



RECORD OF DISCUSSION

Planning & Zoning Commission

Thursday, October 20, 2022 | 6:30 pm

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

**1. Panera Bread at 6665 Perimeter Loop Road
22-109AFDP** **Amended Final Development Plan**

Proposal: Construction of a drive-thru for an existing restaurant on a 1.96-acre site zoned Planned Commerce District - Perimeter Center.
Location: ±615 feet southeast of the intersection of Perimeter Loop Road with Avery-Muirfield Drive.
Request: Informal review with non-binding feedback of an Amended Final Development Plan under the provisions of Zoning Code §153.066.
Applicant: Ben Siembida, MS Consultants
Planning Contact: Christopher Will, AICP, Planner II
Contact Information: 614.410.4498, cwill@dublin.oh.us
Case Information: www.dublinohiousa.gov/pzc/22-109

RESULT: A majority of the Commission members supported the proposed implementation of a drive thru and the site layout. The Commission expressed support for a parking reduction to accommodate the drive thru but want to ensure there is adequate parking to support the use. Members asked for careful consideration of the previously required crosswalk and parking agreement with the Giant Eagle site to determine how and whether those should be implemented with a future application. The Commission also discussed additional opportunities for access and parking with the adjacent parcel to the north. The Commission did express concern with how the proposed layout and configuration would be impacted by a different user.

MEMBERS PRESENT:

Lance Schneier Yes
Rebecca Call Yes
Mark Supelak Yes
Kim Way Yes
Warren Fishman Yes
Jamey Chinnock Yes
Kathy Harter Yes

STAFF CERTIFICATION

DocuSigned by:

Christopher Will

8C8A0F037E3E42F...

Christopher Will, AICP, Planner II





MEETING MINUTES

Planning & Zoning Commission

Thursday, October 20, 2022

CALL TO ORDER

~~Ms. Call, Chair, called the meeting to order at 6:30 p.m. and welcomed everyone to the October 20, 2022 Planning and Zoning Commission meeting. She stated that the meeting also can be accessed at the City's website. Public comments on the cases were welcome from meeting attendees and from those viewing at the City's website.~~

PLEDGE OF ALLEGIANCE

~~Ms. Call led the Pledge of Allegiance.~~

ROLL CALL

~~Commission members present: Rebecca Call, Lance Schneier, Kathy Harter, Mark Supelak, Warren Fishman, Jamey Chinnock, Kim Way~~
~~Staff members present: Jennifer Rauch, Chris Will, Thaddeus Boggs, Michael Hendershot, Tina Wawzkiewicz~~

ACCEPTANCE OF DOCUMENTS

~~Mr. Supelak moved, Ms. Harter seconded acceptance of the documents into the record and approval of the minutes of the 09-15-22 meeting and the 08-31-22 Joint Council-PZC-ARB-BZA work session.~~

~~Vote: Ms. Harter, yes; Mr. Schneier, yes; Ms. Call, yes; Mr. Way, yes; Mr. Supelak, yes; Mr. Chinnock, yes; Mr. Fishman, abstained.~~

~~[Motion approved 6-0 with one abstention.]~~

~~Ms. Call stated that the Planning and Zoning Commission is an advisory board to City Council when rezoning and platting of property are under consideration. In such cases, City Council will receive recommendations from the Commission. In other cases, the Commission has the final decision-making responsibility. Anyone who intends to address the Commission on administrative cases must be sworn in. Ms. Call swore in meeting attendees intending to provide testimony on the cases on the agenda.~~

INFORMAL REVIEW CASES

- 1. Panera Bread at 6665 Perimeter Loop Road, 22-109AFDP, Informal Case Review**

Construction of a drive-thru for an existing restaurant on a 1.96-acre site zoned Planned Commerce District - Perimeter Center. The site is located ±615 feet southeast of the intersection of Perimeter Loop Road with Avery-Muirfield Drive.

Staff Presentation

Mr. Will stated that the site is located southeast of Avery-Muirfield Drive and Perimeter Loop north of the off/on ramps for US33 westbound. The development in this corridor is predominantly auto-oriented, leveraging its proximity to the interchange. The site is zoned Perimeter Center. At the existing 5,000-square foot Panera restaurant, there is a 50-foot building and pavement setback along the frontage with SR161 and US33. There is also a 30-foot pavement setback on both Avery-Muirfield Drive and Perimeter Drive and an additional 50-foot building setback along both thoroughfares. There is an existing berm between the restaurant and the highway ramps, as well as a landscape hedge on both Perimeter Loop and Avery-Muirfield Drive, which screens the existing parking area. The Final Development Plan was approved by the Planning and Zoning Commission (PZC) along with the Conditional Use of outdoor seating on April 19, 2001. On May 21, 2001, City Council approved a rezoning to create a new Subarea L from Subarea E within the Perimeter Center. This occurred to permit a reduction in parking as well as an increased building height for the restaurant, while keeping with the development standards and character of the existing Perimeter Center development. The applicant is proposing to adapt an existing drive lane at the rear of the existing restaurant to provide a drive-thru. A drive-thru is a permitted accessory use. One exchange window is proposed, and 8-car stacking is proposed, consistent with the development plan requirements. Site modifications are proposed to enable the drive-thru, including removing 11 existing parking spaces, constructing 7 new parking spaces, reshaping an existing 3,500-sq. ft. dry detention basin, and general site circulation. Site modifications would result in a net loss of 4 parking spaces and would slightly reduce the total impervious surface (lot coverage) from 49.9% to 49.2%. The existing dry basin will be reshaped to provide space for additional new parking. The original development standards required 117 parking spaces for the restaurant and outdoor seating area, but the rezoning approved a parking reduction to 82 spaces. The accompanying condition of approval was that the applicant require the restaurant staff to park at the adjacent Perimeter Center shopping center, and that a crosswalk be installed along with signage to provide safe crossing. However, that never was done. Of the 82 spaces, only 81 were constructed. This new application would reduce the spaces to 77. Two questions have been provided for the Commission's discussion:

1. Is the Commission supportive of the proposed drive-thru layout and site circulation?
2. Is the Commission supportive of the reduction of parking?

Applicant Presentation

Ben Siembida, Civil Engineer, MS Consultants, 2221 Schrock Rd, Columbus, OH 43229, stated that he and Bob Bundy, representative for the property owner and the franchise representative, are available to answer questions.

Commission Questions

Mr. Chinnock inquired if additional signage or a reduction in signage was proposed.

Mr. Will responded that additional signage would be included for the drive-thru.

Ms. Rauch stated that a menu board would be considered separately from the ground or wall signage.

Mr. Way inquired if the earlier shared parking agreement with Giant Eagle identified a certain number of spaces.

Mr. Will responded that he is not aware of those details.

Mr. Way inquired if the crosswalk was never implemented.

Mr. Will responded that it was not.

Mr. Will inquired if there has been any discussion about implementing that crosswalk with the proposed project, linking that parking to this site.

Mr. Siembida responded that there has been some discussion about providing employee parking across the street.

Mr. Way inquired if the crosswalk could be implemented, per the original agreement.

