

PLANNING AND ZONING COMMISSION

RECORD OF ACTION

FEBRUARY 2, 2006



CITY OF DUBLIN

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

Phone: 614-410-4600
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The Planning and Zoning Commission took the following action at this meeting:

5. **Amended Final Development Plan/Corridor Development District Sign Review - 06-003AFDP/CDDS – Sportmart – 6288 Sawmill Road**
Location: 4.81 acres located at the northwest corner of the intersection of Martin Road and Sawmill Road.
Existing Zoning: PCD, Planned Commerce District (Sportmart plan).
Request: Review and approval of changes to an existing wall and monument sign.
Proposed Use: Signage for an existing retail store.
Applicant: Ohio-SM Venture LP/Mid-Northern Equities, 3100 West Dundee Road, Northbrook, Illinois, 60062; represented by Jill Waddell, DaNite Signs, 1640 Harmon Avenue, Columbus, Ohio 43223.
Staff Contact: Judson J. Rex, Planner.
Contact Information: Phone: (614) 410-4654/Email: jrex@dublin.oh.us.

MOTION: To approve this Amended Final Development Plan/Corridor Development District Sign Review because it is consistent with the text requirements of the Sportmart PCD and the sign regulations in the CDD ordinance, and it meets the review criteria for amended final development plans, with four conditions:

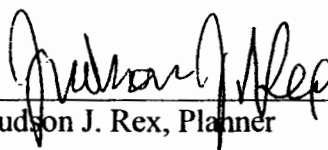
- 1) That a routed metal sign face be used for the monument sign;
- 2) That the applicant continue to work with staff to resolve outstanding compliance issues by June 1, 2006;
- 3) That landscaping around the base of the monument sign comply with code; subject to staff approval; and
- 4) That the dumpster and trash related compliance issues be addressed prior to sign permit issuance.

* Jill Waddell, DaNite Signs, agreed to the above conditions.

VOTE: 6-0

RESULT: This Amended Final Development Plan/Corridor Development District Sign Review was approved. The Commission noted that due to the height and other characteristics of this particular monument sign, external lighting was not requested as it had been with other similar proposals. Additionally, the Commission noted their continued interest in external illumination for ground-mounted signs.

STAFF CERTIFICATION


Judson J. Rex, Planner

4. ~~Amended Final development Plan – 06-004AFDP – Coffman Park – Wee Folk Play Area – 5600 Post Road~~

~~Mr. Gerber asked if the applicant was present.~~

~~Michelle Crandall, Director of Administrative Services, City of Dublin represented the City.~~

~~Mr. Gerber moved for approval, with the three conditions and the four bases contained in the staff report.~~

Conditions:

- ~~1) That protective tree fencing be installed during all phases of construction;~~
- ~~2) That the surface material blend with the bocce ball courts, subject to staff approval;~~
~~and~~
- ~~3) That the applicant work with staff to develop a landscaping plan reflecting comments made in this staff report, subject to staff approval.~~

~~Mr. Gerber asked if Ms. Crandall agreed with the three conditions contained in the staff report.~~

~~Ms. Crandall said yes.~~

~~Mr. Zimmerman seconded the motion and the vote was as follows: Ms. Reiss, yes; Ms. Boring, yes; Ms. Jones, yes; Mr. Sanholtz, yes; Mr. Zimmerman, yes; Mr. Gerber, yes. (Approved 6-0)~~

5. Amended Final Development Plan/Corridor Development District Sign Review – 06-003AFDP/CDDS – Sportmart – 6288 Sawmill Road

Mr. Gerber administered the oath to the applicant.

Mr. Sanholtz said he noted in the record and on this particular property that the tenant has had some compliance issues with respect to their trash bin and the storage of trash out of the bin. He noticed one of the conditions is that the applicant continue to work with staff to resolve the outstanding compliance issues by June 1, 2006. His feeling is to forget the deadline and not proceed with the sign changes until this issue is taken care of.

Judson Rex, Planner, indicated the reason for the date on the condition was that a lot of the non-compliance issues were landscape-related and most of those cannot be taken care of during winter months.

Mr. Sanholtz noted the dumpster itself and the trash issues around that dumpster could be addressed immediately. He said he would like to condition that the dumpster and all the trash compliance issues be addressed prior to any additional signage changes.

Mr. Rex said they have committed to complying with the Code regulations and any conditions put on it. He said as soon as staff notified the applicant of the landscape and dumpster violations, they quickly got a landscape contractor and proceeded to address those issues.

Mr. Gerber asked Mr. Sanholtz if he was suggesting that they satisfy those outstanding compliance issues before the permit is issued.

Mr. Sanholtz said that was correct. He stated with respect to the plantings and other landscape issues he can accept, due to weather constraints, that those be resolved by June 1, 2006.

Mr. Gerber asked if there were any problems with that condition.

Jill Waddell, DaNite Sign Company, said that was fine, she had spoken with Sportmart and Sport Authority and they said they would take care of whatever issues come up. She said they have already signed a contract with a landscaping company and started down that road.

Mr. Gerber asked the Commission if there were other issues.

Ms. Reiss said she was looking at their sign base, the old one and the new one, and it is the same sign base. She said she really thinks it looks attractive in stone, and knows one of the conditions is that they landscape the base of the sign. Ms. Reiss said she would agree with that if it were just a plain old concrete slab as the base. She remarked that this is attractive looking stone and wondered why they were trying to hide it behind shrubbery.

Mr. Rex said it is a Code requirement.

Ms. Boring said they were not asking to hide the base of the sign, but add some greenery and landscaping.

Mr. Gerber said it is a Code requirement, so he did not believe it is within their purview to alter the Code at this point. Mr. Gerber asked if they liked internal illumination.

Ms. Waddell said it is internal now, and they would just be changing the face of the sign.

Ms. Boring said she felt they needed to be consistent, or revisit the idea. She remarked that since the Commission started requesting external illumination on Sawmill Road with Rite Rug, external lighting should be required on this particular sign.

Mr. Gunderman indicated he had a few thoughts concerning illumination for this sign. He said they were to a point where they needed to be consistent in this area. He remarked that the Commission did require external lighting for the Rite Rug monument sign, but the Sportmart sign does strike him as a little different.

Mr. Gunderman said according to Code, internally illuminated signs always have the background muted and the lettering is what glows. He explained that to a large extent, depending upon how much other lighting is in the area, during the night the lettering is the only thing visible. He said if a sign is externally lit, the whole sign would be visible during the night. He said that throughout the City there are a substantial number of signs where external illumination works particularly well. He explained that there is other characteristics that define which type of illumination will work well.

Mr. Gunderman said in this particular case, the sign sits on top of a pretty high monument base. He said to get external lighting to work it might require some lighting that may not be desirable and that it may be difficult to avoid seeing a floodlight bulb driving up and down Sawmill Road. He said the north side of the monument sign contains existing shrubbery, which may be impacted by having to place a floodlight for external illumination. He commented that in this particular case internal illumination works pretty well.

Mr. Gerber said he has been spearheading the external illumination effort, and prefers that type of lighting. The other signs the Commission had looked at had a lower base, which is easier to externally illuminate.

Mr. Saneholtz made an observation about the base of this particular sign. He said it appears that the base is wider at the bottom than at the top. He added that if the sign is lit from beneath, there might be some shadowing. He indicated he thought this particular base, in this particular location, does not make external illumination the best solution for this particular sign.

Ms. Boring asked that it be noted, due to the reasons that Mr. Gunderman gave concerning the differences between this sign and the others that have been required to do external illumination, for this sign it probably does not make sense. She said, however, it is something that we are interested in.

Ms. Jones said she agreed that because of the size of this particular sign, it probably would not lend itself to external illumination. She said the Commission definitely wants to continue with that as their goal in the area.

Mr. Gerber asked Ms. Waddell if she agreed with the three conditions contained in the staff report, plus the fourth involving the trash and the dumpster.

Ms. Waddell agreed.

Mr. Gerber made a motion for approval, with the four conditions and the two bases contained in the staff report noting that the applicant has agreed to all four.

Conditions:

- 1) That a routed metal sign face be used for the monument sign;
- 2) That the applicant continue to work with staff to resolve outstanding compliance issues by June 1, 2006; and
- 3) That landscaping around the base of the monument sign comply with code; subject to staff approval.
- 4) That the dumpster and trash related compliance issues be address prior to sign permit issuance.

