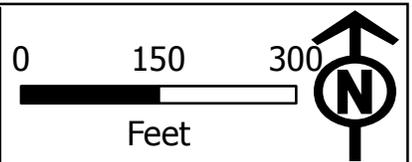


16-022INF
 Informal Review
 Assisted Living & Memory Care Facility
 Perimeter Drive



RECORD OF ORDINANCES

Dayton Legal Blank Co.

Form No. 30043

45-99 (Amended)

Ordinance No.

Passed YEAR

An ordinance providing for a change in zoning for 83.09 acres located on the south side of Post Road, north of US 33, approximately 900 feet west of Avery-Muirfield Drive, From: R, Rural District, To: PCD, Planned Commerce District (Perimeter West Office Park/File No. 99-040Z).

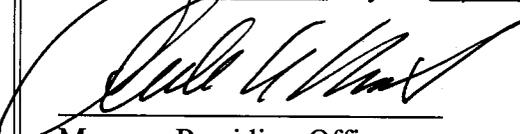
NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Dublin, State of Ohio, 6 of the elected members concurring:

Section 1. That the following described real estate (see attached map marked Exhibit "A") situated in the City of Dublin, State of Ohio, is hereby rezoned PCD, Planned Commerce District, and shall be subject to regulations and procedures contained in Ordinance No. 21-70 (Chapter 153 of the Codified Ordinances) the City of Dublin Zoning Code and amendments thereto.

Section 2. That application, Exhibit "B", including the list of contiguous and affected property owners, and the recommendations of the Planning and Zoning Commission, Exhibit "C", are all incorporated into and made an official part of this Ordinance and said real estate shall be developed and used in accordance therewith.

Section 3. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed this 15th day of Nov., 1999.



Mayor - Presiding Officer

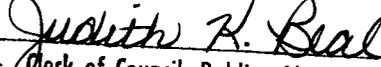
Attest:



Clerk of Council

Sponsor: Planning Division

I hereby certify that copies of this Ordinance/Resolution were posted in the City of Dublin in accordance with Section 731.25 of the Ohio Revised Code.


Asst. Clerk of Council, Dublin, Ohio

RECORD OF PROCEEDINGS

Minutes of

Dublin City Council Meeting

Page 1

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held _____ November 15, 1999 _____ (YEAR)

Mayor Kranstuber called the Dublin City Council Meeting of November 15, 1999 to order at 7:00 p.m.

Mr. Reiner led the Pledge of Allegiance.

Roll Call

Council members present were: Mayor Kranstuber, Vice Mayor Boring, Mr. Adamek, Mr. McCash, Mr. Peterson, Ms. Hide Pittaluga and Mr. Reiner.

Staff members present were: Mr. Hansley, Mr. Helwig, Mr. Smith, Ms. Grigsby, Mr. Harding, Ms. Clarke, Ms. Puskarcik, Mr. Stevens, Ms. Crandall, Mr. McDaniel, Mr. Hahn, Ms. Heal, Mr. Husenitza.

Approval of Minutes of Meeting of November 1, 1999

Mayor Kranstuber moved approval of the minutes as submitted.

Ms. Hide Pittaluga seconded the motion.

Vote on the motion - Mr. Reiner, yes; Mrs. Boring, yes; Mr. McCash, yes; Mr. Peterson, yes; Ms. Hide Pittaluga, yes; Mayor Kranstuber, yes; Mr. Adamek, yes.

Correspondence

The Clerk reported that no correspondence had been received which would require Council action.

Citizen Comments (items not on the agenda)

There were no comments from citizens.

Staff Comments

There were no comments from staff.

Presentation by the Dublin Convention & Visitors Bureau

Pat Schmucki, Executive Director provided a summary of their activities as outlined in the annual report for the period of July 1, 1998 through June 30, 1999. She distributed copies of the report to Council. Highlights of the past year included expansion of the sports marketing program; launching of an aggressive public relations campaign; and market research to help with future planning. She provided statistics on occupancy rates and noted that the information is provided in the handout. The past year was a year of tremendous growth in the number of hotel rooms, and the Embassy Suites will come on-line in the next year. She added that the DCVB continues to believe, based on their surveys, that there is an unmet need for a conference center in Dublin.

Mayor Kranstuber noted that State Representative Pat Tiberi is present tonight and would like to comment briefly.