Mr. Siembida responded affirmatively; they could work out those details with staff.

Ms. Call inquired where and at what time of day deliveries are received. Would it be during or after hours of operation?

Duane Jackson, director of construction, Covelli Enterprises, 3900 E. Market Street, Warren, OH 44484, stated that deliveries typically are received at night. They have approximately 50-60 cafes in the Columbus area and are able to dictate where and at what time deliveries must be made. Typically, deliveries are made at the rear door late at night, as it creates no conflict with customers or drive-thru traffic.

Ms. Call inquired if there are other existing Panera franchises in this market area.

Mr. Jackson responded that there are 10 local franchises, several of which do not have a bypass lane and most with 77 or less parking spaces.

Mr. Chinnock inquired if there is no concern about not having a bypass lane here, given that the other locations do not have one.

Mr. Jackson responded that three of the Columbus locations have one. In the Cincinnati market, 7 of their locations have bypass lanes. In all their markets, they have approximately 250-260 locations. Customer need and feedback drive all their decisions. They added their first drive-thru without a bypass lane in 2013, and more since then. Initially, they were concerned about the lack of a bypass lane due to extended wait times. However, inability to exit the drive-thru lane has not presented a significant problem. They do try to incorporate a bypass lane where possible. Before and particularly since the pandemic, the market trend has changed. Their building sizes went from 5500 square feet, as is the Avery location, to 3900 square feet. The numbers of parking spaces are also less. This change is based on customer feedback; people are less social and in more of a hurry.

Mr. Chinnock inquired if the drive-thru hours would be the same as the dine-in hours.

Mr. Jackson responded affirmatively.

Mr. Chinnock inquired if the number of inside seating spaces would also be reduced or remain the same.

Mr. Jackson responded that in older locations, including this particular location, the spaces are not reduced. In new locations, the number of seats is fewer.

Ms. Call inquired about the maximum number of stacked cars during peak hours at their existing facilities.

Mr. Jackson responded that at most of their locations, they have 5 stacking spaces; however, Dublin requires 8 stacking spaces, so that is what will be provided. During peak hours, the average

customer will sit in line 4-5 minutes; however, customers are aware that their food is made to order.

Ms. Harter inquired if they anticipate a crowded experience, similar to the Sawmill Road location, or if would it be similar to the Powell location. Additionally, is there any concern about fire truck access on site? Would access occur through the adjacent Shell gas station site?

Mr. Will responded that the driveway in the rear is not 12 feet wide and does not currently meet the specifications for a fire apparatus lane; therefore, it is not included in the existing fire safety conditions.

Ms. Harter stated that she has attended some meetings in the community room at this site; the site was very crowded and it was difficult to find a parking spot.

Mr. Jackson responded that they believe the 8-car stacking is sufficient. Currently, drive-up customers take up 30-35% of the available parking, and that number continues to increase.

Mr. Fishman stated that he and his wife visit this restaurant frequently, and he has never seen the parking lot full. He would be supportive of keeping the existing greenspace and reducing the parking even more. Additionally, the parking beside the proposed drive-thru looks awkward. He would supportive of eliminating that parking, as well, and leaving it as greenspace. Could this be a Conditional Use, so that if the use changes in the future, that use would need to provide the typically required parking?

Mr. Supelak inquired what other uses would be permitted here, as it is currently zoned, without triggering a need to re-address the parking.

Mr. Fishman responded that it certainly could be another restaurant, such as McDonald's. His question is if the Commission permits them to leave areas B and C on the plan as grass, which would further reduce the parking, should the use change, can the new owner be required to add the original number of parking spaces?

Ms. Call requested Mr. Boggs, Assistant Law Director to respond.

Mr. Boggs stated that the proposed project is presented for an Informal Review tonight. To proceed with either the proposed plan or a plan similar to what Mr. Fishman has suggested, the applicant would need to present a request for an Amended Final Development Plan. That plan would contemplate a particular intensity of use for this drive-thru and the associated parking requirements. If a future user should want to move into this space and do exactly the same thing, that project would not come before the Commission for consideration. If a potential future use were to propose a modification either in the intensity of use, in the site plan configuration, or a change of use, those applications would come before the Commission for consideration.

Mr. Schneier inquired if the applicant would have any desire to change the parking any differently than presented.

Mr. Jackson responded that they believe the proposed plan works, but they are willing to work with the Commission in any way necessary to achieve the proposed drive-thru.

Mr. Chinnock inquired if the applicant would be willing to move forward with a further reduction in parking spaces to leave the existing greenspace or if the applicant believes they need the proposed parking spaces.

Mr. Jackson responded that they have proposed 77 parking spaces, but they would be comfortable reducing the parking spaces substantially, perhaps to 50-55 spaces.

Ms. Call inquired if staff would be supportive of a greater reduction in parking.

Mr. Will responded that there should be sufficient infrastructure to support the proposed restaurant operation on this parcel, as well as any future similar use.

Commission Discussion

Ms. Call stated that the following two questions have been provided for the Commission's discussion:

1. Is the Commission supportive of the proposed drive-thru layout and site circulation?
2. Is the Commission supportive of the reduction of parking?

Ms. Call stated that she wanted to highlight the absence of a bail-out lane, which is a standard requirement. The applicant has stated deliveries will occur outside of the business's hours of operations; that is not necessarily guaranteed in the future. Additionally, 4-5 minutes wait time per car with a stacking of 5-8 cars would result in a queue time of 20-40 minutes. If the stacking is larger, ADA spaces will be blocked.

Mr. Way stated that he has no objection to the proposal, which would be a way to efficiently achieve a drive-thru. He would not reduce the parking further than the 77 spaces. The large hedge along Perimeter Loop Road provides screening. He believes the way they propose handling that situation is fine. He would suggest that they complete what was not completed with the original agreement. As part of their operations, they propose having employees park across the street, and installing the crosswalk would facilitate that. Therefore, including the crosswalk would be essential to approve the project.

Mr. Supelak stated that he agrees with Mr. Way's assessment. He has visited this Panera location many times. While the front portion of the parking lot is busy, he has never had to park more than a couple of spots from the front door. Panera has been in operation on this site for 20 years. With that long track record, the applicant understands what would work on the site. They also will address any delivery timing issues, as they want the business to continue to be viable. It makes sense to eliminate parking spots in the back that could impact the drive-thru. Having employees park across the street is an operational matter. If they need the parking spaces, they will send the employees across the street. To enable that, the crosswalk seems necessary. However, Perimeter Loop is a wide road and the traffic is not slow; perhaps a crosswalk would be problematic.

Mr. Way responded that part of the earlier agreement was that the crosswalk would have pedestrian signage, which can come in many forms, including flashing lights.

Mr. Supelak stated that it would be important for Engineering to consider the potential issues and address them well. This site is 20 years old, and traffic has been travelling this road for 20 years. It would be a substantial change for drivers to suddenly have a crosswalk and flashing lights on that road. There are some concerns about a potential future tenant, but any parking constraints would be considered by said tenant. There is merit in buoying this business, and if the drive-thru will do that, he is supportive of continuing Panera's longevity on the site.