Ms. Reiss seconded the motion and the vote was a follows: Ms. Boring, yes; Mr. Zimmerman, yes; Ms. Jones, yes; Mr. Saneholtz, yes; Ms. Reiss, yes; Mr. Gerber, yes. (Approved 6-0).

~~6. Final Development Plan— 05-190FDP/CU – BMI Federal Credit Union Operations Center—Emerald Parkway~~

~~Mr. Gerber swore in those who intended to testify and asked Mr. Zimmerman if he had pulled the case.~~

~~Mr. Zimmerman asked the applicant if they could make it a condition that the trash-pick up and in the main parking lot area be between the hours of 7:00 a.m. and 9:00 p.m.~~

~~Mike Lusk, Lusk Harkin Architects and Planners, agreed that he had no problem with that.~~

~~Ms. Reiss asked the staff to clarify the pole color for the parking lot lighting. Ms. Reiss stated that staff wanted the applicant to use a dark bronze. Ms. Reiss did not see a condition for the applicant to get approval on the color.~~

~~Ms. Adkins indicated that staff will require a dark brown.~~

~~Ms. Reiss asked staff to make a seventh condition that the color for the parking lot light fixtures be submitted to staff for approval.~~

~~Mr. Gerber said he did not have a problem with this, but the Commission has a workshop in a couple of weeks and this is the sort of thing, that is a given. Mr. Gerber stated that staff is not going to let them put up a color that is not satisfactory.~~

~~Ms. Adkins agreed, but did not think it was addressed in the Dublin Lighting Guidelines, but it is a standard color that staff asks for the light poles.~~

~~Mr. Gerber reiterated that this should be brought up at the workshop.~~

RECORD OF ORDINANCES

Dayton Legal Blank Co.

Form No. 30043

Ordinance No. **33-94**

Passed.....19.....

AN ORDINANCE PROVIDING FOR A CHANGE OF ZONING OF 4.081 ACRES OF LAND LOCATED ON THE NORTHWEST CORNER OF SAWMILL ROAD AND MARTIN ROAD FROM: CC, COMMUNITY COMMERCIAL DISTRICT TO: PCD, PLANNED COMMERCE DISTRICT. (SPORTMART, INC.)

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Dublin, State of Ohio, 7 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 PCD, Planned Commerce District and shall be subject to regulations and procedures contained in Ordinance No. 21-70 (Chapter Eleven 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 7th day of November, 1994.

John M. McCall
Mayor - Presiding Officer

Attest:

Anne C. Clarke
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.

Anne C. Clarke
Clerk of Council, Dublin, Ohio

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Meeting

DAYTON LEGAL BLANK CO., FORM NO. 10148

Held November 7, 1994

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in escrow. He will provide this to Council when he receives a response from the Department of Liquor Control.

Following brief discussion, it was the consensus of Council to request a hearing and have the law director provide a report regarding the active permits within Dublin allowing 2:30 a.m. serving privileges.

Mr. Zawaly moved that the law director request a hearing on the Abner's application for the D3, D3A permit.

Mr. Strip seconded the motion.

Vote on the motion - Mrs. Stillwell, yes; Mrs. King, yes; Mr. Zawaly, yes; Mr. Kranstuber, yes; Mrs. Boring, yes; Mayor Campbell, yes; Mr. Strip, yes.

Mr. Zawaly moved to request a hearing for the D5 application for Continental Sawmill, Inc. at sites 204-206 of Dublin Village Center.

Mr. Kranstuber seconded the motion.

Vote on the motion - Mr. Zawaly, yes; Mrs. Boring, yes; Mr. Kranstuber, yes; Mayor Campbell, yes; Mr. Strip, yes; Mrs. King, yes; Mrs. Stillwell, yes.

There was no objection to the D2 permit for Biddies, Inc.

Brief discussion followed about the process for objections to permits.

Comments From Visitors

Renee Telfer introduced Sharif El-Shazly, student intern from Dublin Coffman High School who addressed Council regarding the many benefits of the pre-professional business program coordinated by teacher Jane Ensign. He thanked Council and the City of Dublin staff for the opportunity to work for the City of Dublin under this cooperative program.

Legislation

Ordinance No. 33-94 - An Ordinance Providing for a Change of Zoning of 4.081 Acres of Land Located on the Northwest Corner of Sawmill Road and Martin Road from: CC, Community Commercial District to: PCD, Planned Commerce District. (Sportmart, Inc.) (Third Reading) (Applicant: Sportmart, Incorporated, c/o Ben W. Hale, Jr., Smith and Hale, 37 West Broad Street, Columbus, OH 43215)

Ms. Clarke noted that this was tabled previously due to a mix-up regarding the signage. Staff recommends approval with the 12 conditions set by Planning Commission at their October meeting.

Mrs. King asked for clarification of whether the applicant is requesting approval of the amended signage.

Ms. Clarke responded that the recommendation is not to approve the revised signage, but to approve the originally submitted rezoning application. The Planning Commission recommended approval of the original rezoning application with 12 conditions, but did not recommend approval of the revised signage submitted.

Mrs. King moved to approve the rezoning application with the 12 conditions listed in the October 6 record of action from Planning & Zoning Commission.

Mrs. Boring seconded the motion.

Vote on the motion - Mr. Kranstuber, yes; Mayor Campbell, yes; Mrs. King, yes; Mrs. Stillwell, yes; Mr. Strip, yes; Mrs. Boring, yes; Mr. Zawaly, yes.

~~Ordinance No. 77-94 - An Ordinance Providing for a Change of Zoning of 7.920 Acres of Land Located on the Northwest Corner of Perimeter Drive and Wilcox Road from: PCD, Planned Commerce District to: PLR, Planned Low Density Residential District. (Perimeter Center - Subarea H) (Third Reading)~~ (Applicant: Triangle Investment Company, c/o Christopher T. Cline, 37 W. Bridge Street, Dublin, OH 43017)

Ms. Clarke updated Council on several issues raised at the public hearing:

1. ~~Regarding the design of the street, a meeting was held today with the applicant, his representatives and the engineering staff and agreement was reached on the type of pavement section to be used. This will be a crown street for the main road through the subdivision, and extruded curb anchored at appropriate locations.~~
2. ~~A memorandum was faxed to Council regarding the economic impact of the change of zoning based on the Mt. Auburn study adopted by Council. This site was not outlined on any of the preferred site maps for commercial use. The Mt. Auburn study also did not recommend protection of this area in terms of a commercial site with long-term income tax~~

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DAYTON LEGAL BLANK CO., FORM NO. 10128

Held September 12, 1994

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~~Vote on the ordinance with amended text: Mr. Zawaly, yes; Mr. Strip, yes; Mrs. Stillwell, yes; Mayor Campbell, yes; Mrs. King, yes; Mr. Kranstuber, yes.~~

~~Ordinance 51-94 - An Ordinance Amending the Codified Ordinances of Dublin, Ohio by Adding Chapter 167 Establishing a Fee and Service Charge Revenue/Cost Comparison System. (Tabled at Third Reading)~~

~~Mr. Strip reported that the Finance Committee has completed their review of this ordinance and a summary will be contained in the next packet.~~

~~He moved to remove this item from the table and set it for hearing at the September 19 Council meeting.~~

~~Mr. Kranstuber seconded the motion.~~

~~Vote on the motion: Mrs. King, yes; Mrs. Stillwell, yes; Mr. Strip, yes;; Mr. Zawaly, yes;; Mayor Campbell, yes; Mr. Kranstuber, yes.~~

~~Ordinance No. 69-94 - An Ordinance Authorizing the City Manager to Enter into a Sewer Line Reimbursement Agreement between the City of Dublin and the Shawnee Hills Land Company. (Tabled at Third Reading)~~

~~Mr. Foegler summarized that, as previously indicated to Council, there were issues to be resolved with the applicant relating to how to ascertain concurrence of the affected property owners with the proposed agreement. The city attorney and the applicant have agreed upon language for this purpose. He requested that Council take action to approve this ordinance with the condition that some minor issues relating to legal language, as approved by the city attorney, be incorporated into the agreement prior to its execution by the City Manager.~~

~~Mr. Smith noted that the addition would consist of language stating that the voluntary assessment will run with the land and will be recorded at the courthouse in the miscellaneous docket in case ownership of the property changes. The language was worked out today with Mr. Rinehart. He added that written consent has been received from all of the property owners.~~