Rep. Tiberi noted that over the last seven years, he has represented Central Ohio and a portion of the Dublin area. He has enjoyed the opportunity to work with the City of Dublin staff on projects such as the I-270 widening and the Avery Road interchange. In the future, he is hopeful that he will be elected to represent Dublin in the U.S. Congress and is looking forward to a continued good relationship with Council and staff. This is the last year he will serve as Majority Leader in the Ohio House, but he will continue to provide assistance to the City of Dublin as needed.

Mr. Hansley expressed his appreciation of Rep. Tiberi's interest and assistance with issues which impact Dublin.

LEGISLATION

SECOND READING/PUBLIC HEARING - ORDINANCES

Ordinance 45-99(Amended) - An Ordinance Providing for a Change in Zoning for 83 Acres Located on the South Side of Post Road, North of US 33, Approximately 900 Feet West of Avery-Muirfield Drive, From: R, Rural District, to: PCD, Planned Commerce District. (Perimeter West Office Park/File No. 99-040Z) (Applicant: BJL, LP, c/o Jeff McInturf, 283 South State Street, Suite 201, Westerville, Ohio 43081; Carol Lehr, 2267 Middlesex Road, Columbus, Ohio 43220; and Ruscilli Development

RECORD OF PROCEEDINGS

Minutes of

Dublin City Council Meeting

Page 2

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held _____ November 15, 1999 _____

(YEAR)

Company, c/o William Tippmann, 2041 Arlingate Lane, Columbus, Ohio 43228; represented by Ben Hale, Jr. Smith and Hale 37 West Broad Street, Suite 725, Columbus, Ohio 43215)

Ms. Clarke stated the rezoning area consists of 83 acres, currently farmland, and the proposal is for an office park to be called Perimeter West Office Park. It is located behind the Kroger shopping center on Avery Road. The application was initiated by another developer, the Alter Group, and it was then taken over by the Ruscilli Corporation. There is an opportunity to build a hotel within the overall grounds. The project extends Perimeter Drive and Perimeter Loop Road from the Riverside Hospital property through this site. Perimeter Drive will connect back to Post Road. There is an economic incentive agreement related to this site on tonight's Council agenda. She then showed slides of the area, noting that an existing home on two acres off of Post Road is part of this application. Several road improvements are planned with the development. The density of the development was a major discussion item at the Planning Commission meetings. Following the traffic study, the density was brought down to 9,000 square feet per acre. This was a major concession made by the applicant at the Planning Commission. The overall development is now 747,000 square feet over the 83 acres. However, the applicant has asked for the right to return at a later date to request a higher density. The minutes from the Planning Commission reflect that the Commission acknowledged that they could support a higher density in the future, based upon the traffic studies at that time. This development is for a Class A office park, and the applicant has committed to signature architecture as well as landscape features, water features, and landscape enhancements consistent with Class A office parks. This proposal will help to create an exciting gateway on Dublin's west side. Staff is recommending approval, and the Planning Commission recommended approval with 12 conditions on October 7, 1999:

- 1) That the text be revised to clarify the means to administer the density and lot coverage requirements;
- 2) That the text be revised to state that the existing structure in Subarea 3 is permitted access onto Post Road unless the structure is expanded or the site redeveloped, at which time internal access via Perimeter Drive must be provided;
- 3) That the text prohibit commercial use of the existing structure in Subarea 3 if the structure is ever expanded;
- 4) That the text be revised to state compliance with the Thoroughfare Plan and the Stormwater Regulations;
- 5) That mansard roofs be strictly prohibited from Subareas 1 and 3;
- 6) That the landscape treatment, including street trees, along all roads be consistent with the property to the east, subject to staff approval;
- 7) That the text be revised to limit signs to ground signs with a maximum height of six feet;
- 8) That the average density for the entire project not exceed 9,000 square feet per acre;
- 9) That the absolute maximum height, including mechanicals, in Subarea 2 be limited to 80 feet, and that the absolute maximum height, including mechanicals, in Subarea 1 be limited to 34 feet;
- 10) That the text be revised to increase the minimum roof pitch to 6:12 in all Subareas;
- 11) That buildings over 60 feet in height along the south side of Perimeter Drive have a minimum setback of 150 feet; and
- 12) That all conditions are met prior to this case being scheduled for City Council.

