

RECORD OF ORDINANCES

Ordinance No. 07-10

Passed _____, 20____

AN ORDINANCE TO REZONE APPROXIMATELY 15.68 ACRES LOCATED ON THE SOUTHEAST CORNER OF THE INTERSECTION OF PERIMETER DRIVE AND PERIMETER LOOP ROAD WITHIN PERIMETER CENTER FROM PCD, PLANNED COMMERCE DISTRICT (SUBAREAS J AND D) AND PUD, PLANNED UNIT DEVELOPMENT DISTRICT (SUBAREA J-1) TO PUD, PLANNED UNIT DEVELOPMENT DISTRICT - MIDWESTERN AUTO GROUP, VOLVO EXPANSION (MAG) (CASE 09-108Z/PDP)

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

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

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

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

Passed this 22nd day of February, 2010.

Timothy A. Lecklider
Mayor - Presiding Officer

ATTEST:

Anne C Clark
Clerk of Council

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design for this project, which is now more than 95 percent complete. Dublin will be reimbursed for those costs, as outlined in the agreement. Staff recommends approval.

Vice Mayor Salay asked why the City of Columbus has requested this change. Mr. Hammersmith responded that he believes, based on their meeting, the Columbus Legal staff now has more capacity to take on this work; previously, they did not have that capacity.

Mrs. Boring inquired about the maximum amount. The memo indicates \$650,000, but the redlined version indicates \$350,000.

Mr. Hammersmith responded that \$650,000 was the original amount for both the design and a share of the acquisition costs. That number has not changed, however, the expectation now is that the actual cost will not exceed \$350,000.

Mrs. Boring inquired if it would be possible to ensure that the acquisition occurs within the seven month timeframe indicated.

Mr. Hammersmith responded that the driving force will be the Ohio Public Works Commission Grant, and the fact that the grant requires that construction be initiated in March 2011. The City of Columbus has made a commitment to complete the acquisition within seven months; therefore, a timeframe of the "end of the year" has been designated for completion of acquisition.

Mr. Keenan referred to paragraph two of page one of staff's memo, which indicates: "As a result of this change in direction by the City of Columbus, several sections of the Agreement required modification to remove any and all references to Dublin leading all property acquisition for this project." If Dublin led the property acquisition in the original contract and then went to court in an eminent domain action, would this be Dublin's case to handle?

Ms. Readler responded that Dublin was going to lead and would therefore have been reimbursed.

Mr. Keenan inquired whether, in this case, each respective party would be responsible for eminent domain actions resulting from property takes within its own jurisdiction.

Ms. Readler confirmed that is correct.

Mr. Keenan asked if each party would have the right to initiate a "quick take" and proceed with the project.

Ms. Readler responded affirmatively.

Ms. Chinnici-Zuercher stated that the dates are critical. The Ohio Public Works Commission grant may help ensure the project stays on schedule. She assumes that Dublin and Columbus will have regular meetings to communicate the status of land acquisitions in their respective jurisdictions.

Mr. Hammersmith responded that there will be regular meetings, which will be an incentive to stay "on task."

Vote on Resolution 13-10(Amended): Mr. Reiner, yes; Mr. Keenan, yes; Mrs. Boring, yes; Ms. Chinnici-Zuercher, yes; Vice Mayor Salay, yes; Mr. Gerber, yes; Mayor Lecklider, yes.

SECOND READING/PUBLIC HEARING - ORDINANCES

Ordinance 07-10

Rezoning Approximately 15.69 Acres Located on the Southeast Corner of the Intersection of Perimeter Drive and Perimeter Loop Road within Perimeter Center from PCD, Planned Commerce District (Subareas J and D) and PUD, Planned Unit Development District (Subarea J-1) to PUD, Planned Unit Development District. (MAG, Midwestern Auto Group, Volvo Expansion – Case 09-108Z/PDP)

Ms. Husak reviewed the major points of the application, which will provide improvements to the site for a substantial building addition to MAG (Midwestern Auto Group) to accommodate the Volvo expansion. The building expansion will be 46,000 square feet. To the north of the building expansion will be a carwash exterior to the site. With this expansion, an "end piece" will be added to the campus, finishing off the building with the same architectural materials and elements as that of the existing building.

The Planning and Zoning Commission recommended approval on January 21, 2010 with eight conditions.

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At the first reading, Council raised questions about the landscaping. MAG is well-known for its vehicle displays arranged within finger-like pavement areas. As the memo indicates, the City's landscape inspector completed an inspection when this application was filed in November 2009. The development as it exists meets the originally approved plan from the late 1990s with the display areas being landscaped up to one foot, as permitted by Code. The only exception that was made as per the approved development plan is the extent or length of the display area, which is 40 percent of the site. Dublin's Code permits 25 percent display on a site. This 40 percent was included in the original development plan approved in the late 1990s.

Staff recommends approval of Ordinance 07-10 at this time. The applicant is present to respond to questions.

Mayor Lecklider stated that the updated staff report includes an additional condition recommended, based upon Council's comments at the last meeting. The additional condition mentioned is that the applicant restripe the display areas in accordance with the approved site plan and display vehicles only in designated spaces.

Ms. Husak responded that staff believed this was an issue when they made a site visit, but the condition should not have been included. The issue resulted from the snow cover of the lot on the date of the site visit. Further investigation has confirmed that vehicles are parked and displayed appropriately.

Mr. Gerber clarified for the record that this additional condition was not in response to any comments of Council. Council discussed landscaping issues, not parking issues, at the last meeting.

Ms. Chinnici-Zuercher stated that there was extensive discussion about whether the City's expectations for the original landscaping of the display areas had been met. At the last meeting, there was disagreement between staff and Council about that issue. Staff indicates that the applicant had met the minimum requirement, but Council's issue is that was not the intent with the original approval. Mrs. Boring argues that the text demonstrates that there was an expectation that was different than the landscaping that has been provided.

Mrs. Boring noted that is reflected on page 7 of the April 10, 1997 minutes, in the architect's comments. "The parking lot at its lowest point is at a 911-foot elevation. The fingers have landscaping to break up large masses of parking, and they are elevated toward the highest points at the tips.....three foot landscaping will screen most of the cars." The intent was clearly reflected in the minutes.

Ms. Husak responded that what the landscape plan depicted is also shown on the current plan. Staff asked the applicant to take a thorough inventory of the landscaping that exists on the site and reflect that on this site plan. It is depicted on "Overall Landscape Plan – sheet OP-1."

Mrs. Boring stated that this page reflects the current landscape as it exists.

Ms. Husak responded that is, however, exactly as it was in the 1997 landscape plan. At the very tip of it is the car display landscaping, which is allowed to be one-foot in height. When that curves around, it meets with shrubbery of 3-1/2 feet in height that would be required for the vehicular use area screening. It is only the tip of each of the rounded "finger" display areas that has the relief of one-foot in height plant material.

Mrs. Boring inquired if three-foot plant material currently exists on the sides; it has not previously.

Ms. Husak confirmed that it currently exists on the site.

Mr. Reiner stated that at the last meeting, staff indicated that the applicant had met the landscape specifications.

Ms. Husak responded that they have done so, and that is reflected in their development text, as well.

Mr. Reiner responded that it is then a moot issue.

Ms. Husak responded that staff's assumption is that what was discussed in the meeting in 1997 reflected the speaker's assumption. The speaker's assumption was different than what was in their plan, which was approved at that time. What exists on the site today does meet their plan requirements.

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Held _____

Mrs. Boring referred to page 9 of the 1997 minutes, in the discussion about 25 percent road frontage, which the City requires for all car dealers. She cannot find that portion of the text in the Perimeter Center development text that is crossed out.

