas and this Subarea is to reflect a more suburban office and residential character and the proposal of materials and colors are consistent and coordinated with the approved architecture for Subarea 5A.

Ms. Husak said sign requirements defer back to Subarea 5A and require the height of letters at 30 inches and the Chase logo is actually taller, which is conditioned to reduce the size. She said two signs are proposed, one along Sawmill Road facing east and one located on Summer Drive facing south. The Zoning Code only permits two signs if a site has frontage on two public streets, therefore the sign along the private street, Summer Drive, should be removed. The sign height as shown is at 16 feet 6 inches and Code limits sign height to 15 feet, therefore there is a condition to lower the height. She said the last sign condition is regarding the illumination and brightness of the illumination along Sawmill Road and the proposed condition requires there be three layers of color film over each of the letters to reduce light brightness which is the same treatment that was required at the Kroger Marketplace.

Ms. Husak said there is a concern with the overhang over the ATM drive-thru lane and that there should be a roof treatment to better match the architecture which is also conditioned.

Ms. Husak said the applicant has indicated that they are comfortable with five stacking spaces for the drive-thru and the plans indicate six tight stacking spaces and the Zoning Code requires eight stacking spaces which is believed to be excessive and the Planning and Zoning Commission is permitted to grant a waiver through the Conditional Use process which would permit a requirement that does not meet the Code exactly. Planning supports the reduction of the stacking spaces from eight to six as shown.

Ms. Husak said the analysis is that the final development plan adopted policies and plans criteria are met and the site safety circulation and development detail criteria may be met with the proposed conditions and Planning is recommending approval with eleven conditions.

- 1) That the drive-thru exit be narrowed significantly by increasing the landscape areas on either side, subject to approval by Planning;
- 2) That the internal east-west access drive between the two Summer Drive access points be temporary and be removed at the time the connecting drive between the westernmost access point and the preplanned access point on Emerald Parkway is constructed;
- 3) That the bikepath along Sawmill Road be straightened, while avoiding existing trees, subject to approval by Planning;
- 4) That the proposed elevations include a shed-style roof along the northern elevation above the ATM drive-thru lane, subject to approval by Planning;
- 5) That two trees along the site's eastern boundary be moved closer to the pavement to meet the vehicular use area screening;
- 6) That the standard Emerald Parkway mound be installed prior to planting any required replacement trees;
- 7) ~~That the wall sign along Summer Drive be removed;~~
- 8) That the height of the Chase logo be lowered to 30 inches and that the entire wall sign be lowered so that the top of the sign does not exceed a height of 15 feet from grade;
- 9) That the wall sign include three layers of color film to be consistent with Subarea 5A;
- 10) That the sign atop the ATM shown on sheet A8 be removed; and
- 11) That the benches along the pond be black instead of red.

Ms. Husak said they are recommending approval of the Conditional Use with the waiver of the stacking requirement to six by the Planning and Zoning Commission with no conditions.

Ms. Amorose Groomes asked if there was anyone from the general public that would like to speak with regards to this case. [There were none.]

Ben Hale Jr., Smith and Hale LLC, 37 West Broad Street, representing the applicant, said the signs being proposed are different from Code because the standard Chase logo is slightly larger than the letters approximately by a foot and the sign height is a foot higher because it is to be centered on the brick face of the building more like the Kroger shopping center.

Mr. Hale said the other issue dealing with signs is that Summer Drive is acting as a public street complete with curb and gutter with under ground drainage, sidewalks on both sides along with street trees, the only thing that indicates this is different from a public street is the fact that it is not dedicated, it functions and looks like a public street, therefore the second sign is proposed.

He said they consent to the condition regarding the driveway and the arrangement of the driveway as an interim solution and when they return to develop the office sites they will have a different site plan and the drive will move.

