



MEETING MINUTES

Planning & Zoning Commission

Thursday, February 16, 2017

AGENDA

The Chair, Victoria Newell, called the meeting to order at 6:31 p.m. and led the Pledge of Allegiance. Other Commission members present were: Cathy De Rosa, Stephen Stidhem, Chris Brown, Bob Miller, Amy Salay, and Deb Mitchell. City representatives present were: Phil Hartmann, Vince Papsidero, Claudia Husak, Logan Stang, Aaron Stanford, and Laurie Wright.

Administrative Business

Motion and Vote

Mr. Brown moved, Ms. Mitchell seconded, to accept the documents into the record. The vote was as follows: Mr. Stidhem, yes; Mr. Miller, yes; Ms. De Rosa, yes; Ms. Salay, yes; Ms. Newell, yes; Ms. Mitchell, yes; and Mr. Brown, yes. (Approved 7 - 0)

The Chair briefly explained the rules and procedures of the Planning and Zoning Commission. She said four of the five cases this evening are eligible for the Consent Agenda. She reported there is a list of speakers for Craughwell Village Condominiums so that was pulled from the Consent Agenda. She said the Home 2 Hotel was pulled at the request of her fellow Commissioners. She determined the cases would be heard in the following order – 4, 2, 1, 3, and 5 but will be recorded in the minutes as represented on the agenda.

The Chair, Victoria Newell, said the following application is an amendment to the approved development text of a Planned District to revise permitted building materials and architectural elevations; and the replacement of roofing and building materials for an existing condominium development on the south side of Perimeter Drive at the intersection with Craughwell Lane. She said this is a request for a review and recommendation of approval to City Council of a Rezoning with a Preliminary Development Plan and review and approval of a Final Development Plan under the provisions of Zoning Code Section 153.050.

The Chair swore in anyone intending to address the Commission on this case.

Claudia Husak explained there are two sentences in the development text that require wood shake as a shingle material and for all elevations to adhere to elevations approved in the mid 90's as this complex, which was apartments at the time, was approved by the Commission. She added the Final Development portion of the application is for all the final details - specifically materials that the applicant is proposing to change as part of the application.

Ms. Husak presented an aerial view of the site that contained all of the condominium units as well as the clubhouse. She said the Commission tabled this case as requested by the applicant in November, 2016. She said the application has changed to some extent in terms of building materials and elevations.

Ms. Husak presented photographs provided by the applicant showing some of the damage that the units have experienced over the years. She added the discussion about the cause of the damage has not changed; there is aging material and installation issues. She reported staff has spent approximately 18 months with the applicant to figure out how to best address the issues of the complex. Prior to that, she said they had discussions about faux chimneys that are on all the elevations and how to address water intrusion and mold that is in these units. She said as the applicant has been able, they have been repairing those chimneys one by one. She explained the damage is widespread throughout the complex and staff from Planning and Building Standards have visited the site to see the damage, first hand.

Ms. Husak presented an elevation of one of the existing buildings. She indicated the applicant has chosen to keep the stucco and stone chimneys and repair as needed. She said the shake shingles are supposed to be removed, all substructures inspected, and replaced with a dimensional, high-quality asphalt shingle. She added metal work will be replaced with matching material. Depending on the elevation, she said stucco and stone is still being proposed but only using one stucco color instead of two. She noted all the windows and garage doors will remain the same.

Ms. Husak presented the proposed southeast elevation and explained the stone on the street facing facades will be replaced with new stone once all the repair work has been done and there would be no difference noticed. She said the proposal for the interior elevations is to replace the stone with matching stucco.

Ms. Husak said staff specifically focused on the General Welfare criteria so the applicant ensures the residents have a safe environment. She said approval is recommended to the Planning and Zoning Commission and also to City Council.

Ms. Husak presented the material details of the Final Development Plan proposed: beige stucco to match the stone and the asphalt shingle that was approved for Key Bank, which is in Perimeter Center but in a different Subarea.

The Chair invited the applicant to speak.

Glen Dugger, an attorney with Smith and Hale, said he represents Craughwell Village. He said there are a lot of residents here to speak. He noted the Planning Report articulated the changes that are being sought from the original Development Plan. He pointed out that the 199 unit condominium association was converted in 2006 from prior apartments and the situation that the owner's association finds themselves in is one in which is not their responsibility and not their fault. He said he does not see how any of the owners could be charged with understanding the nature and extent of the deficiencies that were apparent in this project when they purchased their units, at least prior to 2014. He reported that 76% of the residents voted in favor of this proposal twice and spend an extraordinary amount of money to remedy these problems. He said that is what this process is about as far as he is concerned and they are requesting support from the Commission so that can happen. He suggested Jim Bender, Jim Bender Architects, speaks to the proposed materials.

Amy Salay inquired about Mr. Dugger's involvement. He answered he was involved with the original people that built this complex but cannot find the files on this specifically but has files on the big picture of what happened on the east side of Avery Road.

Ms. Salay inquired about how the apartment complex became condominiums and sold the units individually. She said she was curious as to what problems they knew about and when they knew it; she wanted to know when the mold started appearing.

Mr. Duggar explained condominiums require a process to go from apartments, which includes a survey that has to be recorded. He indicated there is a three-year warranty that goes along with the sale of the units. He noted that was not the time period for which these issues started becoming apparent as that was late 2013 and clearly in 2014. From the time of the condominium conversion to the appearance of deficiencies in its construction, he reported is approximately eight years. He said the original conversion was handled by an LLC, which no longer exists.

Deborah Mitchell asked if the condominium board was set up with the proper amount of reserves. Mr. Dugger answered it was properly funded. He said the association management is here and they can speak to that; they manage condominiums all over central Ohio.

Ms. Mitchell asked if there were recommendations made to the prospective buyers or the condominium association for inspections to be conducted. Mr. Dugger answered the association has been trying to get to the root of this problem at least in the last 18 months. Ms. Mitchell inquired about the three-year warranty period. Mr. Dugger indicated he has never seen anyone physically inspect a roof of a condominium. Ms. Mitchell said she has herself, many times.