Mr. Schneier stated that he is in agreement with Mr. Supelak's comments. He looks at the proposed drive-thru as market-based. He defers to the applicant on the operational components. The market will speak. If the waits are too long because of the absence of a bypass lane or inadequate parking,

then it will show up in the business. Panera has had a business here for some time, so it is not something the Commission needs to second guess. He is not supportive of implementing a crosswalk here. Looking at Bridge Street, flashing crosswalks create more issues than they solve. A crosswalk on Perimeter Loop would not get much pedestrian traffic other than the employees of Panera. It would be problematic to add a crosswalk on Perimeter Loop. With respect to the further reduction of parking, the trend is for less parking and more drive-thru in all businesses. However, only if the applicant now wants to further reduce the parking spaces would there be any need for the Commission to consider that. He does not want to take a position that he would rather see less parking than is proposed.

Mr. Fishman stated that the only reason he suggested reducing the parking further is that he dislikes seeing more greenspace disappear than is necessary. However, he will concur with whatever the majority position is on number of parking spaces. In regard to the crosswalk, he remembers the earlier, lengthy discussion and decision, which was based on safety concerns. The reason a signalized crosswalk was installed on Bridge Street was because an individual was killed crossing the street before there a crosswalk was installed. Even if only 5 employees are crossing the street, their safety is very important. He would defer to staff on that decision.

Mr. Supelak stated that there are a large number of parking spaces that are rarely used in the adjacent gas station site. A parking agreement could solve the need for employee parking adjacent to the site.

Ms. Harter stated that she is not supportive of less parking than is proposed. She also is supportive of having 8 stacking spaces for the drive-thru lane. She would be supportive of a potential employee parking opportunity at the adjacent gas station; however, if necessary for the safety of the employees, she is supportive of the crosswalk.

Mr. Chinnock stated that he believes a crosswalk is necessary. It is important to have an area for the employees to park that is comfortable and safe. He is concerned about the lack of a bypass lane for the drive-thru, but he understands the site constraints. Perhaps the handicapped spaces could be moved to the front of the store, so if there is a stacking issue, there is more flexibility in that area.

Ms. Call stated that she is not supportive of the drive-thru. Just because something is tolerable does not mean it is good planning. Part of the Commission's responsibility is to ensure that a project is planned well. Bail-out lanes are needed. Even with a 2-minute wait, customers often will pull out of drive-thru lanes. There is currently a McDonald's restaurant in the shopping center across the road that has insufficient stacking, and the drive-thru traffic stacks on the roadway. That impedes traffic and causes issues. While a drive-thru lane would be a good addition, being stuck in that drive-thru lane for 20 minutes would not be acceptable. The Commission owes Dublin residents our efforts to look out for their best interests. She would agree with placing the handicapped parking spaces at the front of the restaurant. Additionally, if employees must park across the street, there is no sidewalk on the Panera side of the street, only on the other side of the street. Only adding a crosswalk could mean employees need to walk on grass or designated drive aisles. Requiring employees to walk in a designated auto-oriented location is not good planning. As a Commission, we need to look at those details. She is not opposed to a reduction in parking, but she would challenge the applicant and staff to define a way to include a bail-out lane. If the issues she has mentioned could be addressed, she would be supportive of the application.

She asked the applicant if there were any items on which they sought additional clarity. Mr. Jackson responded that a potential parking agreement with the Shell gas station was mentioned to provide employee parking, which would eliminate the need for a crosswalk. If that is something the Commission is open to, they would attempt to have that discussion with the adjacent property owner. Commission members were supportive of the potential parking agreement.

Mr. Jackson noted that as a point of clarity, the reason they cannot add a bypass lane is that there is a 50-foot building setback and pavement setback due to the ODOT setbacks along US33/SR161. That is a site constraint. Other than that issue, he believes the comments were reasonable and he appreciates the Commission's feedback.

~~2. Indus Bridge Street at PIDs: 273-012427, 273-012430, 273-012429, 273-008244, 273-009080, and 273-009101, 22-143INF, Informal Case Review~~

~~Development of a mixed-use development consisting of 5 buildings: a hotel, a parking garage, an office and two residential buildings. The 6.29-acre site is zoned Bridge Street District, Scioto River Neighborhood and is located north of John Shields Parkway, west of Mooney Street, south of Tuller Road, and east of Riverside Drive.~~

Staff Presentation

Site Overview

~~Mr. Hounshell stated that this is a request for Informal Review of a proposed Indus Bridge Street development. The 6.29-acre site, which is zoned BSD-SRN, Scioto River Neighborhood, is currently vacant. The site is located northeast of the intersection of Riverside Drive and John Shields Parkway and is bound on the north by Tuller Road, on the west by Riverside Drive, on the south by John Shields Parkway, and on the east by Mooney Street (presently not developed along the site). There is an increase in grade of 20-30 feet moving from west to east on the site. Adjacent to the site, Riverside Drive is designated as a Corridor Connector and Principal Frontage Street (PFS); Tuller Road and John Shields Parkway are designated as District Connector and PFS; and Mooney Street is designated as a future Neighborhood Street. Riverside Drive would be the primary street frontage, as it has the highest street designation. There would be an extension of Longshore Street through this block. The applicant is proposing to extend Longshore Street between John Shields Parkway and Tuller Road.~~

~~This site requires two gateway locations at the northwest and southwest intersections of the site. Gateways provide points of identification and a sense of arrival for an area. They should be pedestrian-oriented and can accommodate features such as architecture, landscape or open space.~~

Proposed Site Plan

~~The applicant is proposing the construction of a new block development, including two new apartment buildings, an office building, a hotel, a parking garage, four public open spaces and two street extensions, Mooney and Longshore streets. All of the buildings have retail incorporated on the first floor. [Proposal details reviewed.]~~

Staff has provided the following questions for the Commission's consideration:

- ~~1. Is the Commission supportive of the proposed uses and general site layout?~~
- ~~2. Is the Commission supportive of the conceptual architectural character, including the buildings' mass and height?~~



RECORD OF ACTION

Planning & Zoning Commission

Thursday, September 20, 2018 | 6:30 pm

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

3. Perimeter Center, Subarea E – McDonald’s Sign Modifications
18-035AFDP **6830 Perimeter Loop Road**
Amended Final Development Plan

Proposal: The installation of a digital menu board sign for an existing McDonald’s restaurant located in Perimeter Center, Subarea E.

Location: Northeast of the intersection of Avery-Muirfield Drive and Perimeter Loop Road.

Request: Review and approval of an Amended Final Development Plan under the provisions of Zoning Code Section 153.050.

Applicant: McDonald’s, represented by Rebecca Green, Permit Solutions.

Planning Contact: Logan M. Stang, Planner I.

Contact Information: 614.410.4652, lstang@dublin.oh.us

Case Information: www.dublinohiousa.gov/pzc/18-035

MOTION #1: Mr. Stidhem moved, Ms. Kennedy seconded, to approve the Minor Text Modification as follows:

- 3. Menu Board signs for 6830 Perimeter Loop Road are permitted per case 18-035AFDP in lieu of the requirements previously listed and general sign requirements under Zoning Code Sections 153.150-153.164. Any changes to the menu board sign requires review and approval by the Planning and Zoning Commission.

