



CITY OF DUBLIN.

Office of the City Manager
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Memo

To: Dublin City Council
From: Marsha I. Grigsby, City Manager *MIG*
Date: June 9, 2011
Initiated By: Dana McDaniel, Deputy City Manager/Director of Economic Development
Re: **Ordinance 34-11 - Rezoning Approximately 105 Parcels from R-1, Restricted Suburban Residential District, SO, Suburban Office and Institutional District, RI, Restricted Industrial District, LI, Limited Industrial District, PCD, Planned Commerce District, and PUD, Planned Unit Development District to TF, Technology Flex District. (COIC Technology Flex District Area Rezoning.) (Case 10-074Z).**

Summary

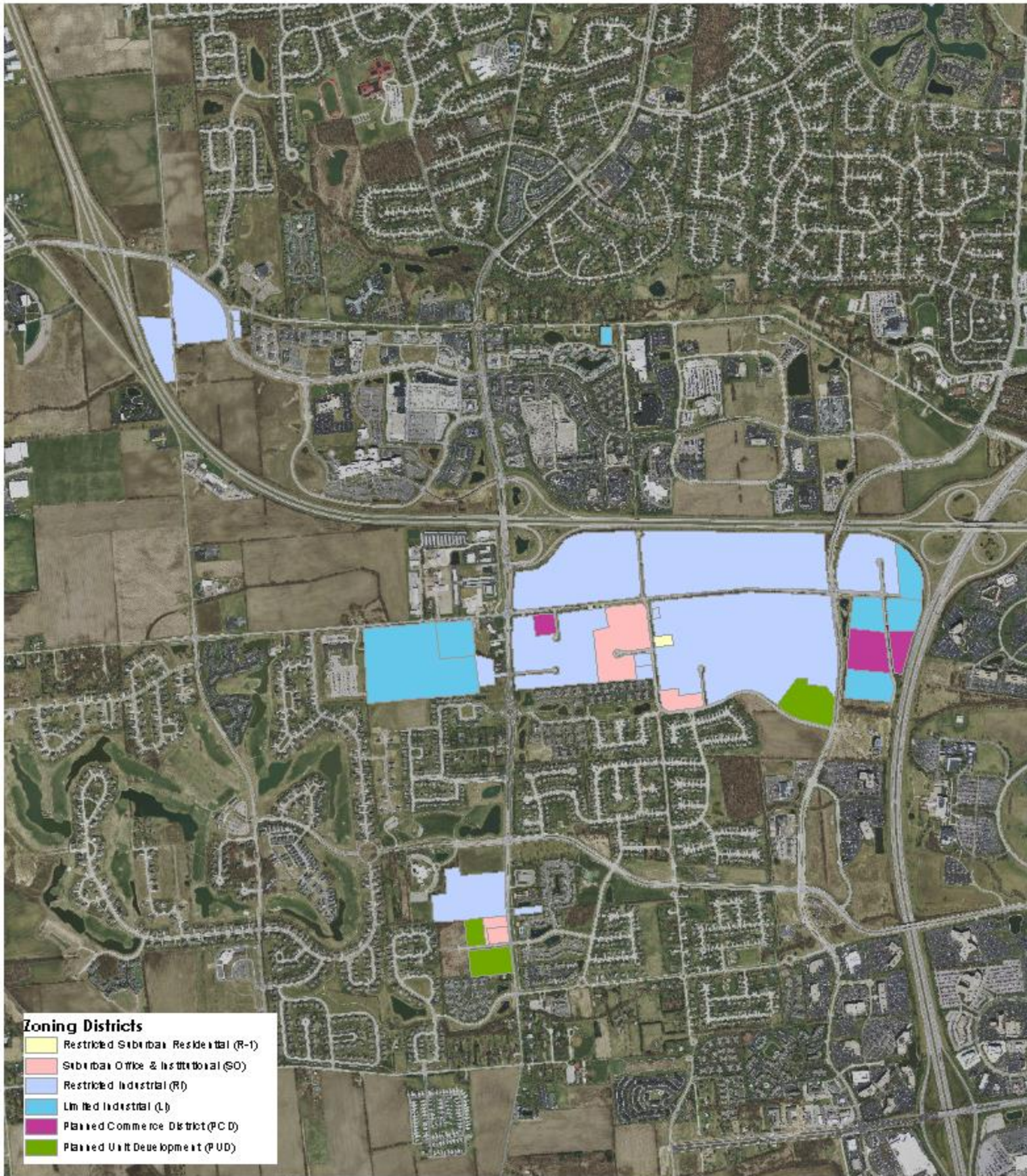
Ordinance 34-11 proposes the rezoning of 105 parcels in the general area of Shier Rings Road between Avery Road and I-270 and other outlying areas to the Technology Flex District to coordinate with the Future Land Use Map and the business district concept for the Central Ohio Innovation Corridor. The ordinance includes the conversion of multiple zoning classifications along the Shier Rings Corridor to establish one consistent zoning district that will enhance marketability of properties through a broader range of permitted and conditional uses and more flexible development regulations as established by the recently adopted zoning district.

Review by the Planning and Zoning Commission

Proposed zoning changes were reviewed by the Planning and Zoning Commission on May 19, 2011, and received a positive recommendation to City Council with no discussion.