~~Dana Rinehart, representing Shawnee Hills Land Company commented favorably on his working relationship with the Dublin staff throughout this negotiation.~~

~~Mr. Zawaly moved to approve the ordinance with the amendment that the voluntary assessment will run with the land and will be recorded at the courthouse.~~

~~Mrs. Stillwell seconded the motion.~~

~~Vote on the ordinance as amended: Mrs. King, yes; Mr. Kranstuber, yes; Mr. Strip, yes; Mr. Zawaly, yes; Mrs. Stillwell, yes; Mayor Campbell, yes.~~

~~Ordinance No. 17-94 - An Ordinance Granting a Franchise to Columbus Southern Power Company to Construct, Maintain and Operate Lines, Appurtenances and Appliances for Conducting Electricity In, Over, Under and Through the Streets, Avenues, Alleys and Public Places of the City of Dublin. (Tabled Ordinance)~~

~~Mr. Hansley reported that negotiations are continuing on this item. Staff is not ready to recommend action at this time.~~

~~Ordinance No. 33-94 - An Ordinance Providing for a Change of Zoning of 4.081 Acres of Land Located on the Northwest Corner of Sawmill Road and Martin Road from: CC, Community Commercial District to: PCD, Planned Commerce District. (Sportmart, Inc.) (Third Reading) (Applicant: Sportmart Incorporated, c/o Ben W. Hale, Jr., Smith and Hale, 37 West Broad Street, Columbus, OH 43215)~~

~~Mayor Campbell noted that the applicant has requested that this item be tabled.~~

~~Mr. Smith explained that the applicant is requesting a change in the signage section of the rezoning text, and therefore the item must be reviewed again by the Planning Commission at their October meeting.~~

~~Mr. Strip moved to table the ordinance indefinitely.~~

~~Mr. Kranstuber seconded the motion.~~

~~Vote on the motion: Mrs. Stillwell, yes; Mr. Strip, yes; Mr. Zawaly, yes; Mr. Kranstuber, yes; Mayor Campbell, yes; Mrs. King, yes.~~

~~Ordinance No. 72-94 - An Ordinance Amending Section 951.17 and Enacting Section 951.18 of the Codified Ordinances of the City of Dublin, Ohio. (Third Reading)~~

~~Staff had no further comments on the ordinance.~~

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DAYTON LEGAL BLANK CO., FORM NO. 10148

Held August 15, 1994

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~~workable. Council needs to revisit this issue.~~

~~Mayor Campbell commented that Council will try to facilitate this request, and suggested that Mr. Smith contact Mr. Clouse.~~

~~Ms. Puskarcik offered to put the football posters in the kiosks around the City and to add the football schedule to the "Hold into Gold" message on the City telephones. She also offered to include the schedule in the Inside Dublin quarterly newsletter.~~

Executive Session

~~Mrs. King moved to adjourn to Executive Session to discuss legal and real estate matters.~~

~~Mr. Strip seconded the motion.~~

~~Vote on the motion: Mr. Kranstuber, yes; Mayor Campbell, yes; Mrs. King, yes; Mr. Strip, yes; Mrs. Boring, yes; Mr. Zawaly, yes.~~

~~The meeting was reconvened at 8:10 p.m.~~

Legislation

Ordinance No. 33-94 - An Ordinance Providing for a Change of Zoning of 4.081 Acres of Land Located on the Northwest Corner of Sawmill Road and Martin Road from: CC, Community Commercial District to: PCD, Planned Commerce District. (Sportmart, Inc.) (Applicant: Sportmart Incorporated, c/o Ben W. Hale, Jr., Smith and Hale, 37 West Broad Street, Columbus, OH 43215)

Registered as a proponent of the rezoning was Jack Reynolds, Smith & Hale, 37 W. Broad Street, Suite 725, Columbus, OH 43215. There were no registered opponents.

Ms. Clarke stated that this is an application to rezone just over four acres located on the northwest corner of Sawmill Road and Martin Road from CC, Community Commercial District to PCD, Planned Commerce District. The applicant in this case is Sportmart. The building that is under construction was approved by Planning Commission and was granted several variances by the Board of Zoning Appeals. The staff had asked as a follow-up measure that the land be rezoned into a planned district to assure City control of a long term re-use of the property. The applicant agreed to this.

Mr. Strip asked for clarification of the acreage, since the title on the agenda reads 3.48 acres. Ms. Clarke stated the agenda was incorrect - the acreage should be 4.081.

Ms. Clarke proceeded to show slides of the site.

Ms. Clarke stated that this application has received a number of public reviews, both by the Planning Commission and the Board of Zoning Appeals. The application went to the Planning Commission in June and they recommended approval with nine conditions. The only unusual condition is #3, that the text be revised to limit uses to those with a low parking need as described in the staff report. In this case, the applicant has stated that he believes that he has a good location for a restaurant and has asked to use 5,000 square feet of the 41,000 square feet building as a restaurant, leaving the rest vacant. The language in that text is very specific because this is a very unusual request. The language was approved by the law director's office. It does permit this building to be reused for a variety of commercial purposes, some as conditional uses authorized by the Planning Commission and some as permitted uses. The single issue, as far as the staff is concerned, is that the building at this highly commercial corner will be very large with very limited parking. The nature of this sports retail use seems to indicate that a lower parking generation figure is appropriate for this building. The Board of Zoning Appeals reviewed documentation from the Sportmart Company and determined that the parking ratio was appropriate. The Planning Commission voted 5-0 to recommend approval of this rezoning application. The building is currently under construction in the Community Commercial District. The purpose here is to take care of the long term reuse of the property in the event that Sportmart is no longer the major tenant.

Mrs. Boring asked if the applicant was granted a variance on their southernmost boundary.

Ms. Clarke responded that they were granted a variance in order to facilitate shared parking lots. The 15 foot green space requirement between pavement and interior property line was waived in order to allow a common driveway into the property.

Mr. Zawaly asked for further clarification of how the text reads in relation to the restaurant use.

Ms. Clarke responded that it permits such uses to be reviewed by the Planning Commission as

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conditional uses. In order to utilize the existing building for one of the conditional uses, the applicant may have to agree to reduce occupancy or use of a portion of the building that corresponds to the available parking on the site for that particular use or uses.

Jack Reynolds, Smith & Hale, 37 W. Broad St., Suite 725, stated that they are seeking Council's support for the rezoning application, which was a condition of the variances that were granted in December of 1993. They tried to respond to all of the requests from the Board of Zoning Appeals and Planning and Zoning Commission. In addressing concerns about subsequent use of the building if Sportmart would leave, they have worked with the law director's office and agreed to language whereby the City of Dublin would have review of any reuse of the building.

Mr. Zawaly noted that staff had recommended disapproval previously. He assumes that staff is now recommending approval with the conditions agreed upon.

Ms. Clarke answered affirmatively.

There will be a third reading of the ordinance at the September 12 Council meeting.

Ordinance 93-93 - An Ordinance Providing for a Change of Zoning of 5.89 +/- Acres of Land Located on the Northwest Corner of Sawmill and Bright Road from: R-1, Restricted Suburban Residential District to: PCD, Planned Commerce District (for office uses totalling 45,000 square feet in nine one and one-half story structures). (Third Reading) (Applicant: Milleo Properties Company and Richard W. and Wanda J. Hoke, c/o Milleo Properties Company, 4432 Tuller Road, Dublin, OH 43017).

Ms. Clarke stated that at the time of the public hearing, there were several issues that remained to be resolved in the text. There were also some issues that arose at the time of the public hearing including one raised by the neighbors involving the repetition of brick material within the text. Those changes have not yet been made to the text. Staff recommends deferral of a vote until the applicant revises the text to incorporate all of those items from the Planning Commission and the public hearing.

Mayor Campbell asked for an estimated timeframe for resolution of these issues.

Ms. Clarke responded that she will be submitting a revised text to the developer this week because the issues have not been resolved through verbal communication. She expects the issues to be worked through by the next Council meeting.

Mr. Strip moved to table the ordinance until September 12.

Mr. Kranstuber seconded the motion.

Vote on the motion: Mrs. King, yes; Mr. Strip, yes; Mr. Zawaly, yes; Mrs. Boring, yes; Mr. Kranstuber, yes; Mayor Campbell, yes.

Mayor Campbell announced that the third reading of the ordinance has been tabled until September 12.