VOTE: 6 – 0.

RESULT: The Minor Text Modification was approved.

RECORDED VOTES:

Victoria Newell	Yes
Stephen Stidhem	Yes
Jane Fox	Yes
Bob Miller	Absent
Warren Fishman	Yes
Kristina Kennedy	Yes
William Wilson	Yes



Mr. Meyers said the first approach, F3 is to mask the F2 garage and have it be a discreet veil in front. The uniqueness of the building type, the conversation of the hotel is a breakdown of mass, material, and form. That is going to translate to these other buildings; they have not gone through the planning exercise to create the real form. He said being on Dale Drive will be different than being on the access drive. He indicated they are considering an outdoor garden and a roof terrace to get that activity to that corner, not just an amenity for the tenant but also for what is visible from two miles away. He said the whole community has branched to a greater vista. He said he can see it from I-270 and the Historic District. He said the rooftop bar on the AC Marriott Hotel can be seen from miles away and those kinds of effects are being considered here, too.

Ms. Fox said that was a great idea. She hears people talk all the time about Vaso, the rooftop bar. She said the variation of architecture is very important on the residential building. She said she liked the idea shown in some of the pictures of projections off the wall so there is interest in the street, whether that is balconies or the offices but not grid-like projections. She indicated that overhangs of awnings above the ground floors enables the pedestrian to feel warm and safe.

Mr. Wilson referred to the pictures for Block G; the bottom left is the most dramatic. He noted there is not a building like this yet in the whole development. Everything is pretty much a block shape, he said, but this becomes several pieces put together with different materials in it and brings a lot of design features to it. He said seven floors could be a win-win since some large corporations are looking for that to house all their employees under one roof.

The Chair said if there are no further comments, she thanked the applicant for coming forward and is looking for development in the near future.

3. Perimeter Center, Subarea E – McDonald’s Sign Modifications
18-035AFDP **6830 Perimeter Loop Road**
Amended Final Development Plan

The Chair, Victoria Newell, said this application is a proposal for the installation of a digital menu board sign for an existing McDonald’s restaurant located in Perimeter Center, Subarea E, which is northeast of the intersection of Avery-Muirfield Drive and Perimeter Loop Road. She said this is a request for a review and approval of an Amended Final Development Plan under the provisions of Zoning Code Section 153.050. She said the Commission is the final authority for this case and witnesses would have to be sworn in.

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

Logan Stang reminded the Commission the Amended Final Development Plan is the last stage in the Planned Unit Development process and is to allow for any modification to the approved Final Development Plan from August, 1995. He noted the graphic showed some of the dates from the original rezoning in 1988.

Mr. Stang presented an aerial view of the site along with the site plan. He pointed out the applicant requested to remove and replace the existing menu board sign with an approximately 18-square-foot digital menu board sign. He said the existing menu board sign is located along the northern edge of the building, adjacent to the drive-thru.

Mr. Stang presented a photograph of the existing conditions that included a view of the menu board for reference. He described the proposed sign as containing two digital screens that allow for the display of pre-set content with the ability to adjust light levels based on the surrounding ambient light. He said the

proposed sign would have the same orientation away from the public right-of-way and would be screened by perimeter landscaping on the north and east sides of the site.

Mr. Stang presented a graphic of the proposed menu board sign and explained the content would automatically change based on the time of day.

Mr. Stang stated menu board signs are subject to the requirements of the development text and the general standards of the Sign Code. He said menu board signs are regulated under Zoning Code Section 153.161(N) that states:

A drive-thru menu board sign is permitted only when all of the following conditions are fulfilled:

1. The sign is located on the property to which it refers;
2. The sign is not visible from the public right-of-way; and
3. The sign does not exceed 32 square feet in size.

Mr. Stang noted this would apply to all properties, unless altered by the development text and the proposed sign meets all three of the requirements. He presented the three design screens depicting menus for breakfast, lunch, and dinner that would display over the two screens.

Mr. Stang noted the Perimeter Center development text contains sign regulations established to provide uniform standards applicable to all subareas; these include regulations for dimensions, graphics, landscaping, and other similar items. He said the text contains two sub-sections which; prohibit the use of any electronic sign that meets the definition of flashing, animated, or traveling as defined in the Sign Code, and that no billboards, or electrical or other advertising signs shall be allowed other than a sign carrying the name of the business occupying the site or "for sale" or "for lease" signs.

Mr. Stang add the proposed menu board sign violates both of the provisions listed, which were included to ensure high quality sign standards were upheld for the zoning district. He reported the application was reviewed against the Amended Final Development Criteria and found not to meet the criteria. He said Staff is therefore recommending disapproval of this application to permit a digital menu board sign. He stated he was available to answer any questions.

Steve Stidhem asked if there was anything else like this is the City. Mr. Stang said he did not believe there were other digital menu board signs. He noted Starbuck's may be the only digital sign.

Jane Fox asked how often the sign would change. Mr. Stang answered three times, once in the morning for breakfast, once in the afternoon for lunch, and later for a dinner sign. She asked if the existing sign is illuminated, to which Mr. Stang answered affirmatively.

Mr. Stidhem asked for the lumens for the existing sign versus the proposed sign. Mr. Stang said that information was not provided.

Kristina Kennedy asked if there are any other examples of the changing of the colors or the brightness. She asked if there would be animation. Mr. Stang indicated the applicant stated there would only be the three, pre-set boards. He said part of staff's concern, since they cannot look at signs for content, is that the pre-set menus could change later on as to what specifically is being displayed. He stated the sign could at a later point contain flashing, animated, or traveling features which are specifically prohibited throughout the City.

William Wilson asked why menu boards are considered signs. He said the information communicated is more for the customer. Vince Papsidero answered a menu board becomes a form of commercial speech and subject to any sign code in any municipality.

Ms. Kennedy reported she drove by the site and what she liked about the electronic format was that there will no longer be display boards on the back of the menu board.

Ms. Fox agreed the City does not want flashing signs but she reiterated it is a menu board for a particular kind of business. She indicated technology is being introduced into almost all of our signage. She reported she drove to the site and others in the area. She found a hand-written note stuck on the front of one of the signs reflecting a change in price for an item. She suggested menu boards are certainly worth discussion.

The Chair invited the applicant to come forward.

Rebecca Green, Permit Solutions, said she is working with McDonald's on their sign. She said the applicant has requested to replace one existing menu board and the intent is to reduce the drive-thru sign area and to reduce the amount of light that may be entering adjacent properties and roadways, and to provide crisper and more legible text for their customers. She presented the existing menu board; it gets some glare and there are limitations with the graphics because it is a physically, change-out board. She provided images showing heavy landscaping on both roadways and pointed out this sign is located in the rear of the restaurant.