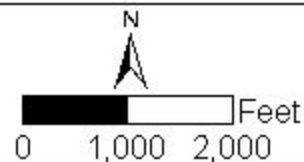
Recommendation

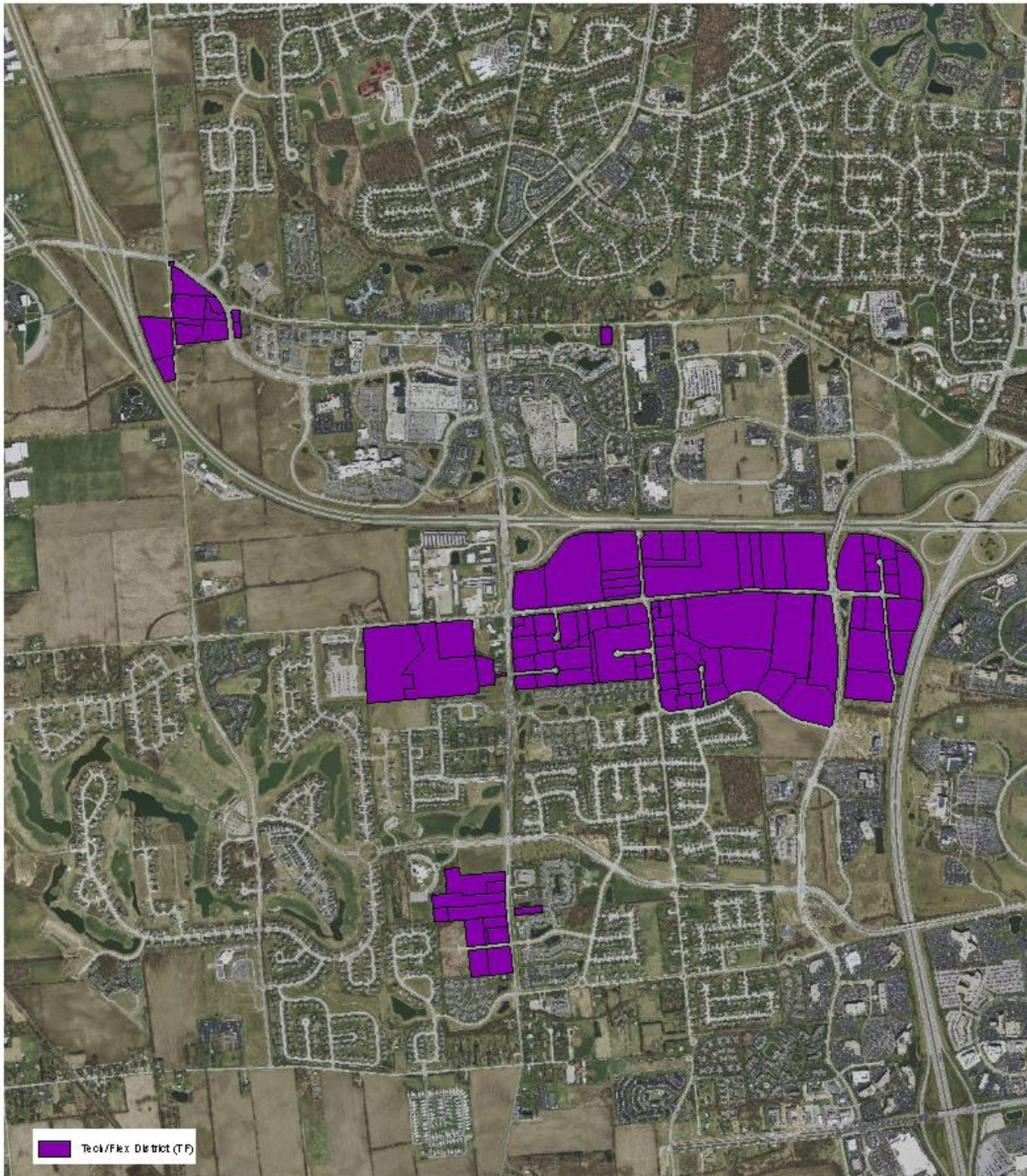
Planning and Economic Development recommend City Council approval of Ordinance 34-11 at the second reading/public hearing on June 27.



City of Dublin
Land Use and
Long Range Planning

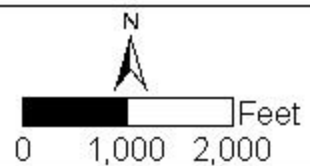
10-074Z
COIC Technology Flex District
Area Rezoning-Existing Zoning





City of Dublin
Land Use and
Long Range Planning

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COIC Technology Flex District
Area Rezoning- Proposed Zoning



**PLANNING AND ZONING COMMISSION
RECORD OF ACTION
MAY 19, 2011**

**4. COIC Technology Flex District Area Rezoning
10-074Z**

Zoning Map Amendment

000068, 274-000069, 274-000084, 274-000096, 274-000099, 274-000100, 274-000101, 274-000102, 274-000103, 274-000104, 274-000105, 274-000106, 274-000107, 274-000119, 274-000120, 274000122, 274000123, 274000128, 274000129, 274-000157, 274-000158, 273-000356

Applicant: Marsha I. Grigsby, City Manager, City of Dublin.

Planning Contacts: Carson C. Combs, AICP, ASLA, Senior Planner and
Claudia D. Husak, AICP, Planner II.

Contact Information: (614) 410-4600, ccombs@dublin.oh.us and chusak@dublin.oh.us

MOTION: To recommend approval to City Council of this Zoning Map Amendment.

VOTE: 5 – 0.

RESULT: Approval will be recommended to City Council of this Zoning Map Amendment.