The Planning Commission also recommended in a second motion that City Council undertake the study of the Post Road interchange with US 33 as a high priority at the beginning of the year 2000. Rail Van is scheduled to occupy the first building by February of 2001.

Ben Hale, Jr. Smith and Hale, 37 West Broad Street stated that this rezoning is unusual in that the first building for this site is to house Rail Van, a plan which has already been approved by the Planning Commission. He then showed the renderings of the site

RECORD OF PROCEEDINGS

Minutes of

Dublin City Council Meeting

Page 3

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held _____ November 15, 1999 _____

(YEAR)

improvements, noting that the Rail Van building is a three-story, brick building. Lengthy discussion took place at the Planning Commission hearing in regard to the density and traffic issues. The applicant commissioned a traffic study at the request of the Planning Commission, and the Commission then asked that the square footage be reduced to a number that would allow the intersection to work at a level of service C. The Community Plan indicated that the level of service D was satisfactory. The applicant then reduced the density, and what was actually approved was for 9,000 square feet. They did receive the right to do an individual building at 12,500 square feet. The density set at 9,000 square feet is exceptionally low compared to other sites throughout Dublin. They will reserve the right to come back to the Planning Commission for an increase in density after all the traffic improvements are installed. He believes that the Commission was overly conservative. He clarified for the record in regard to the square footage issue that the applicant will come back in the future to request a higher density. City staff and the Planning Commission were all very supportive of this proposal.

Ms. Hide Pittaluga noted that the parking appears to be pushed far back from the freeway. Mr. Hale responded that this is not a freeway building. There will be lush landscaping all along the front of the site, and most of the parking will be in the back of the building. There was no further public testimony on the rezoning.

Mayor Kranstuber commented that it appears to be a very attractive building with very nice architectural detail.

Mr. McCash clarified for the record that, after this project came through Dublin's Planning and Zoning Commission, the Meacham & Apel Architects firm became involved with a land owner in the southwest area of Columbus. They are providing assistance in preparation of marketing materials for an office/industrial site. At the same time, the same landowner engaged Ruscilli. The two firms are not working together, but they are associated with the same landowner. He consulted with the Law Director who has indicated there does not appear to be a conflict of interest on this particular issue.

Mr. Helwig added that Rail Van has been working through the process since the second quarter of 1999, and he is appreciative of everyone's support and patience with this rezoning. Rail Van is coming in with a higher density than the 9,000 average on this site. The issues were extensively reviewed at the Commission, and Rail Van was assured that the City is desirable of having their presence in Dublin. The potential is for 550 to 600 jobs in February 2001 in the field of logistics. Staff welcomes Rail Van to the Dublin community, and appreciates Ruscilli's work in developing this office park.

Vote on the Ordinance – Mr. Peterson, yes; Ms. Hide Pittaluga, yes; Mr. McCash, yes; Mrs. Boring, yes; Mr. Reiner, abstain; Mayor Kranstuber, yes; Mr. Adamek, yes.

Ordinance 121-99 - An Ordinance Establishing the Location and Amount of Cash on Hand for Change Funds.

Mr. Hansley stated that this is a housekeeping ordinance, which is described in the memo accompanying the ordinance. Staff is recommending adoption at this time.

Vote on the Ordinance – Mr. Reiner, yes; Mayor Kranstuber, yes; Mr. McCash, yes; Ms. Hide Pittaluga, yes; Mr. Peterson, yes; Mr. Adamek, yes.

INTRODUCTION & FIRST READING – ORDINANCES

Ordinance 127-99 - An Ordinance Accepting the Annexation of 50.8+/- Acres from Jerome Township, Union County to the City of Dublin. (Harrison W. Smith, Jr., agent for Bishop Trust)

Mayor Kranstuber introduced the ordinance.

Mr. Hansley stated that staff recommends that this be held over for public hearing at the next Council meeting.