Ms. Green said they proposed reducing the sign area by at least 50%, with an 18.4-square-foot board. She said the digital nature of this board allows the applicant to use all of the sign area much more effectively. She said this would enable them to use images and crisp, legible text and arrange that in a more efficient way to better communicate with their customers. She said the content would only change three times per day. She said it will not flash, there is no video or scrolling, and it fades between the two screens as to not distract drivers. She said the sign has a feature where it automatically adjusts to the brightness of the day and at night the screen will appear much dimmer. She said there are no additional speakers or sounds and it provides more open space on the site because it is a smaller sign and can be placed closer to the customer.

Ms. Green presented the regulations for a menu board as mentioned earlier by Staff but felt it had met that standard. She noted the Perimeter Center Development Text allows for internally, illuminated signs and this is what they are presenting. She reported there has been an internally, illuminated sign at this site since 1995. She said the applicant has a different position in terms of the electrical sign provision that Staff has discussed. She indicated the applicant had interpreted the provision of off-site sign advertising for example if Walmart was advertising on McDonald's site - that is what this is a prohibition for. She restated this proposal has met the standard. She said even though it may be an electronic sign, an electric sign exists there. She said the board will remain illuminated, 24-hours per day at various levels of brightness, depending on the ambient light.

Ms. Green summarized they are reducing the sign area, opening up the site, minimizing light, making easier text for all customers to read, and they are hoping, by having an easier to read sign, they can move traffic on that site a little better.

Mr. Stidhem asked how bright the proposed sign will be as compared to the existing sign. Ms. Green answered she did not have that data. She noted the existing sign does not adjust the brightness to the ambient light.

Ms. Fox asked if there is a limit of brightness for the existing sign. Mr. Stang said there is nothing in the Zoning Code that speaks to the lumens per sign. Ms. Fox said, if the applicant decided to replace the existing sign with a like-for-like sign, no matter how bright, they would be permitted to which Mr. Stang answered affirmatively.

Mr. Stidhem asked what the capability is for changing the graphics and how it is controlled.

Jacob Alber said he was the area construction manager for McDonald's over Central Ohio. He referred to one of the images showing the proposed sign graphics and pointed out the pricing and promotions can be changed as each McDonald's can vary. He said the information is set and very controlled. He explained the current signs need to be changed manually three times a day, no matter what the weather so this would benefit the crew.

Mr. Alber said the brightness can be controlled by changing the parameters to meet Dublin's Code; it is fully customizable. Mr. Stidhem affirmed the graphics and the content, except for the pricing, are set by corporate and they are not modifiable at the store level.

Ms. Kennedy asked if there were complaints from customers about readability of the current menu. Mr. Alber said the operator of that store would have to answer that question.

Mr. Alber explained they typically install a pre-browse board, which is half that size and it would have advertising that could be changed to show five, ten, or twelve different advertisements in an hour, but if a municipality has a restriction whereas the information could only be changed twice per hour, then they can limit it to those two times. He said that mainly applies to the pre-browse boards but that would also apply to the promotions across the top of this board. He said he does not know the frequency at which those change.

Warren Fishman said the Commission is always concerned about precedent but he asked if conditions of approval could be placed on this such as prohibiting flashing and animation. He said the proposed sign will be thinner, smaller, and only have information and graphics on one side so it is actually an improvement.

Thad Boggs indicated he did not think Staff's position is against whether this is a good sign or not, it is concerning the process undergoing to get to that result. He said the development text already prohibits, flashing, traveling, animated and electric signs. He said in the Code, the concept of an electric sign, like this, and an illuminated sign are different. He stated if the Commission was inclined to approve this sign, the method to do that would be to amend the development text to allow an electric sign. He recommended while amending the Final Development Plan, conditions can be imposed.

Ms. Newell clarified that what is before the Commission tonight - just an Amended Final Development Plan so the applicant would need to table that and bring it back as a request to do the amended text.

Mr. Stang said, as part of the Amended Final Development Plan process, a Minor Text Modification can be approved. He indicated if the Commission decided to approve this application, Staff has already prepared an example of the appropriate text modification. He said there would be two motions of approval this evening. He said the first motion would be for the Minor Text Modification that states McDonalds at this property is allowed to have a menu board sign per the application. He said the second motion would be for the Amended Final Development Plan itself, which can have any number of conditions tailored to what the sign can and cannot do.

Ms. Fox referred to the Code where it refers to drive-thru menu board signs and asked that these changes be made specifically for menu board signs or she would anticipate anyone wanting an electric sign. Mr. Stang said Staff's recommendation would be for the Minor Text Modification to be specific to this application and to this site, within Perimeter Center. He explained moving forward, if another site were to come forward requesting a digital menu board sign, they would have to go through this same process as McDonald's. He said Staff can then work through a potential city-wide amendment to the menu board signs regulations to ensure proper regulations are in place.

Mr. Papsidero added that the overall Code is not being changed for this provision and anyone coming forward, the Commission would determine on a case-by-case basis.

Mr. Boggs said there has been discussion about revisiting the sign code at the end of this year, not just for this issue but a number of subjects.

Mr. Wilson said this digital menu board would be a benefit to the customer; it cleans up the area and it would bring us up to modern times.

Mr. Alber stated that was the applicant's goals also.

Ms. Newell said technology has changed tremendously and changed since the original sign code was established. She reported she has visited McDonald's with these types of signs and she found them much easier to read. She said the McDonald's at this location is terribly congested and if customers could be moved through the drive-thru just a little bit quicker, she sees an added benefit. She referred to the applicant's checklist in their presentation that listed all the things this sign can do.

Ms. Newell suggested that if the Commission is inclined to approve this application, she would definitely like to see conditions of approval added such as never being able to play videos, have continuous movement, or be flashing. She noted the applicant stated this sign would run 24 hours per day but this McDonalds is not open 24-hours per day nor is it permitted. Mr. Alber said they could turn the sign off when the restaurant was not open.

Mr. Stang proposed four conditions, which the Commission and the applicant discussed.

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

Motion and Vote

Mr. Stidhem moved, Ms. Kennedy seconded, to approve the Minor Text Modification as follows:

Sign and Graphics:

3. *Menu Board signs for 6830 Perimeter Loop Road are permitted per case 18-035AFDP in lieu of the requirements previously listed and general sign requirements under Zoning Code Sections 153.150-153.164. Any changes to the menu board sign requires review and approval by the Planning and Zoning Commission.*

The vote was as follows: Mr. Wilson, yes; Ms. Newell, yes; Ms. Fox, yes; Mr. Fishman, yes; Ms. Kennedy, yes; and Mr. Stidhem, yes. (Approved 6 - 0)

Motion and Vote

Mr. Stidhem moved, Ms. Kennedy seconded, to approve an Amended Final Development Plan to allow for the installation of a digital menu board sign to replace the existing with four conditions:

- 1) That the menu board sign contain no continuous movement, flashing, scrolling, video, or animation, except for the customer order image, which shall not exceed more than 20% of the menu board sign area;
- 2) That the menu board sign be turned off during non-operational business hours;
- 3) That the menu board sign shall not contain any additional speakers or sound; and
- 4) That the menu board sign change pre-set content no more than three times per day.