Ordinance 34-94 - An Ordinance Providing for a Change of Zoning of 15.8 Acres of Land Located on the Southeast Corner of Brand Road and Muirfield Drive from: R-1, Restricted Suburban Residential District to: PLR, Planned Low Density Residential District (The Lakes at Dunmure). (Third Reading) (Applicant: Berrer Corporation, Robert A. Meyer, Jr., 5501 Frantz Road, Dublin, OH 43017)

Mr. Zawaly asked Mr. Riat if the plans had been revised to include brick chimneys.

Mr. Riat, representing the applicant, responded that this change had not been made.

Mrs. King moved to approve the rezoning subject to the conditions of the Planning and Zoning Commission.

Mrs. Boring seconded the motion.

Vote on the motion - Mr. Strip, no; Mr. Zawaly, no; Mrs. Boring, yes; Mr. Kranstuber, yes; Mayor Campbell, yes; Mrs. King, yes.

Ordinance 51-94 - An Ordinance Amending the Codified Ordinances of Dublin, Ohio by Adding Chapter 167 Establishing a Fee and Service Charge Revenue/Cost Comparison System. (Third Reading)

Mr. Hansley stated that staff was requested at the last meeting to provide some additional information for tonight's meeting. There are some portions of the ordinance which staff would like to present to Council in a revised format. He requested that Council table the ordinance until the



CITY OF DUBLIN

**DUBLIN PLANNING AND ZONING COMMISSION
RECORD OF ACTION
October 6, 1994**

The Planning and Zoning Commission took the following action in the application below at its regularly scheduled meeting:

4. **Rezoning Application Z94-003 - 2870 Martin Road - SportMart Inc.**
Location: 4.081 acres located on the northwest corner of Sawmill Road and Martin Road.
Existing Zoning: CC, Community Commercial District.
Request: PCD, Planned Commercial District.
Proposed Use: A proposed text revision for a 41,736 square foot retail sporting goods store with a reconsideration of the proposed two signs.
Applicant: Ben W. Hale, Jr., Smith and Hale, 37 West Broad Street, Columbus, OH 43215.

MOTION: To approve this rezoning application because it will be consistent with other ground/wall sign combinations in the Dublin, two wall signs of 80 square feet for a site with two frontages are permitted by Code, the rezoning promotes the long term coordination of adjacent developments, and the development text is consistent with both the approved Corridor Development District application and variance application with the following twelve conditions:

- 1) That signage for the site be limited to two 80 square foot wall signs along two separate rights-of-way as permitted by Code (total 160 square feet); **or** a wall sign of 80 square feet and a ground sign of 28 square feet (total 108 square feet);
- 2) That the crabapples along Martin Road be replaced with 15-18 foot height trees based on commitments by the developer.
- 3) That a revised site plan be submitted which shows the old and new centerlines of Sawmill Road, and the existing and proposed right-of-way for Sawmill Road;
- 4) That the text be revised to include an 11"x 17" reduction of the site plan and exterior elevations;
- 5) That the text be revised to limit uses to those with a low parking need as described above;
- 6) That the parking lot in the northwest corner of the site be screened to Code;
- 7) That an easement for the maneuvering area on the Dublin Sawmill Centre site be subject to Staff approval;
- 8) That the transformer which is located on the southwest corner of the adjoining property (Dublin Sawmill Centre) be fully screened;
- 9) That exterior lighting conform to the Dublin lighting guidelines;

**DUBLIN PLANNING AND ZONING COMMISSION
RECORD OF ACTION
October 6, 1994**

4. Rezoning Application Z94-003 - 2870 Martin Road - SportMart Inc. (Cont.)

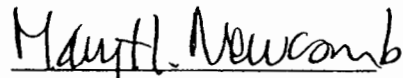
- 10) That the variances are pursued and granted for the abutting Dublin Sawmill Centre property;
- 11) That the Staff and the applicant work out appropriate land uses prior to scheduling a public hearing at City Council; and
- 12) That the applicant work with Staff to add landscaping on Martin Road.

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

VOTE: 7-0.

RESULT: This rezoning application was approved.

STAFF CERTIFICATION



Mary H. Newcomb
Graduate Landscape Architect

~~Mr. Sutphen made the motion to table this preliminary plat and Ms. Chinnici-Zuercher seconded the motion. The vote was as follows: Mr. Ferrara, yes; Mr. Peplow, yes; Mr. Sutphen, yes; Mr. Zawaly, yes; Ms. Chinnici-Zuercher, yes; Mr. Rauh, yes; and Mr. Fishman, yes. (Tabled 7-0.)~~

~~Mr. Fishman explained the rule that after 11:00 p.m. no new cases would be heard. David Miller, the applicant for Case #7, Final Development Plan - Prudential Health, requested consideration because he travelled from Madison, Wisconsin for this meeting.~~

~~Mr. Fishman said it might be possible, as Case #4 was being heard next.~~

4. Rezoning Application Z94-003 - 2870 Martin Road - SportMart Inc.

Mary Newcomb presented this case. It is a reconsideration of a rezoning application that the Planning Commission recommended approval of on June 9, 1994. The public hearing before Council was on August 15, 1994. The ordinance was tabled pending action here. The applicant wishes to revise the development text to increase the allowable area of signage from 108 square feet to 130 square feet. Staff made an error in the previous Staff report regarding the calculation of the size of the ground sign. What Staff believed was a 28 square foot sign, was actually a 50 square foot sign measured per Code. Staff apologized for the error. The applicant would like to install the proposed ground sign which is actually 50 square feet. A number of variances for this site were approved by the Board of Zoning Appeals on December 16, 1993. The variance shows the same error and signage was limited to 108 square feet.

Ms. Newcomb said the site is four acres located on the northwest corner of Sawmill Road and Martin Road. The site contains a 41,300 square foot retail sporting goods store. The building is complete and the store opened on October 5th. To the north of the site is Dublin Sawmill Centre which is also zoned CC, Community Commercial. To the west of the site, west of Marcy Lane, is the Martin Road Christian Church and single-family residences are located further to the west. The approved 80 square foot wall sign received a height variance for a height of 30 feet as opposed to 15 feet required per Code. The proposed ground sign is to be located on the corner of Martin Road and Sawmill Road. The building was built of stone to match the Dublin Sawmill Centre to the north.

Ms. Newcomb said that at the time of the CDD application, the applicant committed to the installation of large plant material along the south elevation to help break up the stucco used. Staff believes the landscaping used was not representative of those commitments. Ms. Newcomb said the landscaping has been installed, and Staff believes that these trees need to be replaced with larger ones.

The applicant is requesting the maximum allowable signage for both a wall and a ground sign for a total of 130 square feet of signage. Ms. Newcomb said a number of variances have previously been approved permitting installation of both a ground and a wall sign. Typically, when these have been approved, the signs are located on different elevations and cannot be seen

at the same time. When the plan was approved in December 1994, it was approved with drastic parking variances. Therefore, many community commercial district uses will not be appropriate on this parcel. A PCD zoning district was required as one of the conditions of approval of the variance because of this low parking ratio.

Staff believes that increasing the allowable area for both the ground and wall sign to 130 square feet, especially since they will be visible from the same right of way, would set an unfortunate precedent. Staff cannot support the request for the 80 square foot wall sign in combination with the maximum ground sign of 50 square feet, especially in light of the height variance already allowed.

Staff did support many variances for the site previously and now recommends disapproval of the reconsideration.

Staff does recommend approval of the original rezoning with the following eleven conditions:

- 1) That signage for the site be limited to two 80 square foot wall signs along two separate rights-of-way as permitted by Code (total 160 square feet); or a wall sign of 80 square feet and a ground sign of 28 square feet (total 108 square feet);
- 2) That the crabapples along Martin Road be replaced with 15-18 foot height trees based on previous commitments by the developer;
- 3) That a revised site plan be submitted which shows the old and new centerlines of Sawmill Road, and the existing and proposed right-of-way for Sawmill Road;
- 4) That the text be revised to include an 11"x 17" reduction of the site plan and exterior elevations;
- 5) That the text be revised to limit uses to those with a low parking need as described above;
- 6) That the parking lot in the northwest corner of the site be screened to Code;
- 7) That an easement for the maneuvering area on the Dublin Sawmill Centre site be subject to Staff approval;
- 8) That the transformer which is located on the southwest corner of the adjoining property (Dublin Sawmill Centre) be fully screened;
- 9) That exterior lighting conform to the Dublin lighting guidelines;
- 10) That the variances are pursued and granted for the abutting Dublin Sawmill Centre property; and
- 11) That the Staff and the applicant work out appropriate land uses prior to scheduling a public hearing at City Council.