Mr. Helwig stated that this annexation is for a parcel relating to the Metro Park acquisition. This parcel was not in the original target area for the Metro Park as it appeared in the Community Plan. However, its proximity is important. It lies east of

AMENDED
DUBLIN PLANNING AND ZONING COMMISSION

RECORD OF ACTION
October 7, 1999

**3. Rezoning Application - Composite Plan 99-040Z - Perimeter West Office Park
(Continued)**

- 6) That the landscape treatment, including street trees, along all roads be consistent with the property to the east, subject to staff approval;
- 7) That the text be revised to limit signs to ground signs with a maximum height of six feet;
- 8) That the average density for the entire project not exceed 9,000 square feet per acre;
- 9) That the absolute maximum height, including mechanicals, in Subarea 2 be limited to 80 feet, and that the absolute maximum height, including mechanicals, in Subarea 1 be limited to 35 feet;
- 10) That the text be revised to increase the minimum roof pitch to 6:12 in all Subareas;
- 11) That buildings over 60 feet in height along the south side of Perimeter Drive have a minimum setback of 150 feet; and
- 12) That all conditions are met prior to this case being scheduled for City Council.

* Ben W. Hale, Jr. agreed to the above conditions.

VOTE: 7-0.

RESULT: This rezoning application will be forwarded to City Council with a positive recommendation.

MOTION #2: To recommend to City Council that a study of the Post Road interchange with US 33/SR 161 be undertaken as a high priority at the beginning of 2000.

VOTE: 7-0.

RESULT: A recommendation will be forwarded to City Council to undertake a study of the Post Road interchange with US33/SR 161 with a high priority early in 2000.

STAFF CERTIFICATION


Chad Gibson
Planner

Mr. Fishman agreed that there should be an strong fence ordinance which reflects the character of Dublin. Small lots should have split rail fencing only within the building line, and there should be no privacy fences permitted.

Messrs. Harian, Fishman, and Lecklider agreed that decorative, ornamental type fences only should be permitted in the front yard.

Mr. Lecklider agreed with the issues expressed by Mr. McCash. He was not in favor of rear yard privacy fences higher than four feet, unless for safety round swimming pools. He would make allowances for privacy fences as part of a deck. He opposed split rail fencing around the perimeter, except for large lots and any kind of fencing in front of the front building line. Ornamental fencing along the front walk, may be okay.

Mr. Littleton asked if stone wall fencing should be a variance situation, such as in Old Dublin. Mr. Lecklider said yes. Ms. Clarke suggested lots along the river. She suggested stone or masonry fences be limited to scenic roads.

Mr. Eastep made the motion to table this Code revision. Mr. McCash seconded, and the vote was as follows: Mr. Peplow, yes; Mr. Sprague, yes; Mr. Lecklider, yes; Mr. Fishman, yes; Mr. Harian, yes; Mr. McCash, yes; and Mr. Eastep, yes. (Tabled 7-0.)

Mr. Lecklider called a short recess.

3. Rezoning Application – Composite Plan 99-040Z –Perimeter West Office Park

Chad Gibson said this composite plan is for 83 acres between Post Road and US 33/SR 161. The revised application includes 888,000 square feet of office, hotel, and related commercial uses. This is the second downward revision from the initial proposal of 1M square feet. The current application is for 10,700 square feet per acre.

Mr. Gibson showed several slides. The site is zoned R, Rural District, and the request is for PCD, Planned Commerce District. Subarea 3 contains a house, and the rest of the site is undeveloped. He said the development text for Subarea 1, along Post Road, permits two-story office buildings, a maximum height of 35 feet, and requires residential character. Subarea 2 is along US 33 and will permit five-story offices and seven-story hotels with an 80-foot height maximum. Subarea 3 has access to Post Road until any modification or expansion of that site, at which time access will be limited to Perimeter Drive.

He said the traffic study indicated several road improvements are necessary, and in some off-site areas, landscaping will need to be removed and right-of-way acquired. He said architecture is to be harmonious within the development and will feature brick, stone, and decorative pre-cast materials. Water features with pedestrian access will be included.

Mr. Gibson said staff recommends approval with eight conditions:

- 1) That the text be revised to clarify the administration of the density and lot coverage requirements;
- 2) That the text be revised to state that the existing structure in Subarea 3 is permitted access onto Post Road unless the structure is expanded or the site redeveloped at which time internal access via Perimeter Drive must be provided;
- 3) That the text prohibit commercial use of the existing structure in Subarea 3 if the structure is ever expanded;
- 4) That the text be revised to state compliance with the Thoroughfare Plan and Stormwater Regulations;
- 5) That mansard roofs be strictly prohibited from Subarea 1;
- 6) That the landscape treatment, including street trees, along all roads be consistent with the property to the east;
- 7) That the text be revised to limit signs to ground signs with a maximum height of six feet; and
- 8) That all conditions are met prior to this case being scheduled for City Council.