Mr. Hale said the pond area has been placed at the corner and made to be special. He said they'd like to be allowed to have the logo in proportion to the typical logo; and also be allowed to center the sign on the building within the brick. Other than that he consented to the other conditions and said they will come back with a final development plan on the south and the other conditions they have drawings that have been submitted narrows the exit at the drive-thru and also extend the canopy over the ATM.

Amy Kramb agreed this development should have a second sign along Summer Drive, the sign height should be in compliance with Code and she said she is okay with the logo size. She said there are too many parking spaces and the eight spaces in the northeast corner at the top of the drive-thru lanes should be removed and replaced with landscaping. Mr. Hale agreed to the recommendation to reduce the parking spaces.

Ms. Kramb said the right-in/right-out access should not be temporary and this parcel should be limited to one access from Summer Drive. She agrees with the Sawmill Road access.

Mr. Hale said the west access is not the temporary one and is a full service drive. He said the most important part of the eastern drive is that it services the bank and restaurant site and is not a temporary access. Ms. Kramb said the access points are 30 feet apart and it is not a burden for a car to travel 30 feet to have access.

David Youse, 995 W. 3rd Avenue, Columbus, said the distance between the drives is approximately 200 feet and there are two on the south side of Summer Drive servicing the gas station and the Kroger store. He said they are located farther away from Sawmill Road - the right-in was to smooth traffic flow to get cars off and out of the way of other traffic. Mr. Hale said the access to the north is only going to be a right-in/right-out and this drive across from Kroger Marketplace is heavy and can be relieved by the eastern right-in access to be more efficient with the right turn drop and is important to this site.

Kevin Walter agreed with granting a second sign, but the logo and height should be within Code compliance. He was concerned with the access and the right-in should be eliminated and by eliminating the eastern access it will create green space adding to the pond and preserve the open space. He agreed that the service drive should be temporary, but remained concerned with cross traffic from the gas station.

Richard Taylor asked why it is being suggested to narrow the exit to the drive-thru. Ms. Husak said by eliminating pavement without clear lane indicators the turning movements become more efficient. Mr. Taylor asked by narrowing the exit how would it affect cars out of the drive-thru.

John Chiado, Chase Bank, 1111 Polaris Parkway, Columbus, said they have shown a typical layout for exiting a drive-thru and the neck is the same width of the drive up including the bypass lane as recommended by the Fire Marshal. He said the narrowing would neck it down and would

eliminate asphalt and he agreed with reducing it, but they find the standard layout is more efficient. They like to leave the ATM/bypass lane wide for better movements to exit.

Mr. Taylor said he agrees with increasing green space and decreasing pavement, but this is an internal circulation piece and would agree with leaving it as is.

Mr. Taylor said that the western drive and according to the cartoon this office use could be a 75,000-square-foot building that will have 350 to 400 parking spaces that will be exiting north and south which would be congested during peak times of the day. He said this needs to be a significant piece and there is a possibility of several hundred cars heading for these exits at one time and it could be a tight "T" for the amount of traffic. Mr. Hale agreed and indicated there would need to be more stacking and with the service drive the road needs to be changed.

Mr. Taylor said this proposal needs to be more definite for what the shared drive access might be for the future load and the current proposal is not adequate. Mr. Hale said the staff condition is that they can not go forward on the additional office ground until they come in with a plan addressing these issues.

Mr. Taylor said he agrees with two signs, but agreed that the signs need to meet Code with respect to size and height and the architecture of the building needs to reflect the sign limits. He said the bikepath should remain curved and not be straightened.

Mr. Taylor said this is an outparcel limited to retail or restaurant use in the text. Ms. Husak said that a bank is a permitted use because suburban office and institutional uses are permitted on the entire site and retail and restaurants are limited to the outparcels only and restaurants are restricted to not have a drive-thru.

Mr. Taylor said the roof plan for the drive-thru and the five feet of stucco should be eliminated and lowered and brought down to a more appropriate scale and the overall mass of the building should be reduced. He said the cupola was an afterthought and will not be seen except from one view and the roof needs something more substantial to define it or the cupola be eliminated.