Jim Bender, Jim Bender Architects, 3040 Riverside Drive, said his responsibility is how the exterior looks and the technology to make it last for the next 20 – 30 years or longer. He said they understand the street presence is very important and a significant community asset. He explained there will be a rain screen in the back and the materials will be installed correctly so no water infiltrates the walls. He discussed the materials they plan to use, which includes synthetic stone and shake. He said he plans to install the shake over the existing sheathing, otherwise they would uncover problems nobody could afford.

Bob Miller inquired about the cost of the shingles from a square foot perspective. Mr. Bender answered the shingles are more expensive but the roof will look similar to how it looks now.

Mr. Miller inquired about the stucco. He asked if old stucco would touch new stucco. Mr. Bender answered they plan to emulate the old stucco as close as possible except they are using a synthetic finish. Mr. Miller asked if the difference will be visible. Mr. Bender indicated he spoke with the best stucco subcontractor in Franklin County who said a difference will not be noticeable. He added he has seen it

side by side and cannot see a difference but they will do a test and the Commission is welcome to come take a look before it is started.

The Chair invited public comment.

William Loveland, 3300 Riverside Drive, said he is an attorney representing a resident that owns two units. He said he is here to help the Commission understand how massive the harm is from the delay that is occurring in resolving this problem. He said his client has had 3 or 4 written contracts to sell one of her units but all have fallen through because of the uncertainty as to the special assessment. He said even to do the job with these replacement materials, assessment of 20% of each unit is going to have to be paid and the units sell for about \$110,000 so renovations will cost 20 -30,000 per unit. He reported his client has had tenants move because of the mold and leaking water issues. He said the units are nothing but a burden to his client. He indicated he is experienced in condominium law. He said the only warranty that comes with a condominium is a one-year warranty on unit elements, which is a box of air in this condominium; there is no hardware to the unit other than interior walls and cabinets. He said the warranty for the common area is two years from the date of recording of the first deed to a unit so it expired two years after the declaration for this condominium was filed. He explained condominiums can be created by any multi-family property owner without a zoning review as it is not a change in use, it is still residential and within the Zoning Code.

Mr. Loveland said the units leak like a sieve. For 18 months, he said the units have been totally unmarketable because black mold has been identified. In his 35 years of experience, he finds shake shingles are not appropriate for this climate and do not work long-term, failing after 8 – 10 years after installation. He thought the only basis possible for turning down this request is an aesthetic consideration. He indicated we are trying to address a real hardship on people as they cannot live in, rent, or sell their units. He said the association that encompasses 199 members can govern the common area. He stated the properties have gone down in value to over \$100,000 and they cost a lot more than that when originally purchased. He indicated his clients are threatening to sue the Board because they are not fixing these problems and the Board is saying they cannot fix the problems because the City is not willing to cooperate with them.

Kent Anders, 6113 Craughwell Lane, said he agreed with Mr. Loveland in that this is an aesthetic issue. He thanked the Board/group of volunteers for all of their efforts. He indicated he likes the changes the applicant made to the proposal from before to now, where the aesthetics are very close to the current structure. He said wood shingles in this area do not age well. He listed a few buildings that had asphalt shingles, which he thinks look horrible in most cases. He stated the water issue starts at the top. He indicated the owners are going to be in financial distress, according to the last Board meeting he attended. He concluded he hopes the Commission will vote yes to pass this proposal/application.

Garth Kerr, 6131 Craughwell Lane, reported he has been a resident in Craughwell Village since 2007, during the initial conversion. He said he is painfully aware of the original construction shortcomings. He said he did a complete window replacement in 2011, under a different management association at which time there was no warranty. He said the engineer at the time was well aware of the mold and moisture problems in 2001 to the point the Mr. Loveland, the original builder, and he actually met during his purchasing process and the original builder sold all the units as premium condominiums and skipped town.

Ms. Newell asked Mr. Kerr if he knew the name of the original builder to which Mr. Kerr answered he did not. He said when he replaced his windows he did some investigating and found the website and company to be gone but because that was 6 or 7 years ago he does not remember. Ms. Newell said she knows the name of the original developer of this project. Mr. Kerr said he was no longer building in this area or under that same name.

Mr. Kerr reported he spent approximately \$5,000 for windows, \$8,000 for HVAC, and \$2,000 for water damage; all told, it has not been a great experience.

Mr. Kerr indicated their architects and association have done an incredible job and have thoughtfully come up with a detailed plan to use outstanding building materials that match and exceed what currently exists. He said the building materials will have no negative impact to the overall visual appeal of the properties and will last longer and are more environmentally conscious in line with Dublin's self-proclaimed green initiatives. The existing shingles can be potentially hazardous in high wind; he said they are far less resilient than the proposed replacements.

Mr. Kerr said he was disappointed the Commission did not originally support the application. He noted the whole community is excited about revitalization effort, improved curb appeal, and potential increases in property values. He asked the Commission to consider the outcome of not addressing the issue at all; minor aesthetic changes based on curb appeal as opposed to doing nothing. He reiterated that some people are really in limbo in terms of market and resale. He said everyone trying to speak today is trying to make the best out of a bad situation. He said he appreciates Dublin's strong zoning standards and that is part of the reason he lives here.

Lisa Pearson, Case Bowen Company, said she is the property manager for the Manor of Craughwell. She said there are 199 unit owners and over 75% of them voted in favor of this application. She said her role this evening is to explain the events from November to the present. She said the first instances of water intrusion resulting from poor backing behind the stone and bad flashing was reported in mid Sept. 2013. In 2014, she said there were two additional circumstances reported and at that time, the Board could not identify it as a systemic problem; it was isolated.