Mr. Rauh asked how Staff erred in the measurement of the ground sign. Ms. Newcomb said the 28 square feet was based upon snapping a rectangle around the words "SportMart". The ground sign should be calculated based upon the whole cabinet.

Ben W. Hale, Jr., Smith and Hale, representing the applicant said the applicant had been very happy with the treatment they have received by Staff and the Commission regarding the timely approval of the rezoning. The company is very proud of the structure and a photograph of the

building will be on the front of SportMart's annual report. The sign submitted was the sign of which a slide was shown. He felt the sign was an appropriately sized sign for the site.

Mr. Fishman said he was disappointed with the landscaping along Martin Road and that it was not "heavy" enough. Harry Hunter, of SportMart, said the landscaping installed was per the drawings approved by the City. He said if the City wished the landscaping to be expanded, they would look at it. Mr. Fishman asked if the calipers of the trees were correct. Ms. Newcomb said the drawing submitted indicated 2 1/2" caliper crabapples. Typically, a 2 1/2" caliper tree is a 10 to 14 foot high tree. The caliper is correct, but the trees are very short. Mr. Fishman would like to see more trees added. Mr. Hunter asked how many more were needed. Mr. Fishman said it should be heavily landscaped as agreed upon previously.

Mr. Ferrara asked if there were an irrigation system on site. Mr. Hunter said no, but there is a possibility for lawn sprinklers. Mr. Ferrara was concerned that the landscaping might die soon. Mr. Hunter said the trees have gone into dormancy and are under warranty.

Mr. Hunter agreed to increase the landscaping along Martin Road with Staff's approval.

Mr. Ferrara made the motion to approve this rezoning application, without the larger signage requested because it will be consistent with other ground/wall sign combinations in Dublin, promotes the long term coordination of adjacent developments, and the development text is consistent with previous approvals, with the following twelve conditions:

- 1) That signage for the site be limited to two 80 square foot wall signs along two separate rights-of-way as permitted by Code (total 160 square feet); or a wall sign of 80 square feet and a ground sign of 28 square feet (total 108 square feet);
- 2) That the crabapples along Martin Road be replaced with 15-18 foot height trees based on commitments by the developer.
- 3) That a revised site plan be submitted which shows the old and new centerlines of Sawmill Road, and the existing and proposed right-of-way for Sawmill Road;
- 4) That the text be revised to include an 11"x 17" reduction of the site plan and exterior elevations;
- 5) That the text be revised to limit uses to those with a low parking need as described above;
- 6) That the parking lot in the northwest corner of the site be screened to Code;
- 7) That an easement for the maneuvering area on the Dublin Sawmill Centre site be subject to Staff approval;
- 8) That the transformer which is located on the southwest corner of the adjoining property (Dublin Sawmill Centre) be fully screened;
- 9) That exterior lighting conform to the Dublin lighting guidelines;
- 10) That the variances are pursued and granted for the abutting Dublin Sawmill Centre property;
- 11) That the Staff and the applicant work out appropriate land uses prior to scheduling a public hearing at City Council; and
- 12) That the applicant work with Staff to add landscaping on Martin Road.

Mr. Sutphen seconded the motion and the vote was as follows: Mr. Ferrara, yes; Mr. Sutphen, yes; Mr. Fishman, yes; Mr. Rauh, yes; Ms. Chinnici-Zuercher, yes; Mr. Zawaly, yes. (Approved 7-0)

Mr. Fishman said SportMart had a beautiful building and welcomed the company to Dublin.

5. Informal Review - Rezoning Application Z94-009 - Tuttle Crossing (West) Corridor Master Plan

Lisa Fierce presented this case. This land was annexed to Dublin in 1989-1990. The Dublin/Columbus Corporation Limits are generally located along Hirth Road. Much of the area was rezoned for office, commercial and multi-family development. Within the City of Columbus, are several large office buildings, a Shell station and 100 units of the multi-family project, Britton Woods Apartments. Ms. Fierce said the traffic patterns and the land use potential has changed. In 1991, Staff sponsored a rezoning to the area with a new Tuttle Crossing district classification, reviewed informally, but never adopted. Last year, the Southwest Area Plan was adopted by Council which recommended an overlay district for this portion of Tuttle Crossing Boulevard and recommended office uses. That plan also predicted Tuttle Crossing Boulevard to become a major arterial from I-270 to Avery Road. The property owners, with these facts in mind, have decided they are interested in commercially reusing and redeveloping their properties. The group has hired the services of Bird Houk and Associates to develop a master plan for the area, ± 14 acres located on the north side of Tuttle Crossing Boulevard, including nine separate rural residential parcels. One parcel is not included in the overall application. The houses on the south side of Tuttle Crossing and a few on Wilcox Road are not included either.

Ms. Fierce said the proposal included a set of development guidelines on architectural standards, frontage treatment, access and circulation standards and land use standards to provide a transition from residential to business use. This master plan provides redevelopment incentives and common standards for these individual parcels. Incentives include additional density per acre, a greater height allowance for particular buildings and larger signage. Architectural standards include the use of stone on at least 25 percent of the front facade and the use of sloped roofs. The text permits a very broad group of commercial uses including office, retail, restaurants, etc. Under the Planned Commercial District, the development of the site would require development plan approval by the Commission. For an interim period of eight years, the re-use of the existing houses will be permitted, for office use only and with no additions to the building. A common landscape treatment will tie the properties together, including an eight-foot bikepath along Tuttle Crossing Boulevard and parking standards. For temporary interim office use, parking would be required primarily to the rear of the structures, and in combined developments, parking would be permitted in the front of the parcels. The City has hired a traffic engineer to assess the interim and ultimate traffic requirements; number of lanes required, width of lanes, proper intersection spacing, and potential signal locations.

Staff is in support of this rezoning application and master plan. Staff will work with the applicants further to incorporate any of the Commission's concerns. Staff will work to narrow



RECORD OF ACTION

DUBLIN PLANNING AND ZONING COMMISSION

June 9, 1994

CITY OF DUBLIN

The Planning and Zoning Commission took the following action in the application below at its regularly scheduled meeting:

CASE 4: Rezoning Application Z94-003 - 2870 Martin Road - SportMart Inc.

Location: 3.48 acres located on the northwest corner of Sawmill Road and Martin Road.

Existing Zoning: CC, Community Commercial District.

Request: PCD, Planned Commercial District.

Proposed Use: A proposed 41,736 square foot retail sporting goods store.

Applicant: Ben W. Hale, Jr., Smith and Hale, 37 West Broad Street, Columbus, OH 43215.

MOTION: To approve this rezoning application because it has more limited uses to match available parking, incorporates previous conditions and promotes the longterm coordination of adjacent developments, with the following nine conditions:

- 1) That a revised site plan be submitted which shows the old and new centerlines of Sawmill Road, and the existing and proposed right-of-way for Sawmill Road;
- 2) That the text be revised to include a 11"x 17" reduction of the site plan and exterior elevations;
- 3) That the text be revised to limit uses to those with a low parking need, as described above;
- 4) That the parking lot in the northwest corner of the site be screened to Code;
- 5) That an easement for the maneuvering area on the Dublin Sawmill Centre site be subject to Staff approval;
- 6) That the transformer which is located on the southwest corner of the adjoining property (Dublin Sawmill Centre) be fully screened;
- 7) That exterior lighting conforms to the Dublin lighting guidelines;
- 8) That the variances are pursued and granted for the abutting Dublin Sawmill Centre property; and
- 9) That the Staff and the applicant work out appropriate land uses prior to scheduling a public hearing at City Council.

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

VOTE: 5-0.

RESULT: This rezoning application was approved.

STAFF CERTIFICATION BY:

Mary H. Newcomb

Mary H. Newcomb

Graduate Landscape Architect

Mr. Peplow thanked everyone for working to improve this application. He wanted something special with a lower density. He did not like the standard this development would set.

Mr. Ruma said he would request tabling to reduce the density to meet the density requirements of the Southwest Area Plan in total, as long as he could concurrently reduce the requirements in terms of infrastructure as discussed.

Mr. Peplow said the documentation as presented was accepted at the beginning of the meeting, and they could only rule on what was presented at this meeting. A new application could be presented in 30 days.

Mr. Ruma said he would not start over again.