Ms. Husak responded that is the issue with the way the text was written and the reason staff asked the applicant not to continue with that text. The text was written to state, "landscaping to Code, unless otherwise approved by the Final Development Plan." This landscaping and the relief on the landscaping, 40 percent of their frontage, is something that was in their Plan, but not their text.

Mrs. Boring stated that she has been told many times previously that the text overrides the Plan.

Ms. Husak stated that the 1997 approved text states "unless approved on the Plan," so the text provides for that.

Mrs. Boring inquired the location of the language concerning the relief in the display areas. Her concern is that other car dealers will now ask for 40 percent, for instance, along Sawmill Road. How will that appear compared to the Code requirement for 25 percent?

Ms. Husak responded that the method for the car dealerships on Sawmill Road to obtain permission to do so is by securing a variance from the Board of Zoning Appeals, since they are all in a standard zoning district. In part two of the packet, which begins with the Perimeter Center development text, page 64 is to be deleted from the existing MAG text. The top of that page reads, "All landscaping shall be according to the Dublin Landscape Code unless a deviation is specifically approved as part of the Final Development Plan."

Mrs. Boring asked if staff is indicating that when road frontage is used for vehicle display, it is the same as landscaping plans?

Ms. Husak responded affirmatively.

Mrs. Boring stated that the text does not mention landscaping. It indicates that 25 percent frontage of the road will be used for automobile display. She does not accept that as a landscaping plan.

Ms. Husak responded that the relief in the Zoning Code for the 25 percent is in the Landscape Code, and the relief is landscaping.

Mrs. Boring stated that she cannot equate this to landscaping.

Aaron Underhill, Smith & Hall, 37 W. Broad Street, representing the applicant, stated that architects John Oney and Brad Perish, and Tim Galli, MAG, are present to respond to questions.

Mrs. Boring stated that she would like to clarify her concerns. The development plan is great in terms of the building expansion and add-on. However, the City has had issues with vehicle displays over many years. Staff indicates any variance from the Code must be approved by BZA, and that is the concern. When the City grants one car dealership relief, it is very difficult not to grant another car dealership the same opportunity to display his merchandise. It is a sense of fairness, and if she were serving on BZA, she would be compelled to grant a variance on that basis. Therefore, unless the percentage is revised to 25 percent -- the intent of the original plan -- she will not be able to support this rezoning. Approving this would have a future negative impact on the SR 161/Sawmill Road corridor.

Mayor Lecklider indicated that Council is prepared to vote at this time.

Mr. Gerber raised a point of order. Is it staff's recommendation to add a ninth condition as outlined in the staff report?

Ms. Husak responded that is an error; that language should not have been included in the memo. There are only eight conditions -- those appended by the Planning & Zoning Commission, which are recommended to Council for this rezoning.

Vote on the Ordinance: Vice Mayor Salay, yes; Mayor Lecklider, yes; Mr. Reiner, yes; Mr. Keenan, yes; Ms. Chinnici-Zuercher, yes; Mrs. Boring, no; Mr. Gerber, yes.

Ordinance 08-10

Rezoning Approximately 0.67 Acres Located on the Northeast Corner of the Intersection of North High Street and North Street within Historic Dublin from CB, Central Business District to HB, Historic Business District. (Oscar's -- Case 09-109Z)

Mayor Lecklider stated that staff's memo indicates a request to postpone this hearing.

Ms. Readler stated that Legal staff is working on the issue of valet parking raised by Council at the first reading. They are continuing to work on a solution with the applicant.



PLANNING AND ZONING COMMISSION

RECORD OF ACTION

JANUARY 21, 2010

CITY OF DUBLIN,

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

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

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

6. Perimeter Center PCD, Subareas D, J and J-1 – MAG Volvo Expansion
09-108Z/PDP/FDP **6325 Perimeter Loop**
Rezoning/Preliminary Development Plan
Final Development Plan

Proposal: Creation of a new Planned Unit Development District (MAG PUD) for an expansion of the Midwestern Auto Group dealership campus for a building addition and associated site improvements. This site is located on the southeast corner of the intersection of Perimeter Drive and Perimeter Loop Road.

Request: 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 Planned District provisions of Code Section 153.050.

Applicant: Car MAG LLC & Car MAG Park LLC; represented by Aaron Underhill, Smith & Hale.

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

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

MOTION #1: To recommend City Council approve this Rezoning/Preliminary Development Plan because it allows the orderly development and continued high-quality design of an existing business, and meets the development pattern within the area and all applicable review criteria, with eight conditions:

- 1) An additional 10 feet of right-of-way along Perimeter Drive is required to be dedicated to the City;
- 2) If additional building square footage is constructed that is not accounted for in the traffic analysis a traffic impact study must be provided, as directed by the City Engineer;
- 3) The development text be modified to eliminate the option of a wall sign for the Volvo brand and permit a brand ground sign adjacent to the Volvo entrance to match the existing brand signs on the MAG campus; and
- 4) The existing Perimeter Center development text be updated to remove references and requirements for the MAG dealership;
- 5) That the development text be modified to include regarding lighting from the existing Perimeter Center text for Subarea J;

**PLANNING AND ZONING COMMISSION
RECORD OF ACTION
JANUARY 21, 2010**

- 6. Perimeter Center PCD, Subareas D, J and J-1 – MAG Volvo Expansion**
09-108Z/PDP/FDP **6325 Perimeter Loop**
Rezoning/Preliminary Development Plan
Final Development Plan

- 6) That the development text be modified to restrict the use of the car wash to employees only;
- 7) That the development text be modified to permit internally illuminated campus identification signs (A & B) and clarified regarding administrative approval for sign faces for the brand and campus identification signs only; and
- 8) That the development text be modified to eliminate language allowing landscape screening to be deferred.

* Ben Hale, Jr., representing the applicant agreed to the above conditions.

VOTE: 7 – 0.

RESULT: This Rezoning/Preliminary Development plan was recommended to City Council for approval.

MOTION #2: To approve this Final Development Plan application because it complies with the development text, preliminary development plan, the applicable review criteria and existing development standards within the area with six conditions:

- 1) The plans be revised to account for an additional 337 square feet of landscape area and three trees to meet the interior landscape requirement;
- 2) Four additional trees will need to be planted along the SR161/US33 frontage to meet the planting requirements specified within the development text;
- 3) The directional Sign S be removed from the pole and ground-mounted to be consistent with the existing directional signs;
- 4) The Volvo wall sign indicated on the final development plans be removed and a brand ground sign be permitted adjacent to the Volvo entrance to coordinate with the existing brand signs on the MAG campus;
- 5) That the plan be modified to require that the landscape screening along the eastern property line be installed with the building construction; and
- 6) A stormwater easement will need to be provided, subject to approval by Engineering.

* Ben Hale, Jr., representing the applicant agreed to the above conditions.

VOTE: 7 – 0.

RESULT: This Final Development Plan application was approved.