Ms. Pearson said in November 2014, the Association engaged with an engineer, Andy Halter, NRC Engineering. She said they began to evaluate the cost of the project and the Board looked at possible financing options. She said the responses to the request for proposal came in at between \$3.1 mil and \$4.5 mil and this would not include any monies for contingency including the mold behind the stone and any issues discovered underneath the shingles themselves, nor did the RFP include what would be required to put shake shingles back up, which is a replacement of the sheathing and the current shake shingles are not treated with a fire retardant. She indicated that if the association would be required to go back with shake shingles, they would choose to treat those with a fire retardant and cost would be enormous. She said two banks would approve the association loan to the extent needed for the construction and only one bank was willing to do a 20-year loan. The most the association would qualify for is a \$3 mil loan.

Ms. Pearson said in June 2015, the Board began working on the passage of the first amendment specific to this project and that allowed the Board to take the loan; the collateral on that loan is the association dues. Throughout this time, she reported the Board and Andy were engaging as was shared with the City of Dublin. In beginning Sept 2015, she said the Board began to interview architects and Jim Bender was engaged in Feb 2016 and has been working diligently with staff since that time. She noted he has worked very hard in response to the comments made in November to move forth the project to meet with the Commission's approval. She said they have passed the second amendment in Dec 2016 to allow the modifications to the exterior of the buildings.

Ms. Pearson restated Craughwell Village is owned by 199 separate unit owners and without approval of over 75%, the association does not have the authority to change somebody's home without their prior approval. She emphasized, 75% of the owners of Craughwell have approved of this project. She said if the Commission does not approve, it is not a doable project for the owners because the association cannot afford it.

Ms. Newell asked if any forensics have been done on the building and had infrared imaging been done on the structures. Ms. Pearson answered there have been no infrared images taken.

Ms. Newell said, as a design professional, it is something she highly recommends for this project. She said the investment will tell them how wet the building actually is on the inside of the structure. She said where there are no contingency funds in place, it is highly likely that all the sheathing will need to be replaced, a lot of the roof sheathing, and the expense associated with doing that infrared imaging is not expensive compared to the knowledge that is gained.

Pat Noland, 6018 Innishmore Lane, said her husband works for a roofing company but unfortunately, he was not able to attend this evening. She indicated \$250 a square seems pretty high. She said she just moved here a couple of months ago and loves it, it is a great property, it is beautiful, and she did not know all these issues were going on. She said people had difficulty selling their units because they could not tell prospective buyers how much the assessment is going to be but they love it so much they thought it was worth the risk as they did not plan on it being too expensive. She said now after this evening's comments, she is really concerned. She asked why the new and improved materials are not to be used to provide the same appearance and function of what exists.

Rachel Hoertz, 6213 Craughwell Lane, said she purchased her unit in 2006, and she is in contract on her unit now, which is in jeopardy of falling through. She said she is losing a substantial amount of money just to walk away from the property because the value of the property has declined so badly. She reported she has lived in Dublin since 1995, attended Dublin Coffman High School, and remembers when this building was constructed and how wonderful and beautiful she thought it was. She stated the aesthetic changes being proposed will not diminish that at all but the most important thing in this room tonight is what is happening to the homeowners involved and the significant financial impact this is having. She said she grew up in Muirfield and knows what cedar shake shingles cost. She said construction on this development has been a major problem and it is not something any of them were aware of when purchasing their property.

Brian Silverman, 6125 Craughwell Lane, said he has three different perspectives on this issue. He said he has been a unit owner since 2005, he is a Board member who maintains a safe and quality of life that this community provides to him and his neighbors, and he proudly represents the Boards of over 75% of his fellow owners who support this project down to its living, breathing origins. He said he has the unique ability to emphasize and exhibit the very evidence of those origins. He said the pictures of mold and wood rot that the Dublin staff presented to this Commission are of his home. He said the discovery was made only because of a water line break due the arctic temperatures the City experienced in the early days of January 2014. He said the water line break was unavoidable and similar events occurred throughout the country. He said the mold and structural deterioration that the Commission has been presented were exposed due to the extent of the otherwise unrelated water damage. He asked the commission to pay close attention to the level of mold and deterioration; this is among the contingencies of the association needs to be prepared to address as part of this project. Although there is some level yet to be determined, he said structural issues are ensuing from the failure of the roofs. He said their expert team believes that the conditions behind the stone as pictured would be much more prevalent and costs do not result from materials alone.

As presented by staff, Mr. Silverman reported the association heard the Commission's comments in November and propose the replacement of a predominantly stone façade with a predominantly stone façade on the portions that face the streets. He said the passage of the second amendment in 2016 represents the serious consideration owners gave to this situation. After their review of the proposed renderings from November and tonight, he noted 76.3% of the 199 unit owners approve of the proposed exterior modifications, less than 2% or total of 3 voters cast negative votes and the remainder of the ownership did not vote. He said this plan does not cheapen the exterior and not proposing the use of cheap materials or anything inconsistent with the character of Dublin.

Mr. Silverman said he purchased his unit in 2005 with an interest in its proximity to the cutting edge of Dublin's growth and development perimeter. He said he grew up in Dublin and enjoys the safe, well-maintained community that take pride in both its people and property values. He said this property was desirable for someone his age and income bracket. He said the location at the time was primary for all that was new and exciting in Dublin's future development plans; now the location offers proximity to many of those developments. He said it never dawned on him that his investment in a Dublin home could become such a gamble. He said he is happy to be here and has no plans to leave unless a governing body of the people, by the people, makes it an unreasonable and unmanageable.

Jack Williams, 7095 Shady Elms Drive, said he and his wife own the unit at 6250 Innishmore Lane, which they have been fortunate to keep rented for nearly what they have to pay for it. He reported it has never really been above water but they have experienced front row seats to some of the problems described here as they are on the top floor. He gave credit to the management company, their band aid team actually did a great job at getting out there and fixing the problem but it is clear that leaks are springing as fast as they can patch them. He said the wood shingle has not been a good roofing solution for us.