The vote was as follows: Ms. Newell, yes; Ms. Fox, yes; Mr. Fishman, yes; Mr. Wilson, yes; Ms. Kennedy, yes; and Mr. Stidhem, yes. (Approved 6 - 0)



MEETING MINUTES

Planning & Zoning Commission

Thursday, August 9, 2018

AGENDA

- 1. BSD SRN – H Block
18-041WR** **PIDs: 273-012751 & 273-012752
Waiver Review (Tabled 4 – 0)**
- 2. BSD SRN – Bridge Park, Blocks A, B, & C Amendment
18-043MSP** **6515 Longshore Loop
Master Sign Plan (Approved 4 – 0)**
- 3. PUD, Perimeter Center, Subarea L – Panera Bread Roofing Modification
18-047AFDP** **6665 Perimeter Loop Road
Amended Final Development Plan (Approved 4 – 0)**

The Vice Chair, Steve Stidhem, called the meeting to order at 6:30 p.m. and led the Pledge of Allegiance. Other Commission members present were: Warren Fishman, William Wilson, and Bob Miller. Kristina Kennedy and Jane Fox were absent. City representatives present were: Claudia Husak, Vince Papsidero, Thaddeus Boggs, Lori Burchett, JM Rayburn, Richard Hansen, and Flora Rogers.

Administrative Business

Motion and Vote

Mr. Fishman moved, Mr. Miller seconded, to accept the documents into the record. The vote was as follows: Mr. Stidhem, yes; Mr. Wilson, yes; Mr. Miller, yes; and Mr. Fishman, yes. (Approved 4 – 0)

Motion and Vote

Mr. Fishman moved, Mr. Miller seconded, to approve the minutes from the meetings on June 7 and June 21, as presented. The vote was as follows: Mr. Stidhem, yes; Mr. Wilson, yes; Mr. Miller, yes; and Mr. Fishman, yes. (Approved 4 – 0)

The Vice Chair explained the rules and procedures of the Planning and Zoning Commission. He stated case 18-041WR - Block H was requested to be tabled prior to the meeting. He added the other two cases were on the Consent Agenda but were pulled off as several of the Commissioners wanted to hear them in their entirety before voting vote. He determined the cases would be heard in the order they were published on the agenda.



Motion and Vote

Mr. Miller moved, Mr. Fishman seconded, to approve the request for amendments to the Master Sign Plan with the four conditions as presented.

- 1) That the applicant update the Master Sign Plan to reflect the total number of signs for building A1 within Level 2 not to exceed five signs for separate individual tenants;
- 2) That the applicant update the details regarding approval and administration of the Tenant Window Screening sign type to reflect the process;
- 3) That Window signs for building A1 be permitted only for non-office tenants located within the first story; and
- 4) That the applicant provide an approved Master Sign Plan containing all approved amendments to Planning, prior to sign permitting.

The vote was as follows: Mr. Wilson, yes; Mr. Stidhem, yes; Mr. Fishman, yes; and Mr. Miller, yes. (Approved 4-0)

3. PUD, Perimeter Center, Subarea L – Panera Bread Roofing Modification **18-047AFDP** **6665 Perimeter Loop Road** **Amended Final Development Plan**

The Vice Chair, Steve Stidhem, said the following application is a proposal for the replacement of the existing cedar shake shingles with replica asphalt shake shingles on an existing restaurant zoned Planned Unit Development District, Perimeter Center, Subarea L. He said the site is west of Perimeter Loop Road, approximately 350 feet northwest of the intersection with Mercedes Drive. He said this is a request for a review and approval of an Amended Final Development Plan under the provisions of Zoning Code Section 153.050. He said the Commission has final authority over this application and witnesses will need to be sworn in.

The Vice Chair swore in witnesses that intended to address the Commission with regard to this case.

J.M. Rayburn said the Perimeter Center Planned Commerce District initially was adopted and passed in 1988 and the Final Development Plan was approved in 2001. He said tonight the Amended Final Development Plan is being reviewed to replace the existing cedar shakes with asphalt shingles. He presented an aerial view of the site that is south of the Shell and Get-Go stations, southeast of Walgreens, and east of the Dublin Methodist Hospital.

Mr. Rayburn said Staff has documented the existing conditions with photographs for each elevation, which he presented. He said the applicant said the roof is in need of repair. Due to maintenance issues, he said, the applicant is proposing to replace the existing cedar shakes with a light color chestnut presidential shake that is an asphalt shingle design made to look like cedar shingles. He said the shingle preservations state 355 pounds per square foot, which exceeds the 325-pound weight requirement specified in the development text.

Mr. Rayburn reported Staff has concluded that this proposal is consistent with all the applicable review criteria; therefore, approval is recommended for the Amended Final Development Plan Review with no conditions. He concluded by stating the applicant was present to answer any questions.

Steve Stidhem indicated there is a lot of history with this development in terms of the shake shingles. He said he wanted to ensure this tenant makes the modifications to appear like the other tenants. Mr. Rayburn said they selected the Chestnut because it is a lighter color that appears most like a cedar shake shingle. And it looks very similar to what is on Key Bank, which was approved in 2012.

Claudia Husak said through a site visit, Staff found one roof to be the old and one with the new and it was surprising how close it was in terms of color matching.

William Wilson was concerned about the quality and if that was the same. Ms. Husak said Staff was not requesting a certain brand but for the shingles to be cut to look the same.

Warren Fishman said he could not be convinced that asphalt shingles look like cedar shake shingles. He indicated that cedar shake has been replaced around Dublin with asphalt and it certainly does not look like cedar shake. He reported he was on the Commission when this center was originally built. At one time, he said that area was one of the entrance ways to Dublin. He said he also has a shake roof on his brick house, which is an appealing aesthetic. He referred to the Planning Report that stated maintenance was an issue. He said it looks like it is 41 years old this year. He said every seven years or so, he hires someone to fix and maintain in order to preserve it.

Mr. Stidhem said the Commission has wrestled with this for quite some time. He mentioned that a previous Commissioner had stated that if cedar shakes are properly installed and maintained, the shake will last longer than asphalt. He agreed with Mr. Fishman that is one of the things most of the public will not notice. He said he is torn on this due to the history of the development. He said it is obvious that this roof needs work and he is okay with the proposal.

Bob Miller said he would absolutely not put cedar shake on his house because he does not prefer that style. He said asphalt does not cost as much. He said he did not think the perception is worth the money for cedar and clarified that was his personal preference.

Mr. Fishman said, one of the things he has noticed in Columbus is that most of the time, shake is not installed properly. He said he lived in a house in Kansas City with a beautiful shake roof and it is still there, 50 years later. Cedar shake should not be placed on plywood because it cannot breathe and mold forms from the moisture. He said he respected Mr. Miller's preferences.

Mr. Miller said he just wanted Mr. Fishman to know where he stood. He said the roof on the Shell gas station looks in poor condition. He said that could be the result of how it was installed and that is probably why he does not prefer shake roofs.