Mr. Kranstuber said Mr. Ruma was spending so much on the road, not allowing it to be put into the homes. For the immediate residents, it is very much a negative.

Mr. Ruma concurred. Mr. Kranstuber said the City's budget was substantially better now than in recent times. He did not know the procedure, but he preferred to have Dublin build the roads. Mr. Ruma suggested going back to his former plan and not building Coffman Road.

Ms. Clarke cited the minutes of October, 1992 which included the dedication of right-of-way for Coffman Road, plus this developer building two lanes of that road. That has been part of this proposal regardless of the number of units on the table.

Mr. Rauh suggested a combined Concept Plan and Preliminary Development Plan. Mr. Banchevsky said that was provided for in the Code, subject to Commission/Council approval.

Mr. Kranstuber asked if both could be heard the next month. Mr. Ruma said it would probably take two months to get neighborhood input, and there may be no solution.

Mr. Ruma asked if he could withdraw his application to avoid defeat.

Mr. Banchevsky said no motion was needed, and that it was the applicant's prerogative.

Mr. Peplow asked the residents to meet with the developer and to become part of the process.

Mr. Kranstuber said as one member of Council, he supports Dublin building the roads, with the developer's money applied to architecture.

A five minute recess was then called by Mr. Rauh. The Commission reconvened at 8:30 p.m.

4. Rezoning Application Z94-003 - 2870 Martin Road - SportMart Inc.

Mary Newcomb presented this rezoning request for 3.6 acres on the northwest corner of Sawmill and Martin Roads, from CC, Community Commercial, to PCD, Planned Commerce District.

It would permit restricted retail use totalling 41,736 square feet. This application was tabled at the May 19th meeting at the request of the applicant. The applicant had submitted a revised text the day of that meeting. A new revised text was submitted this date to the Commission with changes to the permitted use section.

Ms. Newcomb said a CDD application was approved with conditions by the Planning Commission on December 2, 1993. The building is under construction. One of the conditions was that the applicant file for a rezoning, prior to issuance of a building permit, to limit the uses within a planned district. On December 16, 1993, the Board of Zoning Appeals conditionally approved variances for this site. One of those conditions was that a variance application be filed for Dublin Sawmill Center. The application will be at BZA on the June agenda.

This proposal involves the adoption of development standards for the parcel and includes proposed land use, layout, architecture, landscaping, etc. This rezoning is an administrative matter and is being pursued to regulate future uses on the site.

She said Marcy Lane will be widened as part of this proposal. The site plan was approved with a heavy parking variance. The required parking for this site is 279 spaces; 168 spaces are provided on the lot. Another variance permits maneuvering of vehicles on the Dublin Sawmill Centre site. This variance is now being pursued.

Ms. Newcomb said the text issues were unresolved, but the applicant is moving in the right direction.

Mr. Kranstuber asked if enough time had been given to respond to the new revised text. Ms. Newcomb said no.

Mr. Sutphen said it was unfair to have to review this new revised text now at this meeting.

Ms. Clarke said the big issue was uses. What happens if and when SportMart moves out? This building cannot suitably be used for the full range of retail uses because of the limited parking. Ms. Clarke said the applicant was proposing that the full commercial range be permitted, and depending upon the size of the tenancy, this might include leaving a portion of the building vacant. Staff wants this to be clear in the text, if that is the proposal.

Mr. Rauh said when the tenant vacates, there should be a new conditional use application filed.

Ben Hale, 37 West Broad Street, representing the applicant, said when rezoned and conditional approvals were given, the uses were a concern of Staff. He said he sent Ms. Clarke a letter agreeing to request review and approval of the Planning Commission on each type of future use.

Mr. Banchevsky said he was concerned that the concept that a use could locate in the building, but this would require cordoning off certain square footage as unusable space. This is incredibly novel, and it would be hard to convince a Common Pleas Court judge. He suggested that Mr. Hale put an example in the text as to how this would work.

Ms. Newcomb said there was an issue about the right-of-way along Sawmill Road. Mr. Hale responded that he would dedicate 56 feet of right-of-way from centerline.

Ms. Newcomb said if the Commission were to approve this, Staff suggested several conditions:

- 1) That a revised site plan be submitted showing the new centerline of Sawmill Road, the old centerline, the existing and proposed rights-of-way;
- 2) That the text be revised to include an 11" x 17" reduction of the approved site plan and exterior elevations;
- 3) That the parking lot in the northwest corner of the site be screened to Code;
- 4) That the applicant dedicate 56 feet of right-of-way along Sawmill Road;
- 5) That an easement for the maneuvering area on Dublin Sawmill Centre site be subject to Staff approval;
- 6) That the transformer which is located on the southwest corner of the adjoining property, Dublin Sawmill Centre, be fully screened;
- 7) That exterior lighting conforms to the Dublin lighting guidelines;
- 8) That the variances are pursued and granted for the abutting Dublin Sawmill Centre; and
- 9) That the text for permitted uses be worked out with the Law Director.

Mr. Hale agreed to the above conditions.

Mr. Sutphen made the motion to approve this rezoning application because it has more limited uses to match available parking, incorporates previous conditions and promotes the long term coordination of adjacent developments, with the following nine conditions:

- 1) That a revised site plan be submitted which shows the old and new centerlines of Sawmill Road, and the existing and proposed right-of-way for Sawmill Road;
- 2) That the text be revised to include a 11"x 17" reduction of the site plan and exterior elevations;
- 3) That the text be revised to limit uses to those with a low parking need, as described above;
- 4) That the parking lot in the northwest corner of the site be screened to Code;
- 5) That an easement for the maneuvering area on the Dublin Sawmill Centre site be subject to Staff approval;
- 6) That the transformer which is located on the southwest corner of the adjoining property (Dublin Sawmill Centre) be fully screened;
- 7) That exterior lighting conforms to the Dublin lighting guidelines;
- 8) That the variances are pursued and granted for the abutting Dublin Sawmill Centre property; and
- 9) That the Staff and the applicant work out appropriate land uses prior to scheduling a public hearing at City Council.

Mr. Ferrara, seconded the motion and the vote was as follows: Mr. Peplow, yes; Mr. Sutphen, yes; Mr. Rauh, yes; Mr. Ferrara, yes; and Mr. Kranstuber, yes. (Approved 5-0.)



CITY OF DUBLIN

DUBLIN PLANNING AND ZONING COMMISSION
RECORD OF ACTION
MAY 19, 1994

The Planning and Zoning Commission took the following action in the application below at its regularly scheduled meeting:

3. Rezoning Application Z94-003 - 2870 Martin Road - SportMart Inc.
Location: 3.48 acres located on the northwest corner of Sawmill Road and Martin Road.
Existing Zoning: CC, Community Commercial District.
Request: PCD, Planned Commercial District.
Proposed Use: A proposed 41,736 square foot retail sporting goods store.
Applicant: Ben W. Hale, Jr., Smith and Hale, 37 West Broad Street, Columbus, OH 43215.

MOTION: To table this rezoning application as requested by the applicant.

VOTE: 5-0.

RESULT: This rezoning application was tabled without discussion or vote.

STAFF CERTIFICATION BY:

Mary H. Newcomb
Mary H. Newcomb
Graduate Landscape Architect

Z94-003
Sportmart Inc.
2870 Martin Road
History

BOARD ORDER

DUBLIN BOARD OF ZONING APPEALS

December 16, 1993



CITY OF DUBLIN

3. Variance Application V93-038 - 2870 Martin Road - SportMart

Location: 3.48 acres located on the northwest corner of Sawmill Road and Martin Road.

Existing Zoning: CC, Community Commercial District.

Request: Variances to the following Code Sections:

- 1) 1183.03(a)(2) to reduce the minimum setback to pavement along the east property line (Sawmill Road) from 90 feet (from Centerline) to 57 feet;
- 2) 1185.06 (d)(1)(A) to reduce the minimum setback to pavement along the north property line from 15 feet to zero feet;
- 3) 1193.09 (a) to reduce the maneuvering area within the parking lot from 22 feet to zero feet along the north property line, permitting maneuvering on adjacent property to the north;
- 4) 1193.13 to reduce the minimum number of required parking spaces from 279 spaces to 168 spaces;
- 5) 1189.05 (b)(3) to permit the use of a ground sign in conjunction with a wall sign visible from a public right-of-way along the east elevation (Sawmill Road); and
- 6) 1189.06 to increase the height of a wall sign from 15 feet to 30 feet along the east elevation (Sawmill Road).