Mr. Williams said there are several units that have been for sale for a very long time, not just because of the uncertainty of the looming specter of having an assessment but because it has been costing him economically as much to keep the unit as he can get for it in rent. He said we do not need a lot of empty buildings in Dublin. Over the past several years, they have thought this is not the experience they had hoped for. He indicated they would not mind selling it but there are enough empty units in this building that they do not think they could sell it without a significant loss and that is not going to get better unless they have a lasting solution for the roof and they can say to prospective buyers that they have a sound solution and worth their while.

Josh Emenovitch, 6257 Craughwell Lane, said he is also the president of the Board of Directors of Craughwell. He said he has been part of this community since 2007 and has been on the Board since 2011. He said they pulled data from the City of Dublin from 2014 – 2016 and also from Craughwell for the same period. He said the trends are quite alarming and do not support the concept of maintaining or increasing value by putting the same material up as they have now. He said the price per square foot for the City of Dublin in 2014 was \$124.28. In 2016, the City of Dublin price per square foot increased to \$132.96. In percentages, that is an increase of 7% from 2014 - 2016. The price per square foot for Craughwell in 2014 was \$96.01 and in 2016, the price per square foot decreased to \$87.31 or a 9% decrease. He added the average days on the market for the City in 2014 was 50 days and in 2016 was 48 days or a decrease of 4%. Average days on market for Craughwell in 2014 was 49 days and in 2016 was 93 days, a 90% increase.

The Chair closed the public comment portion of the meeting.

Chris Brown said everyone represented themselves very well despite this emotional topic. He explained part of the Commission's duties are to assess every Code that they have and see when they may be able to waive a Code and all the materials were codified on that and everything defined. He stated that the reluctance to switch is based on that and also the aesthetics. He stated cedar shake shingles are a great construction material, only though if installed correctly and ventilated in the rear, underneath. He said in Central Ohio that does not happen very well. He said there are roofs in Kansas City that have been there 30 – 50 years. He said he deals with a Dublin home that has 35-year old cedar shake shingles and they are beautiful. He said in this case, the shake shingles were installed improperly along with the other exterior construction materials. He emphasized it is not the material that is the problem, it is the installation method.

Mr. Brown said the shingle proposed is suitable for three stories up and at that angle and the way it will be perceived. He said the shadow line is important and the way it is read. He said he appreciates the

effort to find an appropriate replacement that obviously is not a cedar shake but at least it keeps a lot of the character alive. He appreciates that the street façade is proposed to be put back in order. He said there is a certain character to that complex; part of which adds value. He said the stucco on the interior court is acceptable.

Amy Salay said she is fine with what is proposed as there is really not a great alternative. She said she is concerned about having units safe to live in completely repaired and people hope to buy. She said once the facades are being torn off, what is the likelihood that \$3 mil will not be enough to make this whole. And if we run into that situation then what is the solution or are we absolutely certain that this fix as proposed is going to get us to where we all want to be.

Mr. Dugger indicated we would all be fooling ourselves and he would be disingenuous if he stood here and said \$3 mil will absolutely 100% address every problem. He stated Ms. Newell's suggestion to use infrared imaging will be helpful to find out what is going on behind some of these wall segments that they may or may not know have problems. He said if that is a condition of approval, that is something they would agree to. He said they do not want to get a fix that only takes care of 80% of the owners, excluding the remaining 20%. He said we have a ways to go to completely defining the problem but the applicant could not tear off wall segment and roof until we could get to some point with the Commission. He said none of us want to be to the point we put blue tarps up but maybe by holding off exacerbated the problem.

Ms. Newell said, in her professional opinion, the infrared imaging will show what materials below are wet, which will need to be replaced. She recalled the testimony that Mr. Bender said this evening with proposal of doing asphalt shingles and that product is used on commercial and residential buildings. She said she has used that particular product on a number of houses in Dublin over the years. She noted he had said he wanted to preserve the sheathing in place but she said it is highly likely it will still need to be replaced on a good portion of the roof that is there. She told the residents that they are facing poor construction in that building when it was originally built so materials that were there, synthetic stone, wood shakes, and brick, are all durable materials that would have a good life expectancy; cedar shakes last 20 – 40 years, the proposal and reviewing warranties on roofing materials in general, get asphalt shingles that will have a 50-year warranty but the fine print has to be read to see what it provides. It does not guarantee that a roof is going to last 50 years and they do not guarantee the water tightness of the whole assembly, just the product. She said it is the flashing and air and vapor barriers that are important at installation to make the building water tight. She said where there is stucco above the stone, there was no flashing so water was permitted to pour behind those materials year after year. She restated it is not the materials that are failing, it was the construction/installation originally that is failing.

Ms. Newell said she struggles with two issues on this application. She said as a Commission in general, our task is not to consider cost and she explained that every developer that comes before them could make the exact same argument that is being made here tonight in regard to materials. She said the Commission has opposed and turned down applicants that were requesting to replace cedar shakes with a different material simply because it was expensive. She said she feels terrible for the residents and why they are here. She said she cannot support a different material or the Commission is inviting that center to come back and make the same argument. She said what is in the development text is what the residents originally fought for. She said she is supportive of the other material changes on the non-street facing side.

Cathy De Rosa asked if someone could speak to the sequence of this work and if the roof would be completed first. She asked what the homeowners agreed to when they approved this proposal.

Ms. Pearson said they did not contemplate the order of the work and the first thing they would do is to have Jen, who is currently working on the bid documents, to have the final bid documents done. She said then they would look at the financing and likely they would start with the roofs and go top to bottom but

that was not part of the amendment or part of what was discussed with the owners. She said their biggest hurdle has been getting the project through the Commission. She said until they know what building materials are permitted they have not moved beyond that.