STAFF CERTIFICATION



Claudia D. Husak, AICP, Planner II



CITY OF DUBLIN

Land Use and
Long Range Planning
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DUBLIN PLANNING AND ZONING COMMISSION

MEETING MINUTES

JANUARY 21, 2010

AGENDA

1. ~~Architectural Review Board~~ **Administrative Request**
07-096ADM **Zoning Code Amendment**
(Approved 7 – 0)

2. ~~Infiniti of Dublin~~ **3890 Tuller Road**
08-009CDDS **Corridor Development District Sign Review**
(Postponed without discussion)

3. ~~Shoppes at River Ridge – Montgomery Inn~~ **4565 W. Dublin-Granville Rd.**
09-104CDD **Corridor Development District**
(Approved 5 – 2)

4. ~~Shoppes at River Ridge – Montgomery Inn~~ **4565 W. Dublin-Granville Rd.**
09-113CDDS **Corridor Development District Sign**
(Approved 7 – 0)

5. ~~Oscars~~ **84 & 72 North High Street and 20 North Street**
09-105Z **Rezoning**
(Rezoning Approved 7 – 0)
(Motion #2 Approved 7 – 0)

6. ~~Perimeter Center PCD, MAG Volvo Expansion~~ **6325 Perimeter Loop**
09-108Z/PDP/FDP **Rezoning/Preliminary Development Plan**
Final Development Plan
(Rezoning/Preliminary Development Plan Approved 7 – 0)
(Final Development Plan Approved 7 – 0)

7. ~~Oakland Nursery – Exterior Modification~~ **4261 West Dublin-Granville Road**
09-102CDD/CU **Corridor Development District/Conditional Use**
(Corridor Development District Tabled 7 – 0)
(Conditional Use Tabled 7 – 0)

8. ~~Belvedere – Belvedere Neighborhood Park~~ **8055 Summerhouse Drive East**
09-112FDP **Final Development Plan**
(Approved 7 – 0)

9. ~~Metro Center – Crowne Plaza Hotel~~ **600 Metro Place North**
09-076AFDP **Amended Final Development Plan**
(Approved 7 – 0)

~~development located in this area. Mr. Zimmerman seconded the motion. The vote was as follows: Mr. Walter, yes; Mr. Fishman, yes; Ms. Amorose Groomes, yes; Ms. Kramb, yes; Mr. Hardt, yes; Mr. Zimmerman, yes; and Mr. Taylor, yes. (Approved 7 – 0.)~~

Motion and Vote #2

~~Mr. Walter made a motion to highlight the Planning and Zoning Commission's discussion regarding their concerns with parking in the Historic District and the once public patio in the communication accompanying the rezoning application to City Council. Mr. Fishman seconded the motion. The vote was as follows: Mr. Hardt, yes; Ms. Kramb, yes; Mr. Zimmerman, yes; Mr. Taylor, yes; Ms. Amorose Groomes, yes; Mr. Fishman, yes; and Mr. Walter, yes. (Approved 7 – 0.)~~

**6. Perimeter Center PCD, MAG Volvo Expansion 6325 Perimeter Loop
09-108Z/PDP/FDP Rezoning/Preliminary Development Plan
Final Development Plan**

Ms. Amorose Groomes swore in the applicants, Ben Hale, Smith and Hale, and John Oney, Architecture Alliance, representing MAG, and those wishing to speak in regards to this case, including City representatives.

Claudia Husak said this is a request for recommendation of approval to City Council for a rezoning with a preliminary development plan for 15.67 acres from PCD, Planned Commerce District (Perimeter Center, Subareas J and D) and PUD, Planned Unit Development district (Perimeter Center Subarea J-1) to a new PUD to accommodate an expansion of the Midwestern Auto Group (MAG) site. She said the proposed development includes a substantial building addition, a car wash, and other related site improvements for this auto dealership site.

Ms. Husak said this also a request of review and approval of a final development plan which includes all final details concerning architecture, landscaping, site improvements, lights, signs, and other details for this building addition. She showed a slide of the vicinity of the site and said the most recent application the Commission reviewed in this area was for the WD Partners site where the two subareas were combined into one. She said the case is scheduled for the first reading for City Council on January 25, 2010.

Ms. Husak highlighted the different subareas within the Perimeter Center PCD and said that the MAG site is in the southern portion of the district in Subarea J, which was created in 1998 specifically for MAG. She said there were several amendments which were approved by the Planning and Zoning Commission and there was a building expansion and skywalk which would all be void with this application. She said Subarea J-1 was rezoned last year for a temporary parking lot during an anticipated expansion, but as the needs of MAG have changed, it causes the need for a rezoning.

Ms. Husak said MAG is proposing to create a new Planned Unit Development district, which is the 15.69 acres. She said the redevelopment requiring this rezoning is generally located on the southeastern portion of the site. She said the site includes frontage on US 33, Perimeter Drive, Perimeter Loop Road, and Venture Drive. She said that the site includes two buildings, a 7,000-square-foot building that accommodates the Land Rover franchise to the north and a 68,500-square-foot building that incorporates the administrative offices and includes all the other franchises that MAG operates in the southern portion of the site.

Ms. Husak said that the car display is unique to the site and designed in a finger-like arrangement in the western portion of the site, to the north, and to the south. She said the proposal includes the new building addition that is intended to house the Volvo franchise, the service area for Volvo and expanded administrative offices. She said it is a 46,800-square-foot building addition. She said this is a four-story building that will be located at the southeastern end of the existing building and will continue to use the existing architectural design with pod areas made out of glass protruding from the front of the building.

Ms. Husak said the building includes a lower level for services and there is a single executive residential suite proposed on the fourth floor of the building for the owner to reside in while in Ohio. She said there will be a formal landscape and entrance area located at the southeastern corner and there is a carwash facility proposed just to the north of the building expansion, which currently operates on the MAG site but interior to the building. She said the renovations and expansions now require the carwash to be located on the exterior but it is only open to cars being serviced at MAG.

Ms. Husak said all the sales activities are located on the main level of the building. She said the building is obviously unique and the height will increase with the addition of the building. She said the development text for MAG has requirements for striking and noteworthy architecture, and this particular design scheme is unique to the City. She said the additional height meets the development text as it existed prior to the rezoning and will continue with this new development text.

Ms. Husak said the 1998 development text referred a lot of the development details and deviations from Code to the development plan. She said Planning asked the applicant to rewrite the development text to reflect the current standards and requirements. She said Planning has worked diligently with the applicant to accomplish the task.

Ms. Husak said lighting will be the same as it is on the site today with matching fixtures, pole heights and lamps. She said there are some deficiencies in the landscape plan as it was submitted for interior landscaping and additional trees. She said there is an intention of the BMW and Mini dealership, currently located on Post Road, to this area.

Ms. Husak said it is important to note that some of the screening is allowed to be deferred for three years if nothing were to occur to the east of the site. She said requirements were waived in the existing text for signs on the site and Planning worked with the applicant to develop standards which would govern the signs in the future, but will allow the existing signs to remain. She said there are several different sign types outlined in development text which are the campus development location signs, one on the highway to the south and the other two at the site entrances, there are also the brand signs on the site as well as directional signs to navigate the site for customers.

Ms. Husak explained that two motions will be required for this application, one for the rezoning with the preliminary development plan and one for the final development plan. She said that Planning has evaluated both proposals using the review criteria and is recommending that the Commission recommend approval to City Council of the rezoning with preliminary development plan with the following four conditions:

- 1) An additional 10 feet of right-of-way along Perimeter Drive is required to be dedicated to the City;
- 2) If additional building square footage is constructed that is not accounted for in the traffic analysis a traffic impact study must be provided, as directed by the City Engineer;
- 3) The development text be modified to eliminate the option of a wall sign for the Volvo brand and permit a brand ground sign adjacent to the Volvo entrance to match the existing brand signs on the MAG campus; and
- 4) The existing Perimeter Center development text be updated to remove references and requirements for the MAG dealership.

Ms. Husak said that Planning has determined that the proposal meets the Final Development Plan review criteria and recommends approval of that part of the application with the following five conditions:

- 1) The plans be revised to account for an additional 337 square feet of landscape area and three trees to meet the interior landscape requirement;
- 2) Four additional trees will need to be planted along the SR161/US33 frontage to meet the planting requirements specified within the development text;
- 3) The directional Sign S be removed from the pole and ground-mounted to be consistent with the existing directional signs;
- 4) The Volvo wall sign indicated on the final development plans be removed and a brand ground sign be permitted adjacent to the Volvo entrance to coordinate with the existing brand signs on the MAG campus; and
- 5) A stormwater easement will need to be provided, subject to approval by Engineering.