STAFF CERTIFICATION

Carson C. Combs, AICP, ASLA
Senior Planner

**4. COIC Technology Flex District Area Rezoning
10-074Z**

Zoning Map Amendment

Ms. Amorose Groomes introduced this application involving an amendment to the Dublin Zoning Map to rezone approximately 105 parcels comprising over 371 acres from the following zoning districts: Restricted Industrial (RI) District, Limited Industrial (LI) District, Suburban Office and Institutional (SO) District, Limited Suburban Residential (R-1) District, Planned Commerce (PCD) District, and Planned Development (PUD) District. She said the zoning to TF, Technology Flex District is proposed to modernize the City's aging industrial district, conform to the adopted Future Land Use Map and coordinate with plans for the Central Ohio Innovation Corridor (COIC). She said the Commission needed to make a recommendation to City Council for final action.

Carson Combs said this rezoning is focused along the Shier Rings Road corridor and includes some outlying parcels. He said the rezoning coordinates with the business neighborhood concept for the COIC. He said that based upon the Commission's recent review of the Technology Flex District ordinance, the focus of this request is to encourage flexible space and uses for portions of the city that have more traditional industrial development. He said that the Future Land Use Map calls for a mix of different uses that include office, research and development, municipal and neighborhood center uses. Mr. Combs said that the zoning will result in a more unified classification for the area that will simplify the zoning map for greater consistency.

Mr. Combs said that the proposed area rezoning is consistent with the Community Plan, the neighborhood concept for the COIC, and larger city-wide goals to encourage economic development. He said the zoning change will increase marketability with more flexible standards and provide a greater understanding of development requirements. Mr. Combs said that the zoning will also reduce nonconformities and illegal uses and that Planning recommends approval to City Council for this request.

Ms. Amorose Groomes invited public comments regarding this application. (There were none.)

Amy Kramb confirmed that nothing was being done with the code text and it was a rezoning.

Mr. Combs said the request is to recommend changing the zoning designations for properties to City Council.

Ms. Amorose Groomes invited any other comments or questions for the Commissioners. (There were none.)

Motion and Vote

Mr. Zimmerman made the motion to recommend approval to City Council of this Zoning Map Amendment. Mr. Fishman seconded the motion.

The vote was as follows: Ms. Kramb, yes; Mr. Budde, yes; Ms. Amorose Groomes, yes; Mr. Fishman, yes; and Mr. Zimmerman, yes. (Approved 5 – 0.)

Ms. Amorose Groomes adjourned the meeting at 8:03 p.m.

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and a 0.129 Acres, More or Less, Temporary Construction Easement from TALG, Ltd.

Mr. Hammersmith stated that relates to acquisition of land at 7672 Fishel Drive North for a sewer extension project. Total compensation for the easement will be \$11, 361.

Vote on the Ordinance: Mrs. Boring, yes; Mr. Keenan, yes; Ms. Chinnici-Zuercher, yes; Vice Mayor Salay, yes; Mr. Gerber, yes; Mayor Lecklider, yes; Mr. Reiner, yes.

Ordinance 17-11

Authorizing the City Manager to Execute Necessary Conveyance Documentation for the Acquisition of a 0.117 Acres, More or Less, Sanitary Sewer Easement, and a 0.086 Acres, More or Less, Temporary Construction Easement from Fishel Investments, LLC.

Mr. Hammersmith stated that this is related to the next portion of an easement necessary for the Central Ohio Innovation Center sanitary sewer Phase Two. This acquisition and easement are from Fishel Investments, LLC, located at 7680 Fishel Drive North. The compensation for the easement is \$9,045.

Vote on the Ordinance: Mayor Lecklider, yes; Mrs. Boring, yes; Vice Mayor Salay, yes; Mr. Reiner, yes; Mr. Gerber, yes; Mr. Keenan, yes; Ms. Chinnici-Zuercher, yes.

INTRODUCTION/FIRST READING – ORDINANCES

Ordinance 18-11

Adopting Section 153.044 of the City of Dublin Codified Ordinances (Zoning Code) to Establish the New Technology Flex Zoning District. (Case 10-064ADM)

Ms. Gilger, Economic Development Manager stated that in the Dublin Code, Restricted, Limited and General Industrial zoning districts have limitations that have hampered economic development. In order to remain competitive, the City needs diverse building stock at varying price points and predictability of process and end building results. By broadening the uses in a Tech Flex district, small-sized businesses can become competitive by keeping a growing operation under one roof in a flexible environment. This will facilitate expansion and modernization of uses, which maintain diversity in the building product.

Mr. Combs, Senior Planner stated that when staff reviewed the industrial districts, they found that those districts date back to the 1970s and have not been updated. Businesses have changed significantly since that time period. In upgrading these districts, three goals were identified: (1) to ensure that the Industrial Districts match the uses preferred in the corridors; (2) to ensure that the standards are sufficiently flexible to accommodate the growth of a business and their need for additional space without adding substantial approval time to the development timelines; and (3) to determine if modest architectural requirements could be included in the process and yet continue to maintain economic competitiveness. The proposed Code for the Central Ohio Innovation Corridor (COIC) addresses the area around Shier Rings from Avery to I-270, as shown in the PowerPoint. He identified the properties that will be within the Restricted Industrial District and the Limited Industrial District; those that will be within the new Tech Flex District; and those that will be addressed by the Bridge Street Corridor or the Economic Advancement Zone. The proposed Code will also provide for a much broader range of uses. An attempt has been made to match those with the processes underway for Bridge Street and the EAZ to ensure the ability to have the desired uses in that corridor, which are Office, Laboratory, Research and Flex space. The Code also includes Accessory and Temporary uses, so there is more predictability for the developers. They have also addressed Additional Use standards, depending on the use, to achieve the desired requirements, depending upon what that use might have in terms of impact. The proposed Code also includes an upgrade to building heights, as there is currently no limitation within the district. The height will be set at 56 feet. A greater height would require Conditional Use approval. That height will be regulated via setbacks, which will be a tiered structure based on the height of the buildings. As the building height increases, there is an established setback