Ms. De Rosa indicated they are likely to find more than what is there and the sequence will be important to the residents. She said the proposal from November in comparison to today is quite different and is much more in character with the original intentions of that property and what it is today. She said that will help with the value. She indicated she feels a lot better about this proposal today. She inquired about the look and feel from a distance aesthetically if changed per proposed compared to what is there today.

Ms. Newell noted everyone is going to have a different opinion. She said she always sees a difference between asphalt and wood shake shingles.

Mr. Brown said he agreed that the materials are not the issue but the installation. He said since this is a third floor, there is a lot of trees, and is close to the street, the building is not read from afar and that is the only reason he is supportive of the asphalt.

Mr. Miller said the height of the structure reads quite tall, almost four stories to him. He asked if the Commission is supportive of this, if they will be setting a precedent. He asked what would happen if Giant Eagle asked for the same.

Phil Hartmann said these are two separate subareas so the text being altered tonight is just for that one subarea. He said he does not have a great deal of concern because they are different circumstances.

Mr. Miller said beauty is in the eye of the beholder and he has never liked cedar shake shingles. He said inside the property is irrelevant and at this height. He said this product will not look like cedar shakes but he does not think it will standout enough to make a difference. He reported he was supportive of the facelift across the property proposed in November. He said he is supportive of this proposal. He cautioned the applicant that they are facing much higher expenses than what they have considered. He noted there are not cedar shake shingles on the Craughwell garages today and the asphalt shingle is not dimensional, just a standard residential shingle.

Mr. Brown said the one caveat is that the clubhouse retain cedar shake shingles.

Mr. Stidhem said his concern in November was the stucco as he is not a big fan; he is not concerned with the roofs. He reiterated that the Commission as a whole is stating the installation of materials is more important than the products themselves. He encouraged the applicant and the residents to take the passion they have this evening and monitor the construction to fix these issues.

Ms. Mitchell she said she has had mixed feelings on aesthetics. She said if the original construction is bad, it is a money pit and is worried for the residents.

The Chair opened the floor for public discussion a second time.

Jack Williams, 7095 Shady Nelms Drive, said they have been owners since 2005 and he believes the clubhouse was redone several years ago. He stated it was the first structure to spring leaks. He recalled in 2008 or 2009 there was an increase in the association fees specifically to redo the clubhouse.

The Chair closed public comment since nobody else wanted to address the Commission regarding this case.

Ms. Husak said she added a condition to the zoning application to address the clubhouse roofing.

Ms. Salay indicated she was not comfortable with the mix of materials. Mr. Brown said he has always read the clubhouse as different. Ms. De Rosa said it might stand out more than it blends in. Mr. Brown said they are really different because the roofs on the other structures are read the same as the clubhouse, to which Ms. Newell agreed.

Mr. Dugger said they are indifferent to the materials for the clubhouse roof as long as the application is approved as presented. He said there seems to be a disagreement about that and he does not want to get into the middle of that and will defer to the Commission's decision.

Mr. Miller said the clubhouse is a different animal but he could go either way.

Ms. Salay clarified that she was not requesting that the applicant change the roof on the clubhouse just that when the time comes to do so, the applicant should not be required to keep the same shake shingles.

Mr. Brown said if the Commission is fine to leave it for their own Board, he is fine with that so the condition does not have to be added.

Mr. Stidhem said he did not have passion for roofs but if it was installed properly, it will be a long time before it will even have to be addressed.

Ms. Husak said approval is recommended for the Rezoning and Preliminary Plan with no conditions.

Motion and Vote

Mr. Brown motioned, Mr. Stidhem seconded, to approve the Rezoning and Preliminary Plan with no conditions. The vote was as follows: Ms. Mitchell, no; Mr. Miller, yes; Ms. De Rosa, yes; Ms. Newell, no; Ms. Salay, yes; Mr. Stidhem, yes; and Mr. Brown, yes. (Approved 5 – 2)

Ms. Husak said approval is recommended for the Final Development Plan with no conditions.

Motion and Vote

Mr. Brown motioned, Mr. Miller seconded, to approve the Final Development Plan with no conditions. The vote was as follows: Ms. De Rosa, yes; Ms. Newell, no; Ms. Salay, yes; Mr. Stidhem, yes; Ms. Mitchell, no; Mr. Miller, yes; and Mr. Brown, yes. (Approved 5 – 2)

The Chair, Victoria Newell, said the following application is for the dedication of right-of-way to the City of Dublin for the construction of North Riverview Street and future infrastructure improvements along North High Street. The site extends from the intersection of North High Street and Indian Run Drive to North Street. She said this is a request for a review and recommendation of approval to City Council for a Preliminary Plat and a Final Plat under the provisions of the Subdivision Regulations. She said City Council is the final authority on this application.

A formal presentation was not requested as this was on the consent agenda.

Chris Brown inquired about the creek that runs through Indian Run. He asked staff if the City of Columbus controls that property because it is a waterway.

Logan Stang answered the City of Dublin owns the properties on the north edge of this application.

Mr. Stang said approval is recommended to City Council for a Preliminary Plat and a Final Plat with the following condition:

- 1) That the applicant ensures that any minor technical adjustments to the plat are made prior to City Council submittal.

Motion and Vote

Mr. Brown motioned, Ms. De Rosa seconded, to recommend approval to City Council with one condition. The vote was as follows: Ms. Salay, yes; Mr. Miller, yes; Ms. Mitchell, yes; Mr. Stidhem, yes; Ms. Newell, yes; Ms. De Rosa, yes; and Mr. Brown, yes. (Recommended for Approval 7 – 0)

**3. BSD C – Home 2 Hotel
17-006MSP**

**Upper Metro Place
Master Sign Plan**

The Chair, Victoria Newell, said the following application is a Master Sign Plan for two wall signs and a monument sign for a hotel on a 2.57-acre parcel, south of SR161, at the intersection with Frantz Road. She said this is a request for a review and approval of a Master Sign Plan under the provisions of Zoning Code §153.066.