Ben Hale, 37 West Broad Street, Smith and Hale, representing the applicant, said the campus identification signs are internally illuminated, not externally as indicated in the text. He said the reason this building grew was because of the need for additional office space when Volvo moved to this location. He said the existing office space is on the north end of the building which is going to be converted to a showroom. Mr. Hale said the owner wants to stay on the top floor where a small apartment is located; the primary part of the building is actually three stories. He said the owner is trying to match the existing architecture of the existing building. He said BMW will need to leave the Post Road location and the preference is to move to the east of the site.

John Oney, Architecture Alliance, said Mr. Brentlinger, the owner, has been involved in the design of the campus and the crescent shape of the building is being kept. He said the lower level is identical to what is happening with the service reception area and there will be a private elevator which would go up to the penthouse suite. He said the showroom level matches the designs to make it ADA accessible. Mr. Oney said there is hope to connect to BMW with either a pedestrian walkway or a sky bridge. He said the third level will be the corporate office which will house sixteen brands, located above the showrooms. He said the penthouse level will have a suite for Mr. Brentlinger to access and there will be a green roof garden feature in the back. He said they would like to create a screen which would not disturb the view with a building.

Mr. Oney showed a video animation of the proposed addition and how it relates to the existing building and the overall MAG campus.

Ms. Amorose Groomes asked if there were any comments from the public concerning this application. There were none.

Ms. Kramb said she does not have a problem with the architecture but does have concerns about the development text. She asked if it was mentioned that the references needed to be removed from the Perimeter Center text. Ms. Husak said it is Condition 4 for the preliminary development plan.

Ms. Kramb said the Perimeter Center Development has a lot more text about lighting for MAG than the proposed text. She said another concern is the residential area above the business. Ms. Husak said that Planning has received many inquiries from owners wanting suites within their business so they have a place to stay while in Ohio. She said the Code does not address this issue. Ms. Kramb said this is not a little apartment, it is large residential area.

Mr. Walter said he is concerned the architecture of the carwash is uninspired and very close to the road. He said there are mixed window treatments which are interesting, but the materials of metal are not repeated. Mr. Oney said it is EIFS and the scoring of the material is on the back of the building. He said they tried to blend it in and add a strong landscaping screen to the street side, as well as add more glass.

Mr. Walter asked if there is anything within the text which would preclude changing the material on the existing sign on the expressway side of the building. He said the stone is out of place with the rest of the building. Ms. Husak said they could change the material, the text requires it to be a ground sign.

Ms. Kramb said there is a provision in the text that signs do not have to come back to the Commission for approval. Ms. Husak said as long as the requirements are met for the development text. Ms. Kramb said it is in reference to a sign permitting process which is not referenced anywhere else and is not explained. She said it states signs maybe changed without further a due by the Planning Commission provided the new panels conform with this text with the sign permitting process.

Aaron Underhill, Smith and Hale, said the intent is the make sure that if the brands change the panels can be updated to reflect the change without having to come back to the Commission. He said if the language needs to be changed, it will be changed.

Ms. Kramb said to change the language needs to reflect brand signs specifically. Ms. Husak said it says sign panels that identify automobile manufacturers on ground signs. Ms. Kramb said that the categories of signs should be listed.

Mr. Walter said another concern is that the addition removes a service parking area that is currently there. He said the need for adequate parking on this site is not addressed; the carwash is going to further eliminate parking. He asked if it is a possibility to have overflow parking in the J-1 area. Ms. Husak said the parking meets the Code requirements and actually exceeds them. She said J-1 could still be used for parking and would require approval by the Commission for conditional use and a final development plan.

Mr. Walter asked where the trees for the landscape package will be located. Ms. Husak said they are along the SR161 frontage.

Mr. Walter said he is not in support to adding the trees because they might impede the view, the intent is to mirror the rest of the building, but it might end up being the center of the building. He said he would rather not have those trees there.

Mr. Hardt said a building of this style is dependent of the detailing. He said the garage door on the west elevation of the carwash is not the same as the others. He said getting the materials to match the existing building are important. Mr. Hardt said he does not have a problem with the carwash. He said the presence of the residence is okay, he does not like that the apartment creates an increase in size by a full story. Mr. Hale said the building does not exceed the approved height. He said the applicant is not asking for the site to be rezoned as residential, just for one residential unit.

Mr. Oney said the glass and showroom feeling on the first floor will carry up to the second floor. He said the height will be 47 feet 10 inches, the allowable in the text is 65 feet. He said they tried to compress everything as much as they could.

Mr. Zimmerman said if someone is building a business and wants to reside there they should have the ability to do so. He said the carwash blends with the building and the landscaping is going to cover it up.

Mr. Fishman asked if the signs will remain the same and if the only change will be the brand name. He asked if any logos will be changed without approval by the Commission. He said there is going to be congestion having 16 dealerships using one carwash. Ms. Husak said the development text says the carwash is not permitted to be used by the public. Mr. Hale said the carwash is only for cars which are being serviced at this dealership and only employees can take the cars through.

Mr. Fishman asked if the text states that an apartment will be allowed at this location. Ms. Husak said yes.

Mr. Hardt asked if the applicant wants the ability to change the sign panels of the existing signs without coming back for approval. He clarified that the applicant is not asking to add more signs or change the design of the signs. Mr. Underhill said that is correct. He said this would apply to the signs at the entryway, the brand signs identify the individual manufacturers.

Mr. Walter said number seven on page two, says the dealership is not charging for the carwash, but there can still be public access. He said that the phrase needs to be clearly worded.

Mr. Taylor asked what happens to the balance of J-1 and D when it is absorbed into the new subarea. Ms. Husak said both stay within the Perimeter Center. Mr. Taylor asked if J-1 is smaller. Ms. Husak confirmed.

Mr. Taylor said it does not feel like a four-story building and it has been interesting how this has evolved and he recalls discussions the Commission had about the potential BMW building moving to J-1. He said he appreciates how BMW integrates with this building. He said J-1 was supposed to hold construction parking and asked where the overflow parking is going to be placed when this addition is under construction. Mr. Oney said this expansion will have very minimal disruption to the existing site.

Mr. Taylor said to make sure this gets addressed immediately if parking is needed. He said the building will not look like it was added onto it will look like it was designed this way.

Ms. Amorose Groomes said she is disappointed the landscape installation has been deferred for up to three years; that is three growing years. She said she would like to see the landscape package go in during construction. She said she would like to see the lighting text amended, it is important and would not be a hardship on anyone to continue the same language from the lighting text into this rezoning. Ms. Amorose Groomes said she would like to encourage the applicant to look across the street where cars can be stored. She said the carwash is located in a tight corner, and asked whether there is anywhere else it can go. She said the first thing people will see entering from Venture Drive is a carwash, and there are gorgeous buildings but the first thing seen is a carwash. She said the applicant has done a great job with the architecture, and ask that the applicant take a look at moving the carwash as the site develops.

Mr. Fishman said he is also concerned about the landscaping not being finished.

Mr. Hale said BMW needs to be under construction within a year. He said if permission is obtained to move to the Volvo location the landscaping would have to be removed. He said if BMW has not been started within a year the applicant will put in the landscaping. He said if it must put it in now they will, but would like a year.

Mr. Hardt said if that timeframe holds, approval for the building will need to be obtained before the landscaping being referenced today is planted. Ms. Amorose Groomes said if the applicant puts the landscaping in and asks for relief the Commission will give relief at that time.