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required. Currently, the Industrial Districts have a sliding formula, so it is difficult to convey to the developer exactly what setbacks they need to adhere to, depending on the type of building they are considering. They essentially have to create the architecture and then determine if it can be accommodated on the site. The intent is to keep the residential buffers consistent, but also clarify the pavement setbacks, so that it is possible to demonstrate clearly to developers what the requirements are. Included in the proposed Code are also Outdoor requirements. One of the key implementation items is the requirement that overhead doors are on the side or rear of the structure, for overall aesthetic reasons. The major component studied and discussed with residents, property owners and the Planning Commissioners was the intent of architecture for that district. The goal was to find a minimal level that would provide the City with a higher quality but still maintain competitiveness within the region. The regulations initially proposed focused primarily on additional requirements to the elevations that face public streets or residential districts. However, the Planning Commission believed there was a need for more discretion for architects to have design flexibility. Planning and Economic Development believe this is a good route, giving them flexibility while still having an architectural intent in the Code that can be applied. Therefore, the Commission recommended a generalized approach that addresses all four elevations and allows designers to have more flexibility rather than prescriptive requirements. Significant feedback was received from property owners and developers regarding the materials requirements. Currently, the Code as it is drafted would require architectural metal, prohibiting the standard corrugated and ribbed metal as a building material. The architectural metal panels shown on the PowerPoint generally have a much higher cost than the traditional ribbed construction because of the application of it and costs. That created concerns for the property owners and for Economic Development and Planning in maintaining viability for the types of businesses desired in the Technology Flex District. The corrugated/ribbed metal is typically a vertical or horizontal application of ribs, generally having exposed fasteners. However, those are usually not seen from the right-of-way because of the coloration of the materials. Most of the area that will be zoned for Tech Flex is already developed with that metal construction, and so in large part, the requirement would primarily apply to minor additions and upgrades to buildings. The Tech Flex District will accommodate small to midsize start-up businesses that need to grow in place up to a certain level. An example would be the Hidaka building, which has the ribbed metal construction. There are other industrial uses toward the interchange area that have more concrete slab or tilt-up type of construction. (He shared examples of these styles.) Ribbed metal construction can be done in an aesthetically pleasing manner.

In the larger picture, this District will correlate with the Economic Advancement Zone underway, which will include three tiers of districts. Along US 33 where there is interstate visibility, larger office development is desired, which will include some of the architectural metal panel work, as well as glass and other primary materials, but will have an office focus. The corollary to the Tech Flex would be the Research Flex District within the EAZ. A variety of different metal architecture/metal panel applications, as well as some other materials, will be permitted. The final correlating district within the EAZ would be the Research Assembly District, which will be located to the west. This will include a focus on architecture for Industrial Assembly uses. A mix of the architectural panel as well as the ribbed/corrugated materials will provide a mix of price points.

The Code also addresses base colors, making those generally consistent. The Code also waives full site compliance for landscaping. There is currently a 25 percent rule, whereby if an upgrade to the outside of the building exceeds 25 percent, it triggers compliance with upgrading the entire site to meet all Code requirements. This is fairly onerous in view of maintaining the older buildings in the district. Therefore, the Code proposes waiving that for exterior finish upgrades. The Code also requires that Accessory Structures have coordinating design and materials. It also addresses integration of renewable energy as part of the site design standards.

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Item

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Based on the considerations in the Code, staff believes that with minor adjustments to the materials, the proposed Code is a great improvement over the existing Code. Much positive input has been received from property owners. It will keep the City more marketable with other industrial areas and suit the needs of growing businesses. Therefore, staff recommends approval with two modifications to ensure Dublin's economic competitiveness:

- (1) That Section 153.044(F)(1) be modified to remove "concealed fasteners;" and
- (2) That Section 153.044(F) (4) (a) (5) and 153.044(F) (4) (b) (3) be modified to state the following: "Use of corrugated or long span, high-profile fluted or ribbed metal panels is not encouraged."

Included in Council's meeting materials tonight is a copy of a letter from a business owner who could not attend tonight's meeting. The letter addresses the materials issue. In addition, there may be some business owners in the audience who would like to testify.

Mayor Lecklider invited public comment.

Rich Irelan, Dublin Building Systems, 6233 Avery Road stated that they support the new zoning text. As a developer, business owner and owner of vacant land in this district, the new zoning will make it much easier to attract new businesses and for them to be aware of the requirements. Without the modifications that staff has recommended, the materials requirement would prohibit buildings such as Hidaka and Applied Innovation in this area. Therefore, they strongly support the modifications recommended by staff.

Mark Chaffin, Hidaka USA stated that they also support staff and Dublin Building Systems' position. The Hidaka building is constructed of the material in question. They could expand on approximately half of their land, but if they could not do so with the same type of material, it would create a problem for them.

Council Comments

Vice Mayor Salay stated that a couple of businesses in this area have recently remodeled, using some very garish colors – a very bright gold and bright orange. She is somewhat confused about the color palette encouraged. She would prefer the use of more subdued colors, in keeping with the overall Dublin look. She asked staff to comment.

Mr. Combs stated that the philosophy of the proposed Code keeps that particular requirement as flexible as possible for the designers to work out. The proposed Code provides for the use of a neutral or earth-tone base color, but permits the use of brighter colors for detailing and trim. If there is an issue with the overall chroma of the colors, perhaps the review process can include a means to mute that.

