



City of Dublin

Land Use and Long