Ms. Amorose Groomes said the lighting text will be updated to reflect the original text. Mr. Hale said the lighting will be in compliance.

Ms. Husak said conditions have been drafted and will address everything discussed. She said that the Commission is requesting modification of the development text to include lighting from the existing Perimeter Center text for this Subarea, to restrict the use of the carwash to employees only, to permit internally illuminated campus identification signs, A and B which is what the applicant asked for and have it clarified for administrative approval for sign faces for the brand and campus identification signs only and eliminate language allowing landscaping to be deferred.

Ms. Amorose Groomes asked if there is anywhere else on the property the carwash can be placed. She asked if there is an opportunity to include it in the BMW construction. Mr. Oney said the carwash will have to go in with this phase and not the next. He said in the conceptual plan and when BMW is brought on they are planning to have the Perimeter Loop entrance, as it loops around. He said the carwash could move 20 feet closer. He said the area being proposed for the carwash is more of a service entrance; traffic is trying to be downplayed in this area.

Ms. Amorose Groomes asked where the loading and unloading would occur. She said the current carwash location is where semis unload cars.

Mr. Walter asked if the Land Rover building is going to be maintained. Mr. Oney said yes. Mr. Walter asked what if the Land Rover brand goes away. Mr. Hale said the Land Rover building

stays, if the brand does go away the building would be altered to become more compliant with what is there. Mr. Walter said that would give time to alter the parking, if Land Rover left. Ms. Amorose Groomes asked if there were any comments.

Motion #1 and Vote

Mr. Taylor made a motion to recommend approval to City Council of this Rezoning/Preliminary Development Plan because it allows the orderly development and continued a high-quality design of an existing business, meets the development pattern within the area and all applicable review criteria, with eight conditions:

- 1) An additional 10 feet of right-of-way along Perimeter Drive is required to be dedicated to the City;
- 2) If additional building square footage is constructed that is not accounted for in the traffic analysis a traffic impact study must be provided, as directed by the City Engineer;
- 3) The development text be modified to eliminate the option of a wall sign for the Volvo brand and permit a brand ground sign adjacent to the Volvo entrance to match the existing brand signs on the MAG campus; and
- 4) The existing Perimeter Center development text be updated to remove references and requirements for the MAG dealership;
- 5) That the development text be modified to include regarding lighting from the existing Perimeter Center text for Subarea J;
- 6) That the development text be modified to restrict the use of the car wash to employees only;
- 7) That the development text be modified to permit internally illuminated campus identification signs (A & B) and clarified regarding administrative approval for sign faces for the brand and campus identification signs only; and
- 8) That the development text be modified to eliminate language allowing landscape screening to be deferred.

Ben Hale, Jr., representing the applicant agreed to the above conditions.

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

Motion #2 and Vote

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

- 1) The plans be revised to account for an additional 337 square feet of landscape area and three trees to meet the interior landscape requirement;
- 2) Four additional trees will need to be planted along the SR161/US33 frontage to meet the planting requirements specified within the development text;
- 3) The directional Sign S be removed from the pole and ground-mounted to be consistent with the existing directional signs;
- 4) The Volvo wall sign indicated on the final development plans be removed and a brand ground sign be permitted adjacent to the Volvo entrance to coordinate with the existing brand signs on the MAG campus; and

RECORD OF ORDINANCES

Dayton Legal Blank Co.

Form No. 30043

Ordinance No. 41-97

Passed _____ 19__

An ordinance providing for a change in zoning for 14.78 acres of land located on the southeast corner of Perimeter Loop Road and Perimeter Drive From: PCD, Planned Commerce District, To: PCD, Planned Commerce District (Midwestern Auto Group Property).

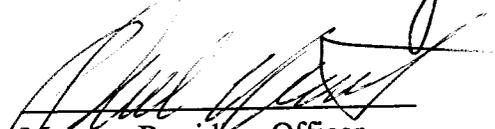
NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Dublin, State of Ohio, 5 of the elected members concurring:

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

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

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

Passed this 9th day of June, 1997.

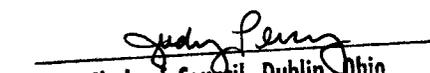

Mayor - Presiding Officer

Attest:


Clerk of Council

Sponsor: Planning Division

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


ASST Clerk of Council, Dublin, Ohio

RECORD OF PROCEEDINGS

Minutes of

Dublin City Council Meeting

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Meeting

DAYTON LEGAL BLANK CO., FORM NO. 1014B

Held

June 9, 1997

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high quality and not grown in the south.

Mr. Hahn commented that although Council has approved staffing increases for his division, they are unable to fill many seasonal positions due to the labor market conditions. The horticultural crew is now at about 60 percent of authorized staffing.

It was the consensus of Council to eliminate the irrigation system and to use pavers instead of stamped concrete.

Mr. Helwig asked that Council consider adding trees on both sides of the bridge at a cost of \$17,500 as outlined in the memo.

It was the consensus of Council to put trees on the north side and to use 7 to 8 foot trees in the same quantity, as suggested by Mr. Reiner.

Mr. Helwig noted that the total costs of the items selected by Council, including \$10,500 for the trees on the north side of the bridge is \$595,752. The budget was estimated at \$565,000.

Mr. McCash suggested that spray coatings be used on the walls to protect them from the salt.

Mr. Smith suggested that the ordinance specify that the total cost not exceed \$600,000. Staff can then follow the direction given by Council tonight in regard to the alternates.

Vote on the ordinance - Mr. McCash, yes; Mr. Reiner, yes; Mrs. Boring, yes; Mayor Kranstuber, yes; Mr. Campbell, yes; Ms. Hide Pittaluga, yes.

Ordinance 82-97 - An Ordinance Declaring Improvements to Certain Parcels of Real Property to be a Public Purpose, Describing the Public Infrastructure Improvements to be made to Benefit Those Parcels, Requiring the Owners Thereof to Make Service Payments in Lieu of Taxes, Authorizing a City Agreement with Ruscilli Construction Co., Inc. Profit Sharing Plan and Trust and Olde Poste Properties, Columbus Building, L.L.C. and Brentlinger Enterprises with Respect to Those Payments, Establishing a Municipal Public Improvement Tax Increment Equivalent Fund for the Deposit of Such Service Payments, Authorizing a Related Amendment of an Agreement with the Dublin City School District, and Declaring an Emergency.

Mr. Hansley noted that this is the tax increment financing agreement for the Midwestern Auto Group and Gordon Flesch developments.

Mr. Kranstuber moved to treat this as emergency legislation.

Mr. Campbell seconded the motion.

Ms. Grigsby stated that the need for emergency is to comply with the time frames for the public improvements to be made to accommodate these developments.

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

Vote on the ordinance - Mr. Reiner, yes; Mayor Kranstuber, yes; Ms. Hide Pittaluga, yes; Mr. Campbell, yes; Mrs. Boring, yes; Mr. McCash, abstain.

Tabled Ordinances Scheduled for Action

Ordinance 41-97 - An Ordinance Providing for a Change in Zoning for 14.78 Acres of Land Located at the Southeast Corner of Perimeter Loop Road and Perimeter Drive from: PCD, Planned Commerce District to: PCD, Planned Commerce District.

(Midwestern Auto Group) (Applicant: Chris Cline, 37 W. Bridge Street representing Charles Aeh, Midwestern Auto Group, 5016 Post Road, Dublin, OH 43017)

Ms. Clarke noted that a two-page addendum to the text was distributed this evening. She noted that the text was amended based on the discussion at the public hearing regarding signage. She believes that the text represents the direction given by Council, and staff recommends approval of the ordinance with the amended text.