The Chair swore in anyone intending to address the Commission on this case.

Logan Stang presented an aerial view of the site. He explained the site received final approval for a four-story hotel and associated site improvements in October 2015 and construction of the development is well underway. He said the site has a single shared access point from Upper Metro Place for the subject site and future development. He noted that many hotel uses in this area have received variances over the years for signs including increased size and height as well as additional signs for visibility. While these variances were approved prior to Bridge Street zoning, he said many of the signs still exist based on those approvals.

Mr. Stang stated the Master Sign Plan proposal includes a total of three signs for the site. The first is a wall sign, he said, for the east elevation near the intersection of Frantz Road and W. Bridge Street. He said the second is a projecting sign on the north elevation near the northwest corner of the building. The third and final is a ground sign he said, located on the west side of the shared access point on Upper Metro Place.

Mr. Stang presented the proposed wall sign and described it as being approximately 66 square feet in size and is to be erected at a height of 40 feet, 11 inches from grade. He stated the sign is located in a manner that is architecturally appropriate and meets all zoning requirements with the exception of height, overall size, and secondary image. The “suites by Hilton” text and “2” logo exceed the 20% of sign face maximum requirement for secondary images he reported but is appropriate given the design and location.

Mr. Stang presented the proposed projecting sign and said it is approximately 22 square feet in size and is to be erected at a height of 36 feet, 7 inches from grade on the north elevation. He described the sign as having a brown background with green accent and white copy. He stated the sign meets all Code requirements except for height and overall size but given the location to the I-270 interchange and sign design, the variations from the Zoning Code are appropriate.

Mr. Stang presented the third and final sign, which is a ground sign located along Upper Metro Place. He said the sign is similar in design to the projecting sign and is proposed at a height of 8 feet and overall size of 14 square feet. He stated the sign is located 13 feet from the right-of-way and meets all the applicable Zoning Code requirements.

Mr. Stang explained there is no criteria specifically for a Master Sign Plan; the Code outlines the intent and purpose of the application as follows:

1. Allows a greater degree of flexibility and creativity in sign design and display;
2. Intended for multiple signs for a single building or group of related buildings to ensure the requested signs work in a coordinated fashion;
3. Not intended to simply permit larger signs or more visible signs, or additional signs without any consideration for unique sign design and display; and
4. Maintains the purpose and the intent of the sign and graphics standards for the applicable BSD Zoning District.

Mr. Stang indicated the proposal overall meets the four guidelines listed as well as the context of the surrounding development. Based on these guidelines, he reported the ART and Staff is recommending approval of this application with no conditions.

Cathy De Rosa recalled when this case was presented to the PZC before, there was a discussion about 'hallway illumination'. Mr. Stang indicated that concern dealt with the tower element on the corner that was all glass and the inside was to be painted green. He said when that went to City Council, they stated it would be reviewed when the building's construction was completed but prior to its opening. He explained that would allow people to view that hallway illumination element and if need be, it could be changed at that time. He reported that since the building is still under construction, that has not occurred yet. He clarified before the opening of the actual hotel, the developers will have to return to City Council and discuss that option.

Ms. De Rosa asked if the color was still intended to be green. Mr. Stang answered in the affirmative and that green would be evaluated for a period before the discussion with City Council.

Steve Stidhem said he thought that review was to happen at the Planning and Zoning Commission and not City Council. He recalls the members discussing taking a road trip together to check the illuminated hallway out.

Chris Brown recalled that the PZC brought it up but then City Council decided they would make that evaluation and determination. Mr. Stang indicated he would verify the process. He added because of the Economic Development Agreement that was in place, City Council reviewed Home 2 for the final approval so ultimately it would be Council's decision but he imagined Council would welcome the Commission's feedback.

Victoria Newell inquired about the construction of the three signs and if there was dimensionality to them. She asked if the tower ground sign is fully illuminated or just the letters on the sign. Mr. Stang indicated it was just the letters that would be illuminated – "Home 2" and "Suites by Hilton", the green and brown background would stay opaque.

Ms. Newell asked the same question for the wall sign. Mr. Stang explained "Home" is channel letters that would be illuminated and "Suites by Hilton" and the "2" logo - are combined in one cabinet and only the white copy would be illuminated and not the background colors.

Tracey Diehl, ICH Hotel, asked what Ms. Newell would like to see illuminated. She said she can ensure the green is not illuminated, if that is what the Commission prefers. Ms. Newell said she is just one of the seven on the Commission.

Ms. Diehl said she resides at 6487 Hilliard Drive, Canal Winchester, Ohio, 43110. She indicated the Hilton and Home 2 Suites folks are willing to do whatever they can to comply and gain the Commission's

approval. She said there were several iterations to the proposal before this was submitted. She confirmed the numerals and letters illuminate and the backgrounds do not.

Ms. De Rosa said she preferred “no illumination” for the background. She said her impression of these designs were pretty standard for this corporation. Ms. Diehl confirmed this is a trademarked logo but the colors are not trademarked. Ms. De Rosa noted there are a lot of different colors on that building on that corner. She asked if the brown background on the signs would match the darker brown found on the building. Ms. Diehl said she did not have a lot of knowledge of what colors and materials are going on the façade; she has only seen these illustrations.

Mr. Stang indicated the brown on the sign would not match the brown on the building necessarily, as he does not recall the specified colors but imagined the brown background in the signs would be darker than any of the building materials. Ms. De Rosa noted it appears there is a lot going on there now, when she has driven by the site. She indicated this is a ‘tough’ green and in the right way it is beautiful but sometimes it can clash.

Ms. Salay said the only way we can make sure is to see a sample board with material samples and colors and put side by side with signs to judge.

Ms. Newell said the cabinet box can be numerous different colors and finishes can mimic the color of the brick of the building in some fashion.

Ms. De Rosa said it does not have to be exact but if it will be reviewed by Staff than it should be ok.