Mr. McCash asked about the service level at US 33/Hyland-Croy. Mr. Gibson said it was "D+" for 944,000 square feet, but it was not re-tested for 888,000 square feet.

Mr. Peplow said the overall gross density is 10,700 square feet per acre. Mr. Gibson said the density for each subarea was not provided. He expected the highest densities along US 33. Mr. Lecklider was also concerned about density, and lowering the density was previously discussed. He said mechanicals should not be roof-mounted in Subarea 1; this conflicts with a residential look. Also the height limit should be 35 feet without exceptions.

Mr. Gibson said the lot coverage was lowered from 70 to 65 percent on any one site, and to 60 percent for the entire 83-acre development.

Mr. Lecklider said the staff report pointed out the potential or likelihood of having to relocate street lights, fire hydrants, etc. along Avery-Muirfield Drive to allow for widening, etc. He asked who would pay for the relocation. Mr. McCash said it could be included in the TIF.

Mr. Lecklider asked about the impacted or reduced greenspace along Muirfield-Avery Drive. Mr. Gibson said in order to achieve the desired level of service, additional right turn lanes are needed, and this will require the removal of portions of greenspace in front of the Fifth-Third Bank, for example. Mr. Lecklider was disappointed that any encroachments would be permitted on the limited greenspace provided.

Ben W. Hale, Jr., attorney for the applicant, said Subarea 2 was proposed at a maximum height of 70 feet, plus mechanicals. They will remove the reference to mechanicals from the text for Subarea 1. That subarea will have pitched residential type roofs. It will be difficult to meet setback and other requirements and build above 9,000 square feet per acre.

Mr. Hale said the site plan for Rail Van indicates a 65 percent lot coverage. He said relocation of the streetlights, hydrants, etc., are in the TIF approved for this site. When the

Community Plan was done, the level of service desired was “D”. Going to “C”, will require right turn lanes. Mr. Hale agreed to the eight conditions listed above.

Mr. Eastep thought the site should have a density of 9,000 square feet per acre overall. Mr. Hale said this application was first filed by the Alter Group at 15,526 square feet per acre. In August, the application was revised down to 13,526 square feet per acre which operated at a level of service “D”. The Commission requested a “C” level of service, and it was revised down to 11,458 square feet per acre. It is now down to 10,700 square feet per acre. He said the Preserve on Frantz Road has a density of 11,000 square feet; Parkwood has 17,300; Blazer was 13,900; and Upper Metro was at 12,845 square feet. Mr. Hale said this is under those examples, has 60 percent lot coverage, and the traffic works at a level of service “C.” Mr. Eastep said if the Commission continued to approve densities higher than the Community Plan, they were over-building. He said the Preserve is a fantastic development on a wooded lot which gave something back to the Community. He said the level of service is to be considered, and the Commission asked for 9,000 square feet. The proposal is too high.

Mr. Eastep is very concerned about the interchange which is not yet even being studied. He feels this development needs an improved Post Road interchange to take the heat off the Avery Road interchange. He does not want Avery-Muirfield widened further.

Mr. Hale said the TIFs will not only come from these buildings. There will be a considerable amount of income tax above and beyond what is needed for this TIF.

Mr. Eastep said the majority of the developments with higher density are directly off I-270 or US 33 with free-flowing access. There is no infrastructure planned here.

Mr. McCash said Council has been very aggressive in moving up roadway projects, and about 65 percent of the CIP is devoted to roads. He thought the Hyland-Croy/Post Road interchange would be considered soon, but there are more pressing traffic needs elsewhere. With development, it will be moved forward. The “D+” level of service results from the entire 888,000 square feet of development. He suggested a limiting development to 210,000 square feet until the road goes through, or 550,000 square feet until there are major improvements to the US 33/SR 161/Hyland-Croy interchange.

Mr. Eastep said Dublin should be proactive in its road improvements.

Mr. Sprague suggested 9,000 square feet as an aggregate limit. If those improvements are done to Hyland-Croy, etc., the applicant could apply for more density based on traffic. Mr. McCash suggested a limit of a density of 9,000 square feet until the road improvements were made.

Mr. Eastep thought the development and road improvements should be installed hand in hand. He said private money moves faster than public money which would require approvals of MORPC and ODOT, etc.

Mr. Lecklider said another 50 acres to the west will also develop. Mr. Hale said this was also tested in the traffic study.