Proposed Use: A proposed 41, 736 square foot retail sporting goods store with one ground sign (28 square feet) and two wall signs (125 square feet and 46 square feet).

Applicant: Jon P. Riesle, Trustee, c/o Glen Dugger, 37 West Broad Street, Suite 725, Columbus, Ohio 43215.

MOTION: To approve this variance application with the following conditions:

- 1) That the applicant must continue the flat arch and stone treatment consistent with the other shopping center on all four sides of the building on the top of the stone panels without color accents except for Staff-approved signage;
- 2) That the applicant file a rezoning application requesting a Planned District that would limit future users, prior to issuance of a building permit;
- 3) That all mechanical units be fully screened from view from all adjacent properties including roof and ground mounted units;

- 4) That the applicant dedicate 56 feet of right-of-way along Sawmill Road, 30 feet along Martin Road, and adequate right-of-way along Marcy Lane as determined by the City Engineer;
- 5) That the applicant widen Marcy Lane from 26 feet to 36 feet;
- 6) That variances are pursued and granted for the abutting Dublin Sawmill Centre property for reduction in landscaping and sideyard related to this layout;
- 7) That signage be restricted to 108 square feet total for two signs, with one 80 square foot wall sign and one 28 square foot ground sign; and
- 8) That no other signage be permitted including internal signs visible from public right-of-way and property lines, (no banners, neon window signs, etc.).

* Mr. Ben Hale, attorney for SportMart, agreed to these conditions.

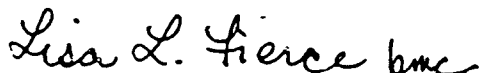
VOTE: 5-0.

RESULT: This variance application was approved with conditions.

RECORDED VOTES:

Becky Saylor	Yes
Peter Zawaly	Yes
Chester Porembski	Yes
John Belton	Yes
John Ferrara	Yes

STAFF CERTIFICATION:


Lisa L. Fierce
Planner

RECORD OF ACTION

DUBLIN PLANNING AND ZONING COMMISSION

DECEMBER 2, 1993



CITY OF DUBLIN

The Planning and Zoning Commission took the following action in the application below at its regular meeting:

9. Corridor Development District CDD93-005 - DeLong Property - 2870 Martin Road
Location: 3.48 acres located on the northwest corner of Sawmill and Martin Roads.
Existing Zoning: CC, Community Commercial District
Request: Review and approval of site redevelopment under the provisions of Section 1185.06 and a recommendation on several variances.
Proposed Use: A proposed 41,800 square foot retail sporting goods store.
Applicant: Richard A. Herman, Attorney, 8 East Broad Street, Columbus, OH 43215 and Mitchell P. Kahn, Sportmart, Inc., 7233 West Dempster Street, Niles, IL 60714 for the property owners: Neil J. DeLong Estate and the Neil, Tressie and Neil J. DeLong Charitable Remaining Trust.

MOTION: To approve this Corridor Development District application with the following conditions to be met prior to December 22, 1993:

- 1) That the applicant must continue the flat arch and stone treatment consistent with the neighboring shopping center on all four sides of the building;
- 2) That signage be reduced from three to two signs;
- 3) That a parking variance be obtained from the Dublin Board of Zoning Appeals;
- 4) That the applicant file a rezoning application requesting a Planned District that would limit future users prior to issuance of a building permit; and
- 5) That a mansard-type roof be installed to screen all rooftop mechanicals.

The applicant agreed to the above conditions.

VOTE: 6-0.

RESULT: This Corridor Development District was approved with conditions. The Commission made a general recommendation of approval to the Board of Zoning Appeals on the seven variances requested.

STAFF CERTIFICATION

Barbara M. Clarke
Barbara M. Clarke
Director of Planning

Rezoning Application
Z94-003
SportMart, Inc.
2870 Martin Road
History

9. Corridor Development District CDD93-005 - Delong Property - 2870 Martin Road

This CDD case and area slides were presented by Mary Newcomb. She said this is a proposed 41,800 square foot retail sporting goods store on a 3.48 acre parcel located at the northwest corner of Sawmill Road and Martin Road. This proposal will require a number of variances in order to be constructed, and a recommendation to the Board of Zoning Appeals on these variances is also requested. The site was zoned CC, Central Community Commercial District immediately after construction began on the adjacent Dublin Sawmill Centre. The site contains an existing residence and some mature trees. Marcy Lane is to connect with Stoneridge Lane and eventually hook-up with SR 161 to the north. Revised plans were distributed to the Commission members, but Ms. Newcomb asked that the discussion be limited to the information received in packets only. The proposal requires variances to parking, signage, pavement, setback, landscaping, and lot coverage provisions. The applicant is working with the owner of the Dublin Sawmill Centre to provide for common service areas and aligned driving aisles in the parking lot, requiring multiple variances. The Board of Zoning Appeals will hear the variances on December 16, 1993. Both the Planning Commission and the Board of Zoning Appeals must approve the proposal.

Ms. Newcomb said 60 feet of right-of-way from centerline of Sawmill Road is required to comply with the Community Plan for Sawmill Road and will have to be dedicated to the City of Dublin. The sporting goods store is rectangular, approximately 190 feet by 220 feet. The building is to be constructed of split face concrete block with two red accent stripes. She pointed out that it would be helpful to review their proposal and then compare the revisions. The front elevation along Sawmill Road is to have a stone entryway of 69 feet in width. Service to the proposed building will be provided along the north side of the building adjacent to Dublin Sawmill Centre. Any rooftop mechanical will have to be fully screened per Code, but these are not indicated on the plan. There are three vehicular access points proposed, sharing the existing curb cut for Dublin Sawmill Centre, and new curb cuts on Martin Road and Marcy Lane. Marcy Lane is currently 26 feet wide, and will need to be widened to 36 feet. The parking requirement for a retail building of this size is 279 spaces, and the applicant is proposing 189 spaces. Required side and rear pavement setback is 15 feet. Pavement setbacks along the north vary from zero to three feet. The front pavement setback is shown as 32 feet along Sawmill Road, but this is not accurately measured from new right-of-way or centerline for verification. The original plan showed a lot coverage on the site of $\pm 75\%$ which exceeds the maximum permitted by Code. The proposed signage exceeds the maximum permitted by Code and cannot be supported as proposed. The original landscaping plan in the amount of interior landscaping provided and the number of trees was deficient in quantity, but the new plan rectifies this.

Staff is recommending disapproval of the plans distributed to the Commission in their packets prior to this meeting for the following reasons:

- 1) The proposed development is inconsistent with the character and architecture already established on adjacent sites.
- 2) The proposal is not consistent with the purpose of the CDD overlay and does not serve to maintain the image of Dublin as a quality community.

Rezoning Application
Z94-003
SportMart, Inc.
2870 Martin Road
History

- 3) It is over-development of the site as evidenced by the number and type of variances requested.
- 4) The variances requested, especially relating to signage and landscaping, would yield a development which is inconsistent with virtually all other development in Dublin.
- 5) The applicant has failed to provide documentation of his request regarding parking and maneuvering to assure that the traffic and parking goals of the Corridor Development District can be met.

The applicant has met with Staff since the report was written. The applicant has submitted revised plans which were distributed to the Commission at this meeting. Ms. Newcomb said the revisions changed the Staff recommendation and that she would explain further.

Ms. Newcomb said the building footprint size and location was approximately the same as the first proposal. The parking lot configurations and setbacks remained the same. The service area is in the same location and the proposed curb cuts are the same.

The major revisions include the architecture, building materials, landscaping, and parking. The building corners are to be clipped to imitate the angle at Dublin Sawmill Centre. The original building was mostly concrete block with minimal amount of stone at the front entry. The revised plan has added stone on all four elevations used with dryvit. Landscaping is proposed to break up dryvit expanses. The number of parking spaces has been reduced from 189 spaces to 168 spaces. (Required parking is 279.) The plan reduced the lot coverage from 75 percent to 70 percent, in compliance with the lot coverage ordinance, and the landscaping now complies with Code.