Mr. Stang said we can add a condition of approval that states the applicant is to provide revised drawings subject to Staff approval before applying for sign permits to ensure the colors correspond with the building architecture. Ms. De Rosa said the sign is going to look better if there is a staff review and oversight because this is the standard corporate color; we are not trying to match the building.

Ms. Husak asked Ms. De Rosa to clarify what she wants to match. Ms. De Rosa answered she is concerned that ensuring it compliments and does not contrast because there are three colors of brown on the building now.

Ms. Newell clarified there is a darker brick and a lighter brick so one would not want to match the color of brick it was being mounted to. She said a contrast of materials would be striking and look nice. She stated she is supportive of the ground sign and corner sign but is struggling with the wall sign. She asked the applicant if staff provided them with the sign guidelines, which states that very creative signs are expected.

Ms. Diehl answered they received the sign guidelines and reviewed it and that is how they came up with this proposal. She said the original proposal had a different design and did not have any projecting signs.

Ms. Newell suggested the Home 2 sign would look awesome and striking on that building if it was halo-lit instead of channel letters on that building and fit with the modern architecture.

Ms. Diehl clarified what Ms. Newell was requesting. She said she did not know if the client would be open to that. She indicated she thought the client understood that the function of the ART was to approve the aesthetics, which they did so the client was hoping this would be approved by the Commission this evening. She said to change out from a face-lit channel letter to halo-lit letters is more major than changing opaqueness of a cabinet and she would not be authorized to make that decision. She said if that would be a make or break deal, she would ask the Commission to table this application.

Steve Stidhem said this is an important building, as a gateway on the corner. He indicated he was also struggling with the lighting. He said as a frequent traveler, he likes hotels well-lit so he can find it again when he is walking around the area because he would not have GPS like he does when he is driving.

Ms. De Rosa inquired about the monument sign. Ms. Diehl explained the sign has a stucco base right below the metal frame and it would be hidden by landscaping. Ms. Newell said the landscaping would not be required and it would be nice if the base was finished to match the architecture.

Ms. De Rosa agreed because this is an opportunity to do something nice on this corner.

Ms. Diehl clarified the Commission wants some sort of masonry on the base. Ms. Salay answered affirmatively like the bricks or the stone to which Ms. Diehl agreed to accomplish.

Deborah Mitchell emphasized this building is at the corner of Frantz Road and SR 161; it is pretty easy to find. She asked if the signs could be simplified.

Ms. Newell said that is why she is requesting halo lighting.

Ms. Salay indicated she likes the precedent that there is halo lighting because it is so much more appealing.

Ms. Diehl asked if she was to come back before the Commission again, and the sign proposed was not halo lit, if she would be right back where she is now. Ms. Newell answered probably. Ms. Diehl said she would have to agree to the halo lighting. She said if that is a condition of the approval, she will make that condition noted and the client would accept that.

Ms. Newell said she would be okay with that but would still like to see a good design of the sign. Ms. Diehl clarified that Ms. Newell wants to see an exact sample of the sign. Ms. Newell indicated she would not be comfortable voting this evening favorably without knowing what that sign is going to look like as that would put the Commission in a bad position. She clarified she wants to see a design proposed including how the sign would be halo-lit, the colors, and materials proposed.

The Chair asked the applicant if she wanted a formal vote this evening or if she is requesting that the application be tabled. Ms. Diehl answered she would like to table this application.

Ms. Husak asked what the Commission is requesting to see back other than the halo-lit wall sign and the two signs that are more vertical in nature to have a different background color than the brown that complements the building.

Mr. Stang asked for clarification on the green background on "2".

Ms. De Rosa said her concern is the big green section illuminated. She added she is glad City Council is going to see the tower. She said it might be fantastic and we love it or quite the opposite.

Ms. Mitchell said it would be helpful if they could see the green with the actual Pantone color as greens can vary a lot on screen. Ms. Stang clarified the Commission wants an actual color sample.

Ms. Salay restated that if the applicant is coming back, if they could bring material boards and the proposed Pantone colors to see exactly what is to be approved.

Mr. Brown commended the applicant for being so willing to make changes because it is a very important corner and the Commission is sensitive about it.

Ms. Diehl said she understood and if the Commission allowed people to do whatever they wanted, Dublin would not be what it is today. The Commission said they really appreciated that. Ms. Diehl said her client might not.

Motion and Vote

Mr. Brown motioned, Mr. Stidhem seconded, to table the Master Sign Plan. The vote was as follows: Ms. Newell, yes; Ms. Salay, yes; Ms. De Rosa, yes; Mr. Miller, yes; Mr. Stidhem, yes; Ms. Mitchell, yes; and Mr. Brown, yes. (Approved 7 – 0)

**4. Perimeter Center, Subarea C1 - Ohio Premier Soccer
17-005CU**

7007 Discovery Boulevard Conditional Use

The Chair, Victoria Newell, said the following application is to permit an approximately 18,000-square-foot indoor recreational use within an existing building in Subarea C1 of the Perimeter Center Planned District. The site is on the west side of Discovery Boulevard, at the intersection with Post Road. She said this is a request for a review and approval of a Conditional Use under the provisions of Zoning Code §153.236.

The Chair swore in anyone intending to address the Commission on this case. She stated since this case was kept on the Consent Agenda that a formal presentation was not required.

Claudia Husak said approval is recommended for a Conditional Use with no conditions.

Motion and Vote

Mr. Brown motioned, Ms. Mitchell seconded, to approve the Conditional Use with no conditions. The vote was as follows: Ms. Newell, yes; Ms. Salay, yes; Ms. De Rosa, yes; Mr. Miller, yes; Mr. Stidhem, yes; Ms. Mitchell, yes; and Mr. Brown, yes. (Approved 7 – 0)

**5. BSD SRN – Cap City Diner
16-080WR**

**6644 Riverside Drive
Waiver Review Revision**

The Chair, Victoria Newell, said the following application is for the installation of operable weather screens and sun shade for a new restaurant located in Bridge Park, Building C2 on the southwest corner of Riverside Drive and Bridge Park Avenue. She said this is a request for a review and approval for a revision to the condition of an approved Waiver to revise the required opacity of a previously approved sun shade under the provisions of Zoning Code §153.066.