Mr. Fishman said he waits for four or more cycles at some traffic signals to get through.

Doyle Clear, Parsons Transportation, said if a driver waited more than one traffic signal cycle, generally that is "F" level of service. Mr. Fishman said given that, Dublin gets an "F" all over. Mr. Clear disagreed, and he recounted his own experiences. He said Council is spending a lot on road improvements to improve the level of service. He noted several areas are under construction at once, and many will be finished in one or two years.

Mr. Clear said a "D" level means stopping about 45 to 60 seconds on an average. He said the adopted Community Plan level was "D," and it is used in many places. He noted that 9,000 square feet per acre is a Community Plan standard.

Mr. Eastep was concerned about another 2M square feet of offices. He wondered if traffic will be improved enough to satisfy most residents.

Mr. Clear said the development is being staged with a set of road improvements. He said if the concern was the interchange, perhaps another trigger point could tie it to square feet of development or number of employees. Staging of roadway improvements is totally fair according to Mr. Clear. He stands by the projected levels of service in 2020.

Mr. Hale said Hyland-Croy Road is the farthest west Dublin can annex, and Union County has extended sewers. He assumes jobs will come to that area, and no Dublin taxes will be paid. The township has limited ability to make improvements. He said Metro Parks bought 800 acres of developable land in Jerome Township, north of McKittrick Road.

Mr. Clear said hundreds of cars turning to and from Hyland-Croy Road, outside Dublin, onto Post Road have been considered. He said there are no good left turn lanes existing today. He said it cannot be totally fixed because the columns underneath limit the area needed to create right/left turn lanes. It will take state cooperation.

Mr. Eastep did not disagree, but he is concerned about the traffic trade-off for increased density. He said this project needs the proposed road.

Mr. McCash thought the extension of Perimeter Drive was needed now.

Mr. Clear said all of the development in the Riverside PCD, this site, and the site to the west was tested in his study in the 2020 numbers. Mr. Lecklider was also concerned about the volume of homes recently approved. Their access will be down Avery-Muirfield Drive. He expected Hyland-Croy Road would also be loaded with new resident traffic. Mr. Clear said these were included also in the 2020 projections. The existing conditions are known, and a growth rate is added to that roadway plus the development. He said the City Engineer requires analysis based on existing conditions and the 2020 projections.

Mr. Fishman and Mr. Clear traded their driving experiences on Avery-Muirfield Drive.

Mr. Fishman said Dublin needs to be even more proactive about traffic because much development has been approved in outlying areas. He was uncomfortable approving this

project with a density of even 9,000 square feet per acre, because the needed infrastructure is lagging behind. He said no one in Dublin is happy with the traffic.

Mr. Clear said things are getting better. Ten years ago, none of the roads were in place, but Pat Bowman and others were doing the planning. Now the roads are coming on line and being funded by new sources of revenue. Mr. Fishman disagreed that things are developing according to the long-standing plan. Compromises were made. The reality of driving in Dublin on a daily basis is not pleasant.

Mr. Hale said the development will stay at 9,000 square feet per acre until the US 33/Post Road interchange is fixed to a "C" level of service. Mr. Clear said a completely rebuilt interchange is needed.

Mr. Sprague said he has been looking at traffic numbers for five years. He now questions the whole methodology. He said half of the development area was not accounted for on the exhibits. The residents' number one issue is traffic. The Avery interchange needed improvement four years ago, and Hyland-Croy Road is not even programmed for improvement. He was not happy about removing landscaping for additional lanes. The density should be capped at 9,000 square feet per acre. If things do get better, the applicant could ask for additional square footage through a rezoning. Until proved otherwise, 9,000 square feet is the absolute limit. The traffic experience is abysmal, simply unacceptable.

Mr. Lecklider said current PM peak backs traffic up through the intersections. Mr. Clear said more turn lanes are needed at the intersections, and he does not believe the signals are interconnected as yet. He again said traffic will greatly improve in a few years.

Mr. Eastep suggested using more police to direct peak hour traffic onto the freeway and to route some traffic to Hyland-Croy Road temporarily. He said the civic associations are adamant about not increasing densities because people are sick of the traffic.

Mr. Hale said they believe strongly that the traffic will work. He believes that the Riverside PCD will develop at a lower density. He agreed to come back later with a rezoning for more than 9,000 square feet per acre. He is confident the traffic numbers will bear him out.