Ms. Husak said as big as Perimeter Center is, the subareas are very small so the rules are different for certain areas. McDonald's for example, she said, has the same requirements in the development text as this subarea does but that is one of the flattest, non-dimensional roofs in the City and that was approved under the same rules as this was. She indicated this is a quandary because there is not consistency. She noted Craughwell Village had to go through a more extensive process and Council to ask for that roof because that was one of subareas that only allowed cedar shake shingles. She stated cedar shake is the only permitted roof material at the shopping center at Giant Eagle. She said we are left with that subarea that only allows one single roof material; all the other subareas allow an asphalt shingle.

Mr. Fishman said he hates to see downgrading. He said Kroger across the street did not want cedar shake and went with a slate material and that is what he would like to see since it is a higher quality material than the asphalt. He said there are other roof alternatives other than asphalt shingles. He noted the Commission has always said modifications should not be made for economic reasons but could be changed for improvement, etc.

Mr. Miller said he likes the aesthetic of slate roofs. He said Mr. Fishman makes a good point that the applicant is trying to use a lower cost material and the Commission could have shifted away from the shakes towards the slate or standing seam roof, etc. He indicated that since this particular structure, has a small roof, he still liked the proposed asphalt shingle and does not think people will notice it is changed. He said he does not think the product will downgrade the quality of the overall development, to which Mr. Fishman agreed.

Mr. Wilson said he agreed with Mr. Fishman but at the same time, if we are looking for any different type of roof, asphalt might be the appropriate alternative. He said people might notice if standing seam metal or slate is used. While asphalt is not as high quality, he said, it will not be noticeably different. He said he sees both sides.

Mr. Stidhem said he is not a fan of cedar shake shingles but that is probably because he has seen them in deteriorating condition. He suggested the Commission request consistency whenever they possibly can. He said the asphalt shingle has been permitted in other areas and believes it would be an improvement of the current conditions.

Mr. Fishman questioned setting a precedent. Mr. Stidhem said the Commission has that discussion quite often.

Thadd Boggs said every parcel is unique so while past actions can be illuminating in terms of thought processes, even subtle distinctions between different parcels makes a difference and certainly it makes a difference legally in terms of whether "precedent" might be set versus examples of other things that have been done.

Mr. Fishman concluded this building is not a significant enough building to have much concern and there are two out of four members here tonight that do not like cedar shake shingles.

The Vice Chair called for a motion to approve the Amended Final Development Plan Review.

Motion and Vote

Mr. Miller moved, Mr. Wilson seconded, to approve the request for the Amended Final Development Plan with no conditions. The vote was as follows: Mr. Stidhem, yes; Mr. Fishman, yes; Mr. Wilson, yes; and Mr. Miller, yes. (Approved 4 - 0)

COMMUNICATIONS

~~Bob Miller asked why Block H was requested to be tabled. Claudia Husak answered it was based on the installation of the sample. She said they sent out an email yesterday where they had provided a small section of the material they proposed to be used on Tuller Ridge Drive, and it ended up the developer did not love it so the applicant is taking a step back to consider other options.~~

~~Mr. Miller asked why development was going so slow on that site. Lori Burchett indicated that the developer had said it was the shortage of construction materials and labor. Vince Papsidero indicated there was a county-wide shortage for masons.~~

RECORD OF PROCEEDINGS

Minutes of

Dublin City Council

Page 5 Meeting

Held

May 21, 2001

(YEAR)

Ms. Clarke stated that staff will note the preliminary plat accordingly.

Mr. McCash moved to amend the conditions to eliminate the requirement for the applicant to install a left-turn lane on Tuttle Road.

Mr. Peterson seconded the motion.

Vote on the motion: Mr. Adamek, yes; Mr. Peterson, yes; Mrs. Boring, no; Mr. McCash, yes; Ms. Chinnici-Zuercher, yes; Mr. Reiner, no; Mayor Kranstuber, yes.

Vote on the Ordinance: Mr. McCash, yes; Mrs. Boring, no; Mayor Kranstuber, yes; Mr. Reiner, no; Mr. Adamek, yes; Mr. Peterson, yes; Ms. Chinnici-Zuercher, yes.

Mr. Adamek moved to grant the sidewalk waiver and the street tree waiver per the May 17th memorandum for the rezoning application for Llewellyn Farms South.

Mr. Peterson seconded the motion.

Vote on the motion: Mayor Kranstuber, yes; Mr. Reiner, no; Ms. Chinnici-Zuercher, no; Mr. McCash, yes; Mrs. Boring, yes; Mr. Peterson, yes; Mr. Adamek, yes.

Ordinance 07-01 – An Ordinance Providing for a Change in Zoning for 1.401 Acres Located on the West Side of Avery Road, 300 Feet North of Corporate Centre Drive, from: PIP, Planned Industrial Park, to: SO, Suburban Office and Institutional District (File No. 00-119Z – Northwest Corporate Centre – 5695 Avery Road) (Applicant: Mid-States Development Corporation, c/o Randall Asmo, 6360 Rings Road, Amlin, Ohio 43002)

Ms. Clarke stated that this area has had a township zoning of Planned Industrial Park, which eventually must be rezoned to a Dublin classification. Under the PIP zoning from the township, office use was a permissible use. Last summer, the applicant received a variance from the Board of Zoning Appeals related to sideyard and parking spaces. One of the conditions was that the land be rezoned to an appropriate district, SO, Suburban Office and Institutional. This resolves the condition on their variance.

Vote on the Ordinance: Mr. Adamek, yes; Mayor Kranstuber, yes; Mr. Reiner, yes; Mrs. Boring, yes; Ms. Chinnici-Zuercher, yes; Mr. McCash, yes; Mr. Peterson, yes.

Ordinance 33-01 – An Ordinance Providing for a Change in Zoning for 1.959 Acres Located on the South Side of Perimeter Loop Road, Approximately 750 Feet East of Muirfield-Avery Drive from: PCD, Planned Commerce District, to: PCD, Planned Commerce District. (File No. 01-022Z – Perimeter Center Subarea E – Panera Bread – 6665 Perimeter Loop Road). (Applicant: Benjie Enterprises, Inc., c/o Don Weaver, 2221 Teardrop Avenue, Columbus, Ohio 43235)

Mr. Gibson stated that this is a request for a minor revision to the Perimeter Center Planned Commerce District. The application includes the creation of a new Subarea L from a two-acre portion of Subarea E. The modifications include three main parts: (1) the addition of outdoor seating as a conditional use; (2) the increase of permitted height from 28 feet to 32 feet for the structure; and (3) the reduction of required parking spaces from 117 to 82. Mr. Gibson showed slides of the site. The Planning and Zoning Commission recommended approval on April 15, 2001 with the following two conditions:

- (1) That the text be revised to reflect outdoor dining as a "conditional use" rather than a "permitted use," and that outdoor music or loudspeakers, outdoor advertising on umbrellas, and outdoor winter storage of furniture be prohibited; and
- (2) That if it is deemed necessary by Dublin Code Enforcement, that parking spaces be added, subject to staff approval.