RECORD OF PROCEEDINGS

Minutes of

Dublin City Council Meeting

Page 11

Meeting

DAYTON LEGAL BLANK CO., FORM NO. 10148

Held

June 9, 1997

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Mr. Reiner asked about the landscape changes on the display "fingers".

Mr. Cline stated that the short finger is virtually all display area.

Ms. Clarke noted that in regard to the landscaping plan, she cannot verify staff's acceptance.

Mr. Cline stated that Ms. Newcomb had verified that the landscaping changes were acceptable.

Mayor Kranstuber moved approval of the ordinance with the conditions of Planning and Zoning, the text and the addendum submitted to Council tonight.

Mr. McCash seconded the motion.

Vote on the motion - Mr. Reiner, yes; Mayor Kranstuber, yes; Mr. Campbell, yes; Ms. Hide Pittaluga, yes; Mr. McCash, yes.

Ordinance 63-97 - An Ordinance Providing for a Change in Zoning for 4.25 Acres Located at the Terminus of David Road, Approximately 720 Feet North of SR 161 from: R-4, Suburban Residential District to: PCD, Planned Commerce District, and Declaring an Emergency. (AEP Proposed David Road Substation) (Applicant: Roy Strawser, American Electric Power, 215 North Front Street, Columbus, OH 43215)

Ms. Clarke stated that the applicant and staff are now satisfied with the text submitted to Council. Planning Commission believes that at some point in the future, a communications tower on this site may be desirable. The City encourages locating these towers on existing structures wherever possible, so this permissible use was added to the text. It also includes that such a tower would be subject to the approval of the Board of Zoning Appeals or other appropriate authority at the time.

Ms. Hide Pittaluga stated that she is concerned with including a provision about a communications tower when the entire telecommunications issues for the City have not been resolved. This is premature.

Mr. Hansley responded that this text change merely grants this as a permissive use, and it seems logical to include it at this time.

Bob Schnell, mother of Edith Schnell of David Road stated that he specifically asked at another meeting if there would be a communications tower there and someone had assured him that there would not.

Ms. Clarke confirmed that the response to this question did not come from City staff.

Mr. Campbell noted that he does not recall any discussion previously about a tower at this location.

Mr. McCash proposed that it would make more sense to allow one communications tower at this location rather than have an electrical substation here and a cellular tower at Martin Road which was one of the other sites under consideration. He would prefer to change the language to "cellular tower" from "towers" and stipulate that it would have to be attached to the existing structure on the site.

Ms. Hide Pittaluga stated that she would have preferred to have the input of the Service Director on this matter. She believes it is inappropriate to add this provision; she would rather see that portion done as a separate rezoning matter.

Ms. Hide Pittaluga moved to delete the language that refers specifically to the towers. The motion died for lack of a second.

Ms. Hide Pittaluga asked that Mr. McDaniel follow up with a report outlining how this ordinance will affect the pending telecommunications ordinance.

Following discussion, Mr. Campbell moved to add on page 6, "further, a communications tower which equals or exceeds 36 feet in height plus related facilities will be permitted to be mounted on the existing electrical substation structures if approved ..."

" C "



**DUBLIN PLANNING AND ZONING COMMISSION
RECORD OF ACTION
April 10, 1997**

CITY OF DUBLIN

5800 Shier Kings Road
Dublin, OH 43017-1236
Phone/TDD: 614/761-6550
Fax: 614/761-6506

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

- 3. **Rezoning Application 97-034Z - Revised Composite Plan/Development Plan - Midwestern Auto Group - 6025 Perimeter Drive**
Location: 14.78 acres located at the southeast corner of Perimeter Loop Road and Perimeter Drive.
Existing Zoning: PCD, Planned Commerce District (Perimeter Center plan).
Request: PCD, Planned Commerce District. Amendments to the existing Perimeter Center composite plan and development text, under Section 153.058, are proposed to create a new Subarea J.
Proposed Use: Proposed auto dealership.
Applicant: Charles Aeh, c/o Christopher Cline, 37 West Bridge Street, Dublin, Ohio 43017.

MOTION #1: To approve the revised composite plan portion of this rezoning application, because it is a compatible use, presents the desired character along US 33/SR 161, conforms to the PCD regulations and the Community Plan, with six conditions:

- 1) That the text be revised to provide clarification as to visual sale gimmicks, landscaping, lighting, auto display, grading, and building architecture;
- 2) That access to Perimeter Drive be prohibited;
- 3) That a more acceptable sign package be submitted as part of this rezoning and incorporated in the text;
- 4) That design for all storm water management, site utilities and improvements including grading meet the approval of the City Engineer;
- 5) That construction be linked to approval of the preliminary plat for "Wall" Street; and
- 6) That an appropriate subarea plan be submitted.

* Chris Cline agreed to the above conditions.

**DUBLIN PLANNING AND ZONING COMMISSION
RECORD OF ACTION
April 10, 1997**

3. **Rezoning Application 97-034Z - Revised Composite Plan/Development Plan -
Midwestern Auto Group - 6025 Perimeter Drive (Continued)**

VOTE: 7-0.

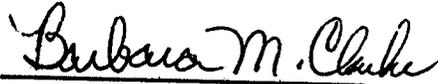
RESULT: This rezoning application was approved. It will be forwarded to City Council with a positive recommendation.

MOTION #2: To table the development plan portion of the application, as requested by the applicant.

VOTE: 7-0.

RESULT: This development plan was tabled, as requested, until May 1, 1997. The proposed lighting, signage, landscaping, building materials, and grading plan will be addressed further at that meeting.

STAFF CERTIFICATION


Barbara M. Clarke
Planning Director

~~Ms. Chinnici-Zuercher wanted a complete package regarding the disposition of David Road. She wanted all residents of David Road to have the potential for relocation within a few years, not simply six or eight homes. She cited the Tuttle Crossing West neighborhood as an example.~~

~~The vote was: Mr. Peplow, yes; Ms. Chinnici-Zuercher, yes; Mr. Lecklider, yes; Mr. Sprague, yes; Mr. Harian, yes; Mr. Ferrara, yes; and Ms. Boring, yes. (No recommendation 7-0.)~~

2. Rezoning Application 97-033Z - Revised Composite Plan - Windmillier Parcel

~~This case was postponed prior to the meeting. There was no discussion and no action taken.~~

3. Rezoning Application 97-034Z - Revised Composite Plan/Development Plan - Midwestern Auto Group - 6025 Perimeter Drive

Bobbie Clarke presented this combined rezoning and development plan for an auto dealership. The 14.78 acre site is on the southeast corner of Perimeter Drive and Perimeter Loop Road (formerly Wilcox Road). The rezoning would permit all of the current Subarea D uses, mainly office and hotel, plus an auto dealership. The Midwestern Auto Group (MAG) dealership is now located on Post Road and will relocate here. A new loop road is shown to the east of this site, but its name will not be "Wall Street" as shown on the plans. Tax increment financing (TIF) legislation is pending at City Council that would install the full street loop.

The two-level building will have three elevated showrooms facing southwest. There are three entrances into the lower service level. A wet pond is located near the main entrance. The parking lot is divided into several use areas. The tips or "fingers" are used for display and the inventory cars are stored in the remaining area. Customers will park along the C-shaped driveway, and employee parking has been designated and screened. A future showroom is shown at the north end of the site, which could become Land Rover, or a showroom could be added to the building.

Ms. Clarke said two separate actions are requested: a recommendation on the rezoning application (composite plan) and final action on the development plan. Subarea J will permit the current uses and an auto dealership in accordance with this plan. The PCD permits this combined review. Since the initial plan submission, there have been several revisions. The staff report indicates 12-15 signs for the site; this has been reduced to three signs which have not been reviewed by staff. The specialized lighting proposed is a staff concern. Staff is not stressing blanket compliance with Dublin Lighting Guidelines because such a specialized lighting plan, site plan, and a unique building is proposed. It is requested that lighting be left to staff discretion. Additionally, six-foot high screening is normally required along US 33, but none is proposed here.