Vice Mayor Salay indicated that a more subdued color palette is her preference. An exception is always possible, but she would prefer the regulation include a more neutral color palette.

Mrs. Boring concurred. Trim can be of different sizes, and therefore, she would prefer that the issue be further examined.

Vice Mayor Salay suggested that Planning discuss the matter with Economic Development staff to ensure modification of the color requirement will not cause issues. In regard to landscaping, there was a slide shown as an example, and in this case, she believes perimeter landscaping would make the building more attractive. What are the landscaping requirements in the proposed Code?

Mr. Combs responded that the Code generally defers to the Landscape Code. What is shown on the slide is an older building constructed prior to adoption of the current Landscape Code.

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Vice Mayor Salay stated that the building shown was constructed in the mid 1990s. The front is landscaped, but the side that face Innovation Drive is not landscaped. There is also another building in this location. The buildings are acceptable, but would be more attractive with the addition of landscaping. There is another issue she has observed related to outdoor display. At the corner of Shier Rings and Avery Road, large equipment is on display, and some of it is rusting. This is a primary corner, and that is not the appearance desired for this location. How is that type of issue addressed in the Code?

Mr. Combs responded the area on the west side of Avery Road would be included in the Economic Advancement Zone district. That Code amendment will be forthcoming. Vice Mayor Salay noted that, based on past experience, she assumes the existing business would be grandfathered, if a new district is created. If this business relocates, any future development on the site would have to comply with the new regulations.

Ms. Chinnici-Zuercher referred to the Landscaping provisions on page three, which state that the Technology Flex District would allow exteriors to be upgraded without full landscape compliance, as long as the building footprint is not expanded. In that type of situation, the site would never be brought into compliance with the landscape code. It would seem desirable to require the landscape code to be met if there is an upgrade to the building, even if the footprint does not change. Why is it being suggested that an applicant could upgrade the exterior but still not meet the landscape code?

Mr. Combs responded that many of the properties were developed some time ago and have lot coverage substantially beyond what would be permitted today. When an older building is upgraded, the Code requires them to install all of the perimeter buffers and interior landscape islands for the entire property. When the property owner is attempting to upgrade a building, to repair the deteriorating skin of a building to attract companies to locate into the building, it can be onerous to be required to do more. The concern is that property owners will allow the buildings to go into decline if the City does not provide an avenue whereby they can upgrade the exterior.

Ms. Chinnici-Zuercher inquired if a phasing situation for landscape would be a possibility. Perhaps there needs to be a special landscape code exclusive to this area, not as extensive as the existing landscape code, due to the industrial nature of the area. She understands the cost issue, but it would seem the process would work toward a totally improved appearance. At a minimum, she would like to have discussion about a phased-in approach.

Mr. Combs responded that staff review this, and based on the different criteria in the Landscape Code, determine which requirements could be more easily met in the short term, and identifying a way to implement that in revised text for a second reading.

Ms. Chinnici-Zuercher stated her understanding is that, originally, the text was more prescriptive in architectural requirements, but the proposed text would be more flexible. She is not certain how that achieves the goal of reducing the length of the process by providing clear instructions to interested developers.

Mr. Combs responded that instead of being prescriptive and providing quantitative requirements, a generalized approach will be taken. This will enable staff to work with the developer upfront to ensure they come in with a complete proposal through the permit process. It doesn't add any additional review time. It allows Planning and Development Review staff to work directly with the developer to quickly achieve a desired look, and then move them quickly through the permit process. That philosophy is consistent with the EAZ zone as well.

Ms. Chinnici-Zuercher inquired if the difference is that the process does not include a review by the Planning Commission.

Mr. Combs confirmed that is correct. This is a standard district, so it would be an administrative review process that staff would work through.

Ms. Chinnici-Zuercher asked how a level of integrity and consistency is ensured in the process, when there is no overview involved. Various staff members may analyze a case differently. What is "the look" that this is designed to attain?

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Mr. Combs responded that whenever dealing with architecture, there would be opportunity for interpretation. The intent is to compile a working set of various architectural examples. If at any point in time, there is disagreement with this process, there is the Administrative Appeal process available.

Mr. Gerber stated that with the COIC process, if an application meets requirements and criteria, the application proceeds with permitting, subject to the review of staff. If it does not meet the criteria, it is forwarded to the Planning and Zoning Commission for further review. What occurs in a case where staff and the architect do not agree on an issue?

Mr. Combs responded that when there is disagreement, the applicant has the right to appeal. It would be an Administrative Appeal of a staff decision. Those generally go to the Board of Zoning Appeals.

Mr. Gerber asked if it would be reviewed by the Planning Commission.

Mr. Combs responded that it would not, unless specific language is written in the Code to direct that.

Mr. Reiner stated that he is in agreement with the proposed text. An applicant using rolled metal, assuming it is framed correctly, can be an attractive look. Who is responsible for ensuring that the City obtains the attractive appearance?

Mr. Combs replies that it would be the permit review staff, a combination of staff members from different divisions – planners, engineers, Fire Department – the same people who would typically review a building permit. There would also be the capability of adding architects to the review process, if desirable.