The Chair swore in anyone intending to address the Commission on this case.

Claudia Husak said she was filling in for Lori Burchett and there was a material sample board she forgot to bring with her, to which she apologized.

The Chair produced a sample herself of what she thought the applicant was proposing for opacity.

Randy Roberty, Design Collective, said they had a physical mockup of the actual system that included a large, three-foot by three-foot sample of screening with an opacity of 10% and 5% to present and a two-foot wide by four-foot long sheet of all the opacities lined up next to each other for comparison. He recalled at the last meeting, the issue was the Commission had requested the applicant use the 20% opacity instead of 10% opacity screen to which they agreed. He said they learned that 20% opacity screen is not offered, just the 10% opacity. He reported they researched alternate manufacturers but none of them offered anything over 10% opacity and the only products on the market were residential

interior screens, which will not hold up for this use. He said he received information from the manufacturer that stated anything over 5% is not going to shade the sun significantly and a 20% opacity screen would not do anything but the applicant is still willing to install a 10% opacity screen.

Chris Brown inquired about the opacity of a regular screen door. He said on the south side of his house, he used a denser material but still saw through the screen very well.

Victoria Newell said she did not know what other companies the applicant had researched but she said she did some research on her own and found she is probably okay with 10% opacity. She found there was a potential to obtain a screen at a higher opacity but she could not confirm the screens were exterior approved.

Mr. Roberty said the screen they select must also be of high quality.

Ms. Newell said she does not want to see the applicant use a material of lesser quality, either. She noted that what the screens are going to look like on the inside of the building are completely different than how they will appear on the outside of the building. She emphasized that the 5% opacity is going to look opaque on the outside of the building.

Ms. Newell remarked she has witnessed a lot of restaurants lately that have shades and they are down constantly and they appear as a black blind on the outside of the building. She said having a higher opacity so one can see into the building is so important and can understand going to 10% opacity.

Mr. Roberty confirmed the applicant is requesting a screen with 10% opacity as they share the Commission's views.

Ms. Newell indicated she is only comfortable with supporting this because of the two-year limitation provision the Commission has placed on this application as a condition of approval.

Mr. Brown said he agreed but the proper opacity and how the screen functions is also subjective. He recalled the Commission's concern has been that the people from the street are able to read the activity on the inside. He concluded he could support this too since there was that two-year provision and does not see a huge difference between 10% and 20% opacity.

The Chair asked if there were any further questions or concerns. [Hearing none.]

Ms. Husak said approval is recommended for the Waiver Review with five conditions, including the amended first condition:

- 1) That the applicant will install a Corradi USA-SL 135 hand crank system with shy zip tracks; Material is 8" woven acrylic borders (tempotest USA-Tempotest marine with 10 year warranty, T40779-60 'Silver Tweed') with clear vinyl windows (O'Sullivan Films-O'Sea clear vinyl; .030 gauge, marine grade) which is the same product as shown to the Planning Zoning Commission at the public hearing; Sun shades will be Mechosystems-Mecho/5 with manual operation with finish housing to match patio columns; The shade cloth will be ThermoVeil, Basket Weave 2100 'black' with **10%** opacity;
- 2) That the applicant will only utilize the screens during inclement weather events and as shade for patio patrons;
- 3) That the screens are only permitted to be lowered during patio operation hours when patrons are present and the screens shall be raised at all other times;

- 4) That the screens shall be replaced every five years or sooner as needed; and
- 5) That the applicant come before the Planning and Zoning Commission after two years from occupancy to ensure suitability of the product.

Motion and Vote

Ms. Salay motioned, Mr. Brown seconded, to approve the Waiver Review Revision with the conditions as detailed by Staff:

- 1) That the applicant will install a Corradi USA-SL 135 hand crank system with shy zip tracks; Material is 8" woven acrylic borders (tempotest USA-Tempotest marine with 10 year warranty, T40779-60 'Silver Tweed') with clear vinyl windows (O'Sullivan Films-O'Sea clear vinyl; .030 gauge, marine grade) which is the same product as shown to the Planning Zoning Commission at the public hearing; Sun shades will be Mechosystems-Mecho/5 with manual operation with finish housing to match patio columns; The shade cloth will be ThermoVeil, Basket Weave 2100 'black' with **10%** opacity;
- 2) That the applicant will only utilize the screens during inclement weather events and as shade for patio patrons;
- 3) That the screens are only permitted to be lowered during patio operation hours when patrons are present and the screens shall be raised at all other times;
- 4) That the screens shall be replaced every five years or sooner as needed; and
- 5) That the applicant come before the Planning and Zoning Commission after two years from occupancy to ensure suitability of the product.

The vote was as follows: Ms. De Rosa, yes; Ms. Mitchell, yes; Mr. Stidhem, yes; Ms. Newell, yes; Mr. Miller, yes; Mr. Brown, yes; and Ms. Salay, yes. (Approved 7 – 0)

Planning Items

Vincent Papsidero said there is to be a Work Session with City Council on March 6, 2017, and the topic will now be the Columbus Metropolitan Library and the library garage. He said the Bridge Street discussion will occur at the Work Session with City Council in April but there may be a preview with the Commission at one of the March meetings.

Mr. Papsidero said if any of the Commissioners were interested in attending the MORPC Inside 2050 Academy the Planning Department can cover the costs associated with that. He noted that last year's class was very successful and Dublin has been featured several times.

Victoria Newell announced she will not be able to attend the March 2nd PZC meeting. Amy Salay said she would also not be in attendance.

The Chair adjourned the meeting at 9:01 pm.

As approved by the Planning and Zoning Commission on April 6, 2017.