Ms. Clarke said no architecture had been submitted for the future building along Perimeter Drive. Staff hopes that it would be coordinated with the main MAG building.

Ms. Clarke said staff recommends tabling of the development plan. She said staff recommends approval of the rezoning application with six conditions:

- 1) That the text be revised to provide clarification as to visual sale gimmicks, landscaping, lighting, auto display, grading, and building architecture;
- 2) That access to Perimeter Drive be prohibited;
- 3) That a more acceptable sign package be submitted as part of this rezoning and incorporated in the text;
- 4) That design for all storm water management, site utilities and improvements including grading meet the approval of the City Engineer;
- 5) That construction be linked to approval of the preliminary plat for "Wall" Street; and
- 6) That an appropriate subarea plan be submitted.

Chris Cline, attorney, said this project had integrated landscaping, grading, and parking. He said it will be nationally recognized for its design. This project was designed to look good from every angle.

Joe Kuspan, the architect, demonstrated the site model. The site has been cut with a C-shaped loop road that separates the different areas. There are seven display "fingers" to the north and seven to the south. The building has a split level design. The service entrances are lower and hidden, and the showrooms are elevated. He said service vehicles, employee parking and new car inventory will be screened with landscaping. The parking lot at its lowest point is at a 911-foot elevation. The fingers have landscaping to break up large masses of parking, and they are elevated toward the highest points at the tips. This permits the vehicles on the end of the mounds to be seen while the other stored inventory is descending downhill. Three-foot landscaping will screen most of the cars. A series of quartz fixtures at the grade level will footlight the wheels and grills of the cars. Other lighting will provide general ambient light in the display spaces.

Jerry Smith explained that the amount of asphalt was minimized with the fingers being landscaped and screened. Evergreen screening is mixed with deciduous materials. All the employee parking is screened. The fingers allow for particular cars to be displayed. The entrances will have tree clusters. They will meet the Landscape Code and Dublin street tree regulations.

Mark Brentlinger, Midwestern Auto Group, said his current business has outgrown its Post Road location. The goal is to have a European feel of architecture and design and a timeless building. He hoped the environment will be a pleasant and exciting landmark. The pond will have geese. The glass is to be a Swiss-manufactured clear glass that can eliminate heat gain inside. The landscaping species will be native to this area or reflect the same European countries as the cars. He does not want customers to see anything unattractive or cars not for sale. A lighting consultant will do subtle but dramatic lighting. Mr. Brentlinger does not want to repeat the old "stadium" type lighting used at the old dealership.

Mr. Kuspan said each showroom will have an internal ramp which ascends up to display cars and allow customers to visit other showrooms in the building. There will be a retail store for vehicle merchandise on one end. Low, 14-foot high decorative fixtures will light all of the outer portions

of the site in addition to the low-level quartz fixtures which floodlight and footlight the cars. He showed three European design fixtures. The rear of the site will be lit with cutoff type 27-foot high fixtures. Flagpoles for each nation of origin, plus the City of Dublin and MAG corporate flags, are proposed. A main pylon sign will be 15 feet high at the west entrance. Windows at the rear of the building will break up the massing and make it more appealing. A fire wall separates the sales/office space from the service space. A rooftop trench will screen the mechanical equipment.

He said the building materials are a combination of colored masonry and a ground face masonry. They were chosen for their rich appearance, which is similar to terrazzo. Some of the masonry will have scored joints. The blocks use marble, granite, and other aggregates to bring out the color and texture. A white PVC roof will be used. The large wall separating the front from the back of the building is a combination of three materials: dark charcoal grey ground faced masonry on the lowest 10 feet, white ground faced masonry on the middle 10 feet, and white masonry with a white marble chip for the upper 10 feet. Interior and exterior accent lighting on the building walls is proposed. Most of the upper areas of the building will be of a natural colored stucco. Aluminum window mullions will be unfinished. The front showrooms are of clear glass.

Ms. Chinnici-Zuercher asked how many cars are on the lot and in the fingers. Mr. Cline said 737 vehicles cars would be on the lot. He said each one of the fingers had a specific number of cars spelled out in the text. The largest finger had 38 spaces. He said absolutely no display vehicles are permitted in the C-shaped driveway.

Ms. Chinnici-Zuercher asked how many 14-foot light poles and flagpoles are proposed. Mr. Kuspan said there are sixty, 14-foot pole lights and eight flagpoles. The flag sizes will meet Code. The 22 light poles in the back are 27 feet high and are the typical cut-off, shoe box type.

Mr. Harian asked which material was on the front elevation, A-2. Mr. Kuspan said the blocks between the showrooms, inside the knuckles, had a striped pattern of two textures with a natural grey stucco above. Mr. Harian asked about the wall where the MAG sign appeared. Mr. Kuspan said it was white. He said the tallest HVAC unit was 5 feet high.

Mr. Brentlinger said the used cars would be integrated with the new cars.

Mr. Harian asked if a future fourth pod would be identical to the others. Mr. Kuspan said yes.

Mr. Harian read a letter from Tim Kelton, Ruscilli, excluding more dealerships from its remaining 77 acres. Ms. Clarke said staff did not request this condition, the developer volunteered it.

Mr. Harian asked if the roof elevation of the main building will be seen from US 33. Mr. Kuspan said the white roof was chosen to reflect the sun because the back half of the building was not air conditioned. He said a small portion of the roof might be visible.

Mr. Lecklider liked how the finger design breaks up the mass of asphalt. Mr. Kuspan said each finger was raised at the same slope per each side of the site. They chose a four-foot elevation change facing Perimeter Drive, and a six feet along US 33. They are sloped to provide drama by ascending upwards, and they also block the view of the rest of the cars. Mr. Kuspan said the highest mound was about six feet higher than US 33 and about 120 feet away.

Mr. Lecklider asked about the exterior sound system. Mr. Cline said it would play a low-key ambiance-type music. The music will be totally inaudible at the center of any adjoining road. The exterior sound system is subject to staff approval. Loud intercom speakers would not be permitted. Ms. Clarke said the text cites that the sound cannot be heard offsite.

Mr. Lecklider asked about the coffee shop. Mr. Cline said the coffee shop will attract the public as well as customers. The goal is to provide a gathering place.

Mr. Ferrara asked if the flagpoles are signage. Mr. Cline said corporate flags were regulated as signs, and any national flags were permitted. Mr. Banchefsky said there was no limitation on the number of flags representing any political entity.

Mr. Ferrara asked if the perimeter of the water feature would be grassed. Mr. Kuspan said typical rip-rap will not be used. They want to find a grass that will work with the retention. Mr. Cline said they would like to duplicate the pond in front of the Borrer Corporation.

Mr. Kuspan said there is a "MAG" sign at the end of the wall. He said the stainless steel, backlit channel letters are proposed, six to eight feet tall. Ms. Clarke said the sign shown by Code, was a roof sign, and not permitted unless written into the development text. She said the revised signage package had not been discussed.

Mr. Cline said there were 54 customer parking spaces. Mr. Ferrara said if this was to be a gathering place with a coffee shop he was concerned about adequate parking.

Mr. Peplow asked if the landscaping on the model provided was indicative of the quantity of material to be used. Mr. Kuspan said yes.