Mr. Reiner stated that the opinion about color palette is subjective. He is not certain that only neutral colors are desirable. Adding striping to some buildings can enhance them. In regard to the landscaping issue, many of the older buildings do have extensive landscaping, including large trees. It would not be desirable to discourage a client from expanding a building, as such an expansion would improve the City's tax base. Is there a means of conducting an analysis on a building? In some cases, it wouldn't be necessary to lock the applicant into a landscape code when updating their building. However, if the building appearance were beginning to deteriorate, the existing landscape would provide a good service in screening the building until a new tenant buys it and makes improvements. The City should not require anyone to add a lot of plant material that is not necessary, if it has adequate landscaping from an older installation.

Mr. Combs responded that staff would also evaluate that aspect, and consider how best to address it in the revision that is brought back for the second reading.

Mr. Gerber stated that with a planned district, the City would certainly have some criteria regarding aesthetics, architecture, fit within a community, etc. How can that be codified in some manner? While the process may work well for many cases, there may be some when the application does not fit within the given area. Is there something else that could be included to address that situation?

Mr. Combs responded that it would depend on the type of approach Council prefers to take. Given that this is within a standard district with a building permit process, the desire is to find a way to stay within that process in terms of the overall timelines. There are different processes available. The Economic Advancement Zone has a special architectural review team. The Bridge Street Corridor Plan implements some of the same philosophy. That is handled by an administrative team, as well, so it would serve the same function as what is proposed through the building permit process. The issue is whether Council desires to establish a different approach to any appeals, if there is disagreement about the proposed architecture.

Ms. Chinnici-Zuercher stated that in this draft, there is redlined language proposed by Planning Commissioner Hardt as alternative architectural language. Is that part of the draft that staff is requesting feedback from Council tonight?

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Mr. Combs responded that it is the language that was crafted into the final ordinance. Most of the language in the green color was reviewed by the Planning Commission, except for the architecture portion. The architecture language in green addresses the elevations that face public streets or residential districts, and contains specifics, regarding fenestration and office components. The Planning Commission approach, which is in red type, is a more generalized approach. It allows the designers for the property owners to devise a workable solution, to address the details based on the specific needs of the flex space, which can change over time. The proposed ordinance has the red language. Adopting the ordinance will adopt that language – including the modification to permit ribbed or corrugated metal, which is the typical construction method at this time. It is staff's opinion that modification is necessary in order to remain economically competitive for the types of uses that would be proposed for these buildings along the Shier Rings corridor.

Mayor Lecklider stated that there are strictly defined boundaries to this district, beyond which this type of construction would not be seen. This language appears primarily to capture what Council has been trying to achieve in this location. This ordinance will provide much more guidance to development than what currently exists.

Mr. Combs responded that is correct. Currently, the Restricted Industrial and Limited Industrial districts have no architectural requirements. The intent is to provide a minimum level of requirements. It is hoped that this ordinance, in combination with allowing more office uses as permitted by right, will provide the opportunity for more office-level architecture to be integrated. The Code is flexible in terms of the overall materials, allowing those that are common for industrial architecture.

Mr. Keenan requested the slide be displayed that depicts the remaining area to be developed versus the area to be rezoned into the Flex District. He asked if the ribbed metal is already incorporated into that area.

Mr. Combs responded that it exists in most of the area. This legislation will address primarily minor building additions. Hidaka and Mr. Valentine, who owns the property next to the 5800 Building, are considering the possibility of future expansion of their industrial-type operations. That expansion could hinge upon the permitted building materials.

Ms. Chinnici-Zuercher asked if those businesses expanded, wouldn't they upgrade from the existing building material, as matching the existing material would not be possible.

Mr. Combs responded that, in general, the buildings have the traditional ribbed metal construction, which can be custom matched. Achieving a match for an addition to an existing building is not usually difficult. Staff's concern is that businesses will be encouraged to undertake expansions, because it is cost efficient to do so.

Ms. Chinnici-Zuercher stated that the hesitancy is due to the fact that this is a major departure from what has been the practice in Dublin. She anticipated the Code would be more prescriptive. Her only concern, however, is the extent to which the timeframe of the process has been reduced. A primary goal was to allow development to reduce the timeframe substantially from the outset to completion. Can it be anticipated that, with this change, months could be reduced from the current approval timeframe?

Mr. Combs responded that the real time savings is reflected in how permitting of a Conditional Use is addressed. Currently, most of the preferred uses in Industrial Districts require a Conditional Use permit. That additional public process can add three months or more to the process. Often, retaining a tenant who desires to expand their space by a few hundred square feet involves side yard/rear yard and other development standards requiring Board of Zoning Appeals variance approval. In the past, there have been a few economic development agreements that hinged on their ability to obtain approval of variances, which could require a couple of months to obtain. This is where a timesaving can be achieved. Staff is also reviewing the architecture, because the Code currently has no requirements. It would be desirable to achieve a base level agreement, which staff can then use to work with the developers to obtain a quality appearance.

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Vote on the motion: Mayor Chinnici-Zuercher, yes; Mr. Keenan, yes; Mr. Reiner, yes; Vice Mayor Boring, yes; Mr. Gerber, yes; Ms. Salay, yes; Mr. Lecklider, yes.

- **Preliminary and Final Plat - Dublin Commerce Park (6190 Enterprise Court - Case No. 07-113PP/FP)**

Ms. Martin stated this is a request for approval of a combined preliminary and final plat of Lot 4 of the Duke Commerce Park plat on Enterprise Court, which includes the creation of two lots. This was approved by the Planning & Zoning Commission on December 6, 2007. She provided information regarding the zonings of the surrounding area. The site is developed and relatively flat. Cosgray Ditch and its associated floodway define the northern property line. Proposed Lot 4A contains an 8,000 square foot building and associated parking. Proposed Lot 4B contains two buildings and associated parking, both occupied. A shared internal access drive is located along the proposed southeast boundary of Lot 4A and would require an easement as identified on the proposed plat. There are no new points of ingress or egress proposed. This proposal complies with the preliminary plat and final plat review criteria and was approved by the Planning Commission with one condition. The condition has been met, and Planning staff recommends approval with no conditions.