The applicant originally requested four signs. They are now requesting three signs: two wall signs and a ground sign. A 125 square foot wall sign is proposed at 27 feet in height above the front entrance. A second 46 square foot wall sign is proposed for Martin Road, which is 20 feet in height. The ground sign has not changed, it is 28 square feet in size and 10 feet in height. Staff believes the requested area of the signs is excessive. The applicant's revised plan is scheduled to be heard at the December Board of Zoning Appeals for the following variances:

- 1) To reduce the minimum setback from 15 feet to 0 feet and to reduce the minimum setback along the east property line;
- 2) To reduce the maneuvering area within the parking lot, and to reduce the minimum number of parking spaces from 279 to 168;
- 3) To permit ground and wall signs on the same site and permit signs which exceed Code in size, height, and number.

The applicant has made major revisions to the plan, and Staff believes this revised proposal is more consistent with the character and architecture of adjacent sites. However, Staff would like to see the following items addressed before recommending approval of the plan:

- 1) That the flat arch be carried around all four sides of the building;
- 2) That the site gets rezoned from CC, Community Commercial, to a planned district which would help to restrict future uses if the minimum number of parking spaces is approved;

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- 3) That signage be brought closer in compliance with Code;
- 4) That all mechanical equipment, including rooftop mechanicals, be fully screened on all four sides;
- 5) That 10 feet of right-of-way be dedicated along Marcy Lane, and that the pavement be widened to 36 feet to allow a stacking lane; and
- 6) That pedestrian circulation around the perimeter of the site be addressed.

The applicant has submitted to Staff their parking ratios on their other sites around the country. Staff cannot support the plan as submitted. However, Staff and the applicant have come to some agreement on some of the issues discussed.

Ben Hale, Jr., representing the applicant, said the applicant wants something that presents their property as desirable. Plaza Properties (Dublin Sawmill Centre) shared some of Staff's concerns. Access is a problem with this site. Additional landscaping has been added to bring the site into compliance. The center has been upgraded to fit better into the area.

Mitchell Kahn, Vice-President of Sportmart, gave some additional information. He relayed the history of Sportmart. He said from an operational standpoint, parking as requested would be fine.

Harry Hunter, construction manager for Sportmart, talked about the architecture of the proposed building for the site. Sportmart is to be an anchor for the Dublin Sawmill Centre. The building as altered was designed to harmonize with the rhythms, textures, and colors of the center. The building will be steel and bar joist construction with a concrete block exterior. Veneer materials will be dryvit/synthetic stone to match the exterior of the shopping center next door. On either side of the sign bands there are two lighted elements backed with windows. The corners of the building are cut-off. The stucco is scored in a grid pattern to give a high tech image. The accent squares reinforce the columns. On Martin Road, heavy landscaping will be required in front of the dryvit areas. He said the roof top units will be fully screened even though it is not indicated on the drawing.

Mr. Sutphen said the arches should be continued all around the building such as those in Dublin Sawmill Centre. He disliked the signage.

Mr. Hale said they were willing to do the arches in a similar manner as the shopping center. He said they would file a rezoning case for a planned district which would incorporate any plan and architecture the Commission approves and which would cover future uses. The parking is seasonal, and employee parking could be worked out with Mr. Ruben. Mr. Hale said because of the site's location, the signage was required, but they could delete the Martin Road wall sign. The sign variance will be presented at the December Board of Zoning Appeals meeting. The two signs together equal 160 square feet and would compare to other signs on Sawmill Road in size. Mr. Sutphen said those signs were not in Dublin.

Mr. Manus asked, given Sportmart's time constraints, what action Staff was recommending. Ms. Clarke said it would be very unusual for the Commission to take action on a plan which it

had just received at this meeting. She suggested that the Commission state the specific revisions needed to receive approval.

Mr. Sutphen asked where else in Dublin a sign over a building and at the street were allowed. Ms. Clarke said that once the clock tower signs are installed, there will be several. The Rite Rug site had wall signs plus is entitled to a joint identification sign, as a multi-tenant facility.

Warren Fishman felt the stone should be matched with the real stone of the shopping center and that the building should have flat arches. He also asked how the roof-top equipment would be screened. He would also like to see the landscape code exceeded because of the large size of the building. Larger trees should be installed. Mr. Fishman felt the signage should be downsized. He could support this application if all of the above were done.

Mr. Hale said the landscaping as shown on the plan did exceed the Code. The trees are larger in caliper than required.

Mr. Rauh was concerned with parking. Mr. Hale said it would be addressed in rezoning. Ms. Clarke said a planned district zoning was desirable in this case to regulate reuse.

Mr. Manus summarized that the continuation of flat arch treatment, consistent with the neighboring shopping center, more stone panels instead of the dryvit was needed, the signage is still an issue, the smaller parking area, the landscaping, and the false mansard-type roof to screen the mechanicals would serve that purpose. He said it was impossible for the Commission to give additional direction at this time.

Mr. Hale understood but said they were under a contract deadline of December 22, with a closing by December 29. He said they were willing to address all the Commission's concerns. The stone will be matched.

Mr. Greg Krobot, Landscape Architect for James Burkart Associates, said the Code required 1-3/4 inch caliper trees and they are proposing a minimum of 2-1/2 to 3 inch trees.

Mr. Manus said if the applicant would come back with the above issues solved to Staff's satisfaction, the Commission would approve it. This case will be tabled at this meeting.

Ms. Clarke asked for a recommendation to forward to the Board of Zoning Appeals on the variances. The requested 4 spaces per 1000 square feet is what is required for office use with no retail use whatsoever. Carpeting stores and furniture stores have low traffic. Ms. Clarke also said the Dublin Sawmill Centre's parking did not meet Code. A variance of over 100 spaces is been requested, and the Commission's recommendation is needed. The 70 percent maximum lot coverage was obtained by reducing parking. Mr. Hale said that, if requested, the lot coverage could be returned to 75 percent to allow 20 more parking spaces.

Mr. Manus asked how many employees there would be. He was told there would be 70 to 90 employees with no more than 30 to 40 at any one time. Mr. Manus asked how many square feet were dedicated to warehousing and display area. Mr. Kahn said about 15 percent of the store was back room, and about 85 percent was display area.

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Ms. Clarke said Dublin required more parking than Columbus due to lack of public transportation and very little pedestrian traffic to the shopping centers. Most people who come to shop do so in an automobile. The parking ratio for Columbus is 4 per 1,000 square feet.

Mr. Rauh asked if a positive vote could be given contingent upon the Commission reviewing the plan again in January. The applicant needed a decision sooner.

Ms. Stillwell moved that this application be approved contingent upon the following unresolved issues be worked out with Staff prior to December 22:

- 1) That the flat arch treatment be consistent with the shopping center on all four sides of the building;
- 2) That the signage be reduced to two signs to satisfy Code in size;
- 3) That a parking variance be approved by the Board of Zoning Appeals;
- 4) That the property be rezoned to a Planned District to limit other future users; and
- 5) That a floating mansard-type of roof be used to screen roof-top mechanical.

Mr. Sutphen seconded. The vote was: Mr. Fishman, yes; Mr. Manus, yes; Mr. Peplow, yes; Mrs. Stillwell, yes; Mr. Rauh, yes; and Mr. Sutphen, yes. (Approved with conditions 6-0.)

Ms. Clarke asked the Commission for a recommendation to the BZA regarding the variances.

Mr. Sutphen moved that a recommendation for approval of the following variances be made:

- 1) To reduce the minimum setback from 15 feet to 0 feet and to reduce the minimum setback along the east property line;
- 2) To reduce the maneuvering area within the parking lot, and to reduce the minimum number of parking spaces from 279 to 168; and
- 3) To permit ground and wall signs on the same site and permit signs which exceed Code in size and height.

Dick Rauh seconded. The vote was: Mr. Fishman, yes; Mr. Manus, yes; Mr. Peplow, yes; Mr. Rauh, yes; Mrs. Stillwell, yes; and Mr. Sutphen, yes. (Approval recommended 6-0.)

A motion was made by Mr. Peplow to continue the meeting past midnight. Mr. Rauh seconded. The vote was: Mr. Fishman, yes; Mr. Manus, yes; Mr. Peplow, yes; Mr. Rauh, no; Mrs. Stillwell, yes; and Mr. Sutphen, yes. (Approved 5-1.)

10. ~~Corridor Development Plan - Byers Holiday Chevrolet Dealership - 6801 Village Parkway~~

~~Vince Papsidero presented this CDD case for improved lighting at an existing auto dealership. Staff is concerned about light trespass upon adjoining properties and intensity of the lighting. Staff recommends approval of this plan based upon verification by a lighting consultant of the proposal. Balbir Kindra said there was not a problem with the increased intensity of the lighting~~

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