John Hardt said he is sympathetic to the request for a second sign – the private road acts like a public road, but not sympathetic to the request for increased height of the sign. He agreed with Mr. Taylor that it should be centered on the brick band on the building. He also agreed that the massing of the drive-thru canopy and the building should be lowered and he would like to see adjustments before a vote. He found the access points to be confusing, but was fine with the Sawmill Road access. Mr. Hale said they are asking for the right-in/right-out because it will be a benefit to the site. He said that the western curb cut is a permanent and primary access point to the site and is aligned with Kroger.

Mr. Hardt said he is willing to entertain the additional curb cut and agrees that the western one will be the one to serve the entire Subarea. However, he believed that it needs to be designed in a way that it can service in that function and does not do that as shown.

Todd Zimmerman agreed the drive-thru should be narrowed down. He said the entrance along Summer Drive has an existing large tree that should be preserved. Mr. Hardt said it is perfectly aligned with the shopping center driveway. Ms. Husak said it is a dual trunk cotton wood that is 26 and 14 inches and in good condition.

Mr. Zimmerman asked since this is a private street does the curb cut have to align with the Kroger Center. Ms. Husak said it is always preferred to be opposite of each other. Kristen Yorko said it is their preference to be aligned and be consistent throughout the City.

Mr. Zimmerman said the signs should remain within Code in all aspects and the Commission should remain consistent with other decisions that have been made, if they need signage they should put a monument along the street and it should be considered carefully because it will come up again.

Mr. Zimmerman asked about the pond in the southeast corner and whether there was going to be a tree drip area to preserve the existing trees during construction to protect the root zones. Kerry Reeds, with MSI, 462 S. Ludlow Avenue, said the trees that will remain at the southeast corner will have limited construction grading operations outside the drip line and there will be tree protection fencing installed prior to excavation.

Mr. Fishman asked if they were saving all the trees. Mr. Reeds said they will not be able to save all the trees. Mr. Hale said some trees have to come out. Mr. Reeds said some of the trees are in poor condition.

Mr. Zimmerman asked about the location of trash dumpsters and he was curious about the size of trash dumpster area. Mr. Chiado said it was not shown on the plan, but it is a half size dumpster. Mr. Youse said it is a concrete pad that goes back to the dumpster with a concrete walk coming from the side and added a walk around the dumpster and the collection will be after hours on the back side of the drive-thru.

Ms. Amorose Groomes asked what the actual enclosure of the trash area is. Mr. Chiado said it was brick that matches the building.

Mr. Zimmerman said he concurs with the others on the architecture.

Mr. Fishman said the signs should remain within Code. He said the other center that was used as a precedent was done after the building was constructed and they were allowed only because of the existing architecture. He said this application is prior to construction and should comply with Code.

Mr. Fishman agreed with the comments related to the architecture and it should be lowered and more brick should be used on the building. He noted that the two curves along the bikepath should be smoothed out and the hard left turn into the bank should be more smooth for maneuverability. He said that the tree replacement should be on site and not a fee in lieu of trees and he loved the pond but should have more trees and eliminate as much pavement as possible. He agrees with narrowing of the drive-thru.

Mr. Walter said this is a big parcel and any monument sign would be well away from the bank and when they looked at other sites like Montgomery Inn they felt two signs were appropriate for the building. He said this is such a large parcel and there is good reason for two signs.

Mr. Fishman said he agrees that a monument sign would appropriately identify the bank.

Ms. Amorose Groomes summarized the Commission's comments by saying the drive-thru narrowing is appropriate. She said the right-in/ right-out is where it ought to be and the east west access drive is difficult because of the uncertainty of what is going to be developed. She said the Kroger site has three access points onto Summer Drive and is not done as well as it could have been with access at the gas location and the main entrance and a service entrance and it is reasonable that this site is going need similar service access as well. She does not like the temporary access being proposed and felt it can be temporary but done correctly to serve this site.