Mrs. Boring asked if this in any way conflicts with the updated Community Plan.

Ms. Martin responded that it does not.

Ms. Salay moved approval of the preliminary and final plat.

Vice Mayor Boring seconded the motion.

Vote on the motion: Mr. Keenan, yes; Mr. Reiner, yes; Ms. Salay, yes; Mr. Gerber, yes; Vice Mayor Boring, yes; Mr. Lecklider, yes; Mayor Chinnici-Zuercher, yes.

- **Final Plat - Paul Blazer Parkway - (5151 Paul G. Blazer Memorial Parkway- Case No. 07-117FP)**

~~Ms. Martin stated that this is a request for approval of a final plat at 5151 Blazer Parkway, which includes the creation of three lots. The lots can be developed as Office, Research and Laboratory facilities. This was approved by Planning & Zoning Commission on December 6, 2007. The 14.383-acre site is located on the east side of Blazer, north of the intersection with Rings Road. The site was annexed in 1969 and area rezoned in 2004 to establish Dublin zoning. The site and surrounding properties are zoned "OLR." She described the surrounding users. The preliminary plat was reviewed and approved by Planning Commission on September 20, 2007 and approved by Council on November 5, 2007. A condition of the preliminary plat approval was the identification of access points. The applicant has worked with Engineering to identify appropriate points of ingress and egress as shown on the plat. The final location of the access points will be aligned with the existing drives. This proposal complies with the final plat review criteria and was approved by the Planning Commission with one condition, which has been met. Planning staff recommends approval with no conditions.~~

~~Vice Mayor Boring asked what size of buildings can be placed on these lots of less than five acres, and how these buildings will blend into the character of the surrounding area.~~

~~Ms. Martin suggested that the applicant respond.~~

~~Jim Clark, Duke Realty stated that "OLR" is a dated zoning classification, and they have not done any plans. In creating the lots, they would simply market and sell them. This is an avenue to have another size lot in their inventory. It is a speed to-market issue on the platting process. They would need to come up with actual building plans to determine what the density could be on the site.~~

~~Vice Mayor Boring commented she is concerned with the existing character of the area, the setbacks required, and what type of building could be placed on this size of lot in view of the required setbacks.~~

~~Ms. Martin responded that the required setbacks are based upon the size of the building - the width and height.~~



PLANNING AND ZONING COMMISSION

RECORD OF ACTION

DECEMBER 6, 2007

CITY OF DUBLIN..

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

Phone: 614-410-4600
Fax: 614-410-4747
Web Site: www.dublin.oh.us

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

5. Dublin Commerce Park Plat 07-113PP/FP 6190 Enterprise Court Preliminary and Final Plat

Proposal: A plat creating two lots located at the terminus of Enterprise Court, approximately 530 feet north of Innovation Drive.
Request: Review and approval of a preliminary and final plat under the provisions of Code Sections 152.015 through 152.022, and Code Sections 152.085 through 152.095.
Applicant: Jeffrey Levally, R.D. Zande.
Planning Contact: Eugenia M. Martin, ASLA, Landscape Architect.
Contact Information: (614) 410-4650, emartin@dublin.oh.us

MOTION: To approve this Preliminary and Final Plat because the proposal complies with the plat criteria set forth in the Dublin Zoning Code and the existing development standards within the area, with one condition:

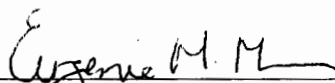
- 1) That any technical plat adjustments be submitted prior to scheduling a hearing at City Council.

*Tim Van Echo, representing the owner, DRT Associates, agreed to the above condition.

VOTE: 7 – 0.

RESULT: This Preliminary and Final Plat was approved.

STAFF CERTIFICATION


Eugenia M. Martin, ASLA
Landscape Architect

Motion and Vote

Mr. Gerber made a motion to approve this Amended Final Development Plan application without conditions because the proposal complies with the amended final development plan criteria set forth in the Section 153.050 of the Dublin Zoning Code and the existing development standards within the area.

Mr. Zimmerman seconded the motion. The vote was as follows: Ms. Amorose Groomes, yes; Mr. Saneholtz, yes; Mr. Walter, yes; Mr. Zimmerman, yes; and Mr. Gerber, yes. (Approved 5 – 0.)

**4. Village at Coffman Park
07-125AFDP**

**6000 Kenzie Lane
Amended Final Development Plan**

Mr. Gerber swore in the applicant, Patrick Grabill, and anyone else who wished to speak in regards to this case. Mr. Gerber commented that this case is a good example of a minor modification that could be handled administratively with the impending Code change. Mr. Grabill agreed to the two conditions as listed in the Planning Report.

Motion and Vote

Mr. Gerber made a motion to approve this Amended Final Development Plan application because the proposed pergola option provides an additional amenity to residents in the Village at Coffman Park and complies with the criteria set forth in Section 153.055(B) and the existing development standards within the area, with two conditions:

- 1) The locations of the pergolas must be confined to the buildable area of the home sites approved with the final development plan and may not encroach into the 12 foot minimum distance between home sites; and
- 2) The pergolas must be painted the same color as the building trim and must be constructed with smooth sawn cedar as approved with the final development plan.