Mr. Fishman feels traffic is always in a "catch up" situation, and it will take years and years to solve the problem. He still could not support anything over 9,000 square feet per acre.

Mr. Hale agreed to an average density of 9,000 square feet per acre and an average lot coverage of 60 percent, with no site exceeding 65 percent. There was agreement among the Commissioners with this.

Mr. Lecklider said a signature office park should have more than one water feature. Mr. Hale said the stormwater design is not yet planned. He said the water flows to the north.

Regarding signs, Mr. Lecklider wanted it to be clear that the Commission would not accept signs in excess of the Code. There should be no wall signs. Mr. Hale agreed.

Regarding building height in Subarea 1, along Post Road, Mr. Lecklider wanted no deviations from the 35 feet height limit. He was concerned that 80 feet in height just south of Perimeter Drive is too high. It is too close to the residential use to the north.

Mr. Hale said the Rail Van building will be about 40 feet tall and will be set back about 160 feet from Perimeter Drive. Mr. Bill Tippmann, Ruscilli, said that height would be typical. Mr. Lecklider thought this would be great.

Mr. McCash noted the text does require a 100-foot setback along Perimeter Drive for buildings over 50 feet in height. There was some discussion of sight lines and blockage of this site by the seniors' housing structure to the north.

Mr. Fishman said he likes the proposal with the limitations just added. He said the rezoning is at the stage where the expectations for development are to be included. He wanted water features and for the developer to exceed the Landscape Code. He said the new benchmark for landscape excellence is the corner of SR 161 and Frantz (Upper Metro Place). He said this is a gateway, and he asked for a similar commitment. Mr. Tippmann said a commitment to do "Class A" landscaping is in the text. Mr. Hale concurred.

Regarding the setback on the south side of Perimeter Drive, buildings up to 50 feet are required to have a 50-foot setback. After some discussion, Mr. Hale agreed to a setback of 150 feet for buildings over 50 feet. Mr. Hale agreed to an absolute maximum building height of 80 feet; mechanicals, etc. will not exceed this.

Mr. Hale agreed to increase the minimum roof pitch from 5:12 to 6:12. He reiterated that density will be capped at 9,000 square feet in this application. If the interchange is improved or the surrounding area is developed at a lower density, Mr. Hale said he may be back with another rezoning request.

Mr. Harian appreciated the applicant's flexibility. He can support this application. Mr. Fishman agreed and said he respected the developer and the concessions made.

Mr. Eastep appreciated the efforts of Mr. Hale and the applicants for the Dublin community.

Mr. Sprague apologized for raising his voice earlier. He said the duty of each Commissioner is to express the will of the community within reasonable, legal limits. He expressed deep respect for Mr. Hale. He appreciated Mr. Clear's work and the flexibility of the applicant. He hopes Rail Van will be satisfied in this new, attractive building.

Mr. Lecklider commended the staff effort and the applicant's team. He is much more comfortable with the revised application than was with the original case. He will vote yes with his fingers crossed, as he does on very large projects.

Ms. Clarke asked for clarification on the use of the residence in Subarea 3. She said both the Commission and City Council have opposed the commercial reuse of houses. Expansion of a house often makes the house very difficult to eliminate.

Mr. Hale said Subarea 2 was not in the original application, and it was included because the City requested it. The owner has agreed to participate in this application. He agreed not to expand the house. If he builds an office building, he will eliminate his access onto Post Road and will use Perimeter Drive for the sole access. Ruscilli has agreed to grant him access to Perimeter Road. The house can be used as a residence or an office with access to Post Road. The building will be eliminated with new construction, and it will not be expanded. There is also a barn on the two-acre site. He appreciated that this owner participated in this rezoning.

Mr. Eastep suggested that Commission should recommend to City Council that the Post Road interchange should be sped up as much as humanly possible.