Ms. Amorose Groomes said that Mr. Fishman's recommendations for the bikepath had full support. Ms. Husak said Condition 3 could be amended to read "That the bikepath connections along Sawmill Road be softened while avoiding existing trees." Mr. Fishman agreed softened for easy negotiation. Ms. Amorose Groomes agreed and also agreed with Condition 4 and heard from the Commissioners that the massing over the drive-thru has to change and the stucco has to go and be replaced with natural materials.

Ms. Amorose Groomes said that she would be supportive of the wall sign along Summer Drive and that this is a different set up than most places because of the automotive traffic in and out of the site. She said they are looking for them to meet Code on the height and height of the logo on the sign. She said they are looking for the three layers of color on the wall sign and removing the sign on top of the ATM and the benches go black instead of red.

Mr. Hardt said he is not looking for the elimination of the EIFS, it is a matter of the massing more than the choice of materials.

Mr. Walter said he agrees with the narrowing of the drive-thru and is not sure that the right-in/right-out should exist. Ms. Kramb said it should not exist and they should have one access point to service the site. Mr. Hardt said he is indifferent about the width of the drive thru egress and would like to see the western access point be properly configured. Mr. Zimmerman agrees with Mr. Hardt. Mr. Fishman would like to see it disappear and done correctly now. Ms. Amorose Groomes said she didn't know if the right-in/right-out had any temporary indications. Mr. Taylor said he is not bothered by it, but if they are doing it temporary it should work. Mr. Walter said if they are going to make this into something that is going to function, why do they need the other one at the sacrifice of green space. Mr. Fishman agreed. Ms. Kramb said they should have one workable access point. Ms. Amorose Groomes said the benefit of the right-in/right-out is the landscaped median and that is advantageous enough to justify the access.

Ms. Amorose Groomes said there was a 12th condition added. Ms. Husak said she deleted the condition about the removal of the second sign on Summer Drive and wanted feedback on Condition 4 and Condition 11.

Mr. Taylor said Condition 4 is not something they can turn to Planning to review, they will need to see another submission regarding the canopy lowering part. Mr. Hale said he consents to all the conditions understanding that they need to adjust the architecture and bring back the cupola, and how they are going to handle the drive-thru and the signage and they would like to finalize the engineering and apply for permits so they can get it built this year.

Ms. Amorose Groomes said she is concerned with the pond depth and stated they have done a great job with creating water views, but have not made functional water and they dump copper sulfate so that you can not walk across them and asked what they are going to do to make this pond not a stagnant moss covered leach bed. Mr. Reeds said it does have deeper water in the western reaches of the pond. Ms. Amorose Groomes asked if there was going to be anything that will move the water. Mr. Reeds said they could look into aeration and the health of the pond will be dependent upon being a living organism as opposed to grass down to a waters edge. Ms. Amorose Groomes said she would like something aerating this pond to ensure the pond maintenance.

Mr. Hale said they would like to bring the architecture back and requested a tabling.

Motion and Vote

Mr. Fishman made a motion to table this Final Development Plan/Conditional Use application at the request of the applicant.

Mr. Walter seconded the motion.

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

Ms. Amorose Groomes called for a 5-minute break at 8:16 pm.

Ms. Amorose Groomes resumed the meeting at 8:23 pm.

~~2. Perimeter Center PCD, Subarea F – Giant Eagle 6015-6804 Perimeter Loop Road
09-115Z/FDP/FDP Rezoning with Preliminary Development Plan
Final Development Plan~~

~~Ms. Amorose Groomes introduced this rezoning with preliminary development plan application for a new Planned Unit Development District to establish Subarea F4 for 15.19 acres currently in Subarea F of the Perimeter Center Planned Commerce District. She said that the rezoning is intended to facilitate the expansion of the existing Giant Eagle grocery store and increase the amount of outdoor dining areas in the shopping center. She also said that the site is located on the north side of Perimeter Loop Road, approximately 430 feet east of the intersection of Ayery-~~