Mr. Peplow asked about the 25 percent of road frontage being used for auto display. Ms. Clarke said it is permitted at dealers citywide and includes US 33. Mr. Cline said the pod displays equal 25 percent of the frontage, and the lot coverage is 60 percent. Ms. Clarke said the display pod calculations have not been verified, and Perimeter Center permits up to 75 percent lot coverage.

Mr. Sprague was impressed by the plan. Mr. Cline said the parking lot will not be seen, and the cars for sale will be artistically arranged. It will be the best looking dealership Dublin has ever had.

Ms. Chinnici-Zuercher asked if 750 cars was the optimum number or would they have less in the beginning. Mr. Cline said 400 cars were for sale presently.

09-108Z/FDP

Rezoning/Final Development Plan

MAG Volvo

6335 Perimeter Loop Rd.

Ms. Chinnici-Zuercher said this was a tremendous presentation and it offers something unique and different. She said the typical car dealership was not what Dublin wanted at this site. She was concerned about the future of the existing MAG site.

Mr. Cline said Mr. Brentlinger wanted special cultural events to take place on this site.

Ms. Boring asked what the parcel between this and the Crown Mercedes dealership was zoned. Ms. Clarke said the 5-acre parcel is zoned for hotels, offices, and OLR uses, with a minimum of two-story structures.

Ms. Chinnici-Zuercher reminded the Commission that two different actions were under review: a rezoning recommendation of a composite plan and action on the development plan.

Mr. Lecklider said it was a fabulous design. He was concerned about the height of the fingers to the southwest. He liked the treatment of the parking on the interior side.

Mr. Harian said it was good to have MAG relocate within Dublin. He said was considering approval of the composite plan and tabling the development plan, so that details could be examined more carefully. He however, did not see anything he did not like.

Ms. Boring thanked everyone for their thoroughness. She said the model helped a lot. She said Council did not want to see auto dealerships all along US 33. She liked the site layout. This design will set the standard for the remaining properties along the freeway.

Mr. Ferrara also was glad to have MAG remain in Dublin. He had no problems with the composite plan. He said the new information for the development plan needed to be absorbed.

Mr. Peplow said the building architecture blended well with the other car dealerships nearby. He agreed that the development plan needed further verification by staff.

Mr. Sprague said the time, thought, and attention to detail put into this plan were very impressive. MAG has exceeded Dublin's high standards. He was concerned about the height of the mounds.

Ms. Clarke said a note on the grading plan indicated that there would be a six-foot mound between US 33 and the site, but it was not indicated on the grading plan. It only shows the elevated fingers which is the opposite of what the Code intended. This particular grading plan has never been done elsewhere. Ms. Clarke said because this was such a specialized design, she thought it worthy of discussion at this meeting. Mr. Lecklider's concerns were also raised by staff.

Ms. Chinnici-Zuercher asked if the Infiniti dealership at the Sawmill/I-270 has display mounding. Ms. Clarke said a small area was approved but never constructed. She said Code requires a rim of one-foot high vegetation in front of auto display, and the fingers have none. By Code, a 3-inch caliper tree is required every 30 feet for vehicular display. Staff is most concerned with the

uplighting at the end of the fingers which will not comply with the Dublin Lighting Guidelines.

Mr. Ferrara asked about other Dublin dealerships using this type of display elevation and lighting. Ms. Clarke said the door will be open to other dealerships. She said if that was not the Commission's intention to approve such a design elsewhere, this is not a good site plan.

Ms. Chinnici-Zuercher asked if any other dealership had submitted a creative way of presenting themselves. Mr. Ferrara said Infiniti had by using their remote location for display.

Mr. Cline said there needs to be differentiation on why this manner of display was permitted and another was not. He said this plan has fewer vehicles displayed from the street (70) than other dealers have now.

Mr. Ferrara said three dealers are affected by the SR 161 widening, and he predicted that they will have new plans which may include elevated display areas.

Mr. Harian said this development plan should be tabled so the Commission could give specific reasons why this plan was approved for the record at a later date.

Mr. Ferrara said the Commission should not give anyone a competitive advantage. He asked for clarification of Condition 1. Ms. Clarke said the text made several references to the plan for standards, but the plan was not specific or did not conform to Codes as required by the text. The text language is different from the Mercedes text: visual sales gimmicks are not permitted on the Mercedes "site", and the MAG text says none are permitted on the cars. Lighting cannot be brought into compliance with the Dublin Lighting Guidelines, but the text says otherwise. Staff needs to verify the auto display calculations and the signage conflicts.

Mr. Sprague said issues still needed to be reviewed. This may set a precedent in the future, and the justification should be solid. Mr. Peplow agreed.

Ms. Clarke said the text needs improvement and the northern building was not mentioned in it.

Mr. Ferrara said he did not want to sit through another presentation, but felt the development plan should be tabled. Ms. Boring, Mr. Harian and Mr. Lecklider agreed.

Mr. Banchevsky said only the composite plan and not the development plan will be reviewed by Council. Mr. Cline said the development plan will be presented with the composite plan.

Mr. Cline asked if the development plan could be tabled to May 1.

Mr. Ferrara made the motion to approve the revised composite plan because it is a compatible use, presents the desired character along US 33/SR 161, and conforms to the PCD regulations and the Community Plan, with six conditions:

- 1) That the text be revised to provide clarification as to visual sale gimmicks, landscaping, lighting, auto display, grading, and building architecture;
- 2) That access to Perimeter Drive be prohibited;
- 3) That a more acceptable sign package be submitted as part of this rezoning and incorporated in the text;
- 4) That design for all storm water management, site utilities and improvements, including grading, meet the approval of the City Engineer;
- 5) That construction be linked to approval of the preliminary plat for "Wall" Street; and
- 6) That an appropriate subarea plan be submitted.

Mr. Harian seconded the motion, and the vote was as follows: Mr. Peplow, yes; Ms. Chinnici-Zuercher, yes; Mr. Lecklider, yes; Ms. Boring, yes; Mr. Sprague, yes; Mr. Harian, yes; and Mr. Ferrara. (Approved 7-0.)

Mr. Ferrara made the motion to table the development plan, as requested by the applicant, until May 1, 1997. Mr. Harian seconded, and the vote was as follows: Mr. Peplow, yes; Ms. Chinnici-Zuercher, yes; Mr. Lecklider, yes; Ms. Boring, yes; Mr. Sprague, yes; Mr. Harian, yes; and Mr. Ferrara, yes. (Tabled 7-0.)

Mr. Ferrara wanted to make sure that all information was distributed to the Commission in time to review it carefully. Ms. Clarke said she needed to talk to Mr. Cline about the meeting dates. Mr. Cline said the rezoning composite plan needed to be heard by Council on May 19 in order to not hold up the TIF. Ms. Chinnici-Zuercher preferred that this case be heard on May 1, so that if there were any problems, there would be another meeting available before the Council review.

~~4. Conditional Use/Development Plan 97-037CU/DP - Perimeter Center - TREC Development - 6235 and 6239 Perimeter Drive~~

~~John Talentino presented this conditional use application and development plan for 1.5 acres located in the F-1 Subarea of Perimeter Center. Office use is permitted and preschools are conditional uses. He said a rezoning was filed to modify the Perimeter Center text to allow a roof change.~~

~~This development plan is short three parking spaces, and staff recommends full compliance with parking requirements per Code. Elevation revisions to the rear and sides of the preschool building, to bring the stone material to the second level, are requested. Staff believes the preschool building can be compatible with the neighboring buildings. The applicant agrees that the building signage will meet Code. Staff recommends repeating the stone pilaster and landscape hedge along the private drive. The interior landscaping meets Code, but other facets of the landscaping are deficient.~~

~~Mr. Talentino said this proposed medical building is brick on the first level of all elevations and will have the same fiberglass roofing as the surrounding buildings. He said the development text~~