Mr. McCash made a motion to approve this rezoning with 12 conditions:

- 1) That the text be revised to clarify the means to administer the density and lot coverage requirements;
- 2) That the text be revised to state that the existing structure in Subarea 3 is permitted access onto Post Road unless the structure is expanded or the site redeveloped, at which time internal access via Perimeter Drive must be provided;
- 3) That the text prohibit commercial use of the existing structure in Subarea 3 if the structure is ever expanded;
- 4) That the text be revised to state compliance with the Thoroughfare Plan and the Stormwater Regulations;
- 5) That mansard roofs be strictly prohibited from Subareas 1 and 3;
- 6) That the landscape treatment, including street trees, along all roads be consistent with the property to the east, subject to staff approval;
- 7) That the text be revised to limit signs to ground signs with a maximum height of six feet;
- 8) That the average density for the entire project not exceed 9,000 square feet per acre;
- 9) That the absolute maximum height, including mechanicals, in Subarea 2 be limited to 80 feet, and that the absolute maximum height, including mechanicals, in Subarea 1 be limited to 35 feet;
- 10) That the text be revised to increase the minimum roof pitch to 6:12 in all Subareas;
- 11) That buildings over 60 feet in height along the south side of Perimeter Drive have a minimum setback of 150 feet; and
- 12) That all conditions are met prior to this case being scheduled for City Council.

Mr. Fishman seconded the motion. Mr. Hale agreed to the above conditions. The vote was as follows: Mr. Eastep, yes; Mr. Peplow, yes; Mr. Sprague, yes; Mr. Lecklider, yes; Mr. Harian, yes; Mr. Fishman, yes; and Mr. McCash, yes. (Approved 7-0.)

Mr. Eastep made a motion to City Council that a study of the Post Road interchange with US 33/SR 161 be undertaken as a high priority at the beginning of 2000.

Mr. Fishman seconded the motion, and the vote was as follows: Mr. Harian, yes; Mr. McCash, yes; Mr. Lecklider, yes; Mr. Sprague, yes; Mr. Peplow, yes; Mr. Fishman, yes; and Mr. Eastep, yes. (Approved 7-0.)

4. Preliminary Plat 99-093PP - Perimeter West - Perimeter West PCD

Chad Gibson presented this preliminary plat and showed several slides. He said Perimeter Drive will be extended from the Riverside Hospital PCD site to the west property line of this site. Perimeter Loop will be extended approximately 1,200 feet. When 210,000 square feet of buildings have been constructed, the Phase 2 road improvements will begin.

Mr. Gibson said eight-foot bikepaths are needed on both sides of Perimeter Drive, and five-foot sidewalks on both sides of Perimeter Loop. They are not indicated on the current plans. He said additional lanes are still needed at key intersections.

Mr. Gibson said staff recommends approval with six conditions:

- 1) That the stormwater management system comply with the City's Stormwater Regulations, subject to staff approval;
- 2) That the plat be revised to note the setback requirements for buildings and pavement along Post Road, Perimeter Loop Road, and Perimeter Drive;
- 3) That the plat be revised to conform to the Thoroughfare Plan, including the addition of bikepaths and sidewalks, subject to staff approval;
- 4) That right-of-way along Post Road consistent with the Thoroughfare Plan be dedicated to the City;
- 5) That Subarea 3 be permitted access onto Post Road unless the structure is expanded or the site redeveloped, at which time internal access via Perimeter Drive must be provided; and
- 6) That all conditions be met prior to scheduling for City Council.

Mr. Harian suggested installing a bikepath on one side of Perimeter Loop Road. Mr. McCash asked if it would be a problem where a five-foot sidewalk met an eight-foot bikepath. Mr. Harian suggested installation be a transition. Mr. Gibson thought this could work.

Ben W. Hale, Jr., attorney for the applicant, agreed to the conditions. He clarified that the 210,000 square feet could be exceeded when the Perimeter Drive was connected to Post Road. He said Phase 2 was a small piece of Perimeter Loop Road. Mr. Hale agreed to Mr. Harian's suggestion of the eight-foot bikepath on Perimeter Loop Road.

Mr. Fishman made a motion to approve this preliminary plat with six conditions:

- 1) That the stormwater management system comply with the City's Stormwater Regulations, subject to staff approval;
- 2) That the plat be revised to note the setback requirements for buildings and pavement along Post Road, Perimeter Loop Road, and Perimeter Drive;
- 3) That the plat be revised to conform to the Thoroughfare Plan, including the addition of bikepaths and sidewalks, subject to staff approval;
- 4) That right-of-way along Post Road consistent with the Thoroughfare Plan be dedicated to the City;
- 5) That Subarea 3 be permitted access onto Post Road unless the structure is expanded or the site redeveloped, at which time internal access via Perimeter Drive must be provided; and