Mrs. Boring referred to page 73 of the Perimeter Center Development Text and stated that this text applies to the new subarea, not to one particular applicant, i.e. Panera Bread. Mrs. Boring moved to amend page 73 of the text, Item #3 under "Height" to remove the applicant's name and read, "Building height shall not exceed 32' at the peak of the pitched roof."

Ms. Chinnici-Zuercher seconded the motion.

Vote on the motion: Mr. Adamek, yes; Mr. Peterson, yes; Mr. McCash, yes; Mrs. Boring, yes; Mr. Reiner, yes; Mayor Kranstuber, yes; Ms. Chinnici-Zuercher, yes.

1 of 2

RECORD OF PROCEEDINGS

Minutes of

Dublin City Council

Page 6

Meeting

Held

May 21, 2001

(YEAR)

Mrs. Boring referred to page 69 of the text and suggested that the word "the" be changed to "a" 5,000 square foot restaurant. This also removes reference to a specific applicant. Mr. Gibson agreed to administratively make that minor change.

Mr. McCash stated that he has a concern with the site layout. The trash enclosure faces Avery-Muirfield, and there has been a consistent problem with the trash hauler leaving the doors of such enclosures open. It would be preferable if the doors faced the restaurant rather than the road. In that case, if the doors were left open, there would be an incentive for the owner to close them.

Mr. Gibson responded that staff discussed this issue with the applicant. It is the applicant's position that in terms of access and circulation, this is the best alternative. The applicant addressed the issue by adding the feature of the 8' brick wall to conceal the service structure.

Mr. McCash stated that this is a restaurant with sloped roof, but nothing is specified showing provision for exhaust fans, which are typically roof-mounted, nor for screening of such fans.

Mr. Gibson responded that deep-frying is not part of the cooking process for this restaurant, a process which requires the large hoods. The vents are located on the side of the building and are well concealed.

Mr. McCash inquired about provision for satellite dish antennae.

Mr. Gibson stated that two small dishes are proposed, and staff requested that they be painted to match the surrounding material and that they be concealed to the extent possible.

Mr. McCash asked if they are building or ground mounted.

Mr. Gibson responded that he does not know.

Mr. McCash asked the applicant if they could be ground mounted.

Don Weaver, project architect, stated that the applicant proposes one small satellite dish, which is required to face a certain direction. He is unsure if it could be ground-mounted, but can verify that.

Mr. Reiner stated that a ground-mounted dish could be more unsightly than a wall-mounted, concealed dish. Also, if the landscape screening becomes wet and drips water on the dish, it may ruin the reception of the dish.

Mrs. Boring agreed that she could not see the advantage in a ground-mounted dish and wondered if liability might actually be higher with a ground-mounted dish.

Mr. McCash stated that residents are beginning to attach satellite dishes in different locations on their houses, which can be obtrusive. On the ground it is less intrusive to the architecture of the building.

Mr. Adamek moved to approve ordinance 33-01.

Mr. Peterson seconded the motion.

Mr. McCash moved to add the following conditions:

- (1) amend the text to provide that the trash enclosure be kept in a closed condition; and
- (2) that the satellite dish be located in the more aesthetically pleasing position, ground or wall-mounted, as determined by staff.

Mayor Kranstuber seconded the motion.

Vote on the motion: Mr. Adamek, yes; Mr. Peterson, yes; Mr. McCash, yes; Mrs. Boring, yes; Ms. Chinnici-Zuercher, yes; Mayor Kranstuber, yes; Mr. Reiner, yes.

Vote on the Ordinance: Mrs. Boring, yes; Mr. McCash, yes; Mr. Peterson, yes; Mr. Adamek, yes; Mr. Reiner, yes; Mayor Kranstuber, yes; Ms. Chinnici-Zuercher, yes;

Ordinance 34-01(Amended) – An Ordinance to Establish Dublin Zoning for

2 of 2



PLANNING AND ZONING COMMISSION

RECORD OF ACTION

APRIL 19, 2001

CITY OF DUBLIN

Division of Planning
5800 Shier-Rings Road
Dublin, Ohio 43016-1236

Phone/TDD: 614-410-4600
Fax: 614-761-6566
Web Site: www.dublin.oh.us

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

5. **Development Plan/Conditional Use 01-023DP/CU - Perimeter Center Subarea L - Panera Bread - 6665 Perimeter Loop Road**
Location: 1.959 acres located on the west side of Perimeter Loop Drive, immediately north of the US 33/SR 161 off-ramp.
Existing Zoning: PCD, Planned Commerce District (Perimeter Center – revision pending).
Request: Review and approval of a conditional use and development plan under the provisions of Section 153.051 and 153.236.
Proposed Use: A 5,000 square-foot restaurant with six tables for outdoor seating.
Applicant: Benjie Enterprises, Inc., c/o Don Weaver, 2221 Teardrop Avenue, Columbus, Ohio 43235.

MOTION: To approve this development plan/conditional use because it is consistent with the Perimeter Center composite plan, and continues the high quality architectural character of the surrounding development, with 12 conditions:

- 1) That the outdoor dining area conform to the pending Perimeter Center Planned Commerce District Development Text as it may be amended by City Council;
- 2) That the colors and materials (brick, stone, roof, awnings, sign background, etc.) be revised to match the Perimeter Center materials scheme and color palette, subject to staff approval;
- 3) That the landscape plan be revised to meet Code, the text, and the comments contained in this staff report, subject to staff approval;
- 4) That all plans be revised to reflect the engineering comments contained in this staff report, subject to staff approval;
- 5) That the signs be revised to meet Code for primary and secondary image and that the materials be changed to be externally illuminated and non-vinyl and to meet the pre-approved materials and color scheme for the Perimeter Center PCD, subject to staff approval;
- 6) That evidence of recorded cross easement agreements be provided prior to the issuance of building permits;

**PLANNING AND ZONING COMMISSION
RECORD OF ACTION
APRIL 19, 2001**

5. Development Plan/Conditional Use 01-023DP/CU - Perimeter Center Subarea L - Panera Bread - 6665 Perimeter Loop Road (Continued)

- 7) That if it is deemed necessary by the Dublin Code Enforcement office, that parking spaces be added, subject to staff approval;
- 8) That details for the light fixture styles shown on the elevation drawings (the wall "Light Fixture" and the "Gooseneck Light Fixture") be submitted;
- 9) That parking curbs be increased from six inches to eight-inches in the parking areas adjacent to the outdoor seating area;
- 10) That rooftop mechanicals be screened according to Code;
- 11) That all noise producing services (as measured just off-site) be limited to the hours of 7:00 a.m. to 9:00 p.m., as required by Code, and that a sign be mounted on the inside of the dumpster gates indicating the limitation on those services, and that the dumpster doors must remain closed at all times; and
- 12) That the applicant schedule a pre-submittal meeting after all the above conditions have been resolved to the satisfaction of staff and prior to applying for building permits.

* Michael Braunstein, attorney, agreed with the above conditions.

VOTE: 5-0.

RESULT: This development plan/conditional use was approved.

STAFF CERTIFICATION


Kyle Ezell
Senior Planner