Mr. Zimmerman seconded the motion. The vote was as follows: Mr. Walter, yes; Mr. Saneholtz, yes; Ms. Amorose Groomes, yes; Mr. Zimmerman, yes; and Mr. Gerber, yes. (Approved 5 – 0.)

**5. Dublin Commerce Park Plat
07-113PP/FP**

**6190 Enterprise Court
Preliminary and Final Plat**

Mr. Gerber swore in Tim Van Echo, representing the owner, DRT Associates, Inc.

Ms. Amorose Groomes had requested that this case be pulled from the Consent Agenda. She said a Planning presentation was not necessary. She asked what the intention was for the lot split.

Mr. Van Echo said DRT Associates, Inc. was formed to build their own building and lease it back to their engineering company, BBC&M. He said they are currently located on Lot 4B. He said Parsons Brinckerhoff-Ohio, LLC, for whom they built a building on Lot 4A, notified them that they plan to end their lease. He said they have a purchase agreement for the building if a lot split is approved and that was the reason for this application.

Motion and Vote:

Mr. Van Echo agreed to the condition listed in the Planning Report.

Mr. Gerber made a motion to approve this Preliminary and Final Plat because the proposal complies with the plat criteria set forth in the Dublin Zoning Code and the existing development standards within the area, with one condition:

- 1) That any technical plat adjustments be submitted prior to scheduling a hearing at City Council.

Mr. Zimmerman seconded the motion. The vote was as follows: Mr. Walter, yes; Mr. Fishman, yes; Mr. Saneholtz, yes; Ms. Amorose Groomes, yes; Mr. McCash, yes; Mr. Zimmerman, yes; and Mr. Gerber, yes. (Approved 7 – 0.)

**6. Paul Blazer Parkway Plat 5151 Paul G. Blazer Memorial Parkway
07-117FP Final Plat**

Mr. Gerber swore in the applicant, Jim Whitacre, Advanced Civil Design, who was representing Duke Construction Company.

Motion and Vote

Mr. Gerber made a motion to approve this Final Plat because the proposal complies with the final plat criteria set forth in the Dublin Zoning Code and the existing development standards within the area, with one condition:

- 1) That any technical plat adjustments be submitted prior to scheduling a hearing at City Council.

Mr. Whitacre agreed to the condition as listed above. Mr. Zimmerman seconded the motion. The vote was as follows: Mr. Walter, yes; Mr. Fishman, yes; Mr. Saneholtz, yes; Ms. Amorose Groomes, yes; Mr. Zimmerman, yes; and Mr. Gerber, yes. (Approved 6 – 0.)

**7. Shoppes at River Ridge, Montgomery Inn 4565 West Dublin Granville Road
07-123CDD Corridor Development District**

Jennifer Rauch stated this was a request for review and approval of a Corridor Development application for a two-story, 10,500-square-foot restaurant in the Shoppes at River Ridge development. She said the proposed restaurant is located within Building D with an outdoor cooler, dumpster, and service area to the south of the building, an auto court on the east side of the building, and parking north and south of the building. She said a future outdoor dining area is proposed to the northwest of the building which will require a future conditional use application. Ms. Rauch said that Planning had concerns about the design of the service area screening. She said the proposal includes a 50-square-foot rectangular wall sign on the western side of the building, which meets the design and sign details approved for the rest of the shopping center. She said that Planning has evaluated this proposal based on the review criteria of the Corridor Development District, and is of the opinion that the proposed building coordinates with the architectural design of the of the overall shopping center, and recommends approval with one condition as listed in the Planning Report:

BOARD OF ZONING APPEALS
BOARD ORDER

JULY 22, 2004



CITY OF DUBLIN.

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

Phone: 614-410-4600
Fax: 614-410-4747
Web Site: www.dublin.oh.us

The Board of Zoning Appeals took the following action at this meeting:

5. **Variance 04-101V – D.R.T. Associates, LLC – 6190 Enterprise Court**

Location: 3.538 acres located on the east side of Enterprise Court, approximately 300 feet north of Innovation Drive.

Existing Zoning: RI, Restricted Industrial District.

Request: A variance to Code Section 153.031(C)(4) to reduce the required rear yard setback from 79 feet to 50 feet.

Proposed Use: Construction of a 7,428-square foot addition to an existing 20,550-square foot building.

Applicant: D.R.T. Associates, LLC, c/o Dave Bowman and Tim Van Echo, BBC&M Engineering, 6190 Enterprise Court, Dublin, Ohio 43016; represented by Rich Terhune, Meacham and Apel Architects, Inc., 6161 Riverside Drive, Dublin, Ohio 43017.

Staff Contact: Mark Zuppo Jr., Planner.

MOTION: To approve this variance because the use of this site as a laboratory or office does not justify the Code required setback of 75 feet, because such uses do not adversely affect the health or safety of persons residing or working in the vicinity, the site is not an intrusion upon the neighboring uses, or injurious to private property or public improvements in the vicinity, and this request is generally consistent with the existing variance that was approved in 1997, with one condition:

- 1) That the site meet all other applicable Code requirements, including but not limited to, parking, landscaping, lighting, and stormwater management.

*Rich Terhune agreed to the above conditions.

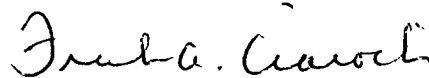
VOTE: 5 – 0.

RESULT: This variance was approved.

RECORDED VOTES:

Jeffrey Ferezan	Yes
Ray Harpham	Yes
Drew Skillman	Yes
Bangalore Shankar	Yes
Keith Blosser	Yes

STAFF CERTIFICATION



Frank A. Ciarochi
Acting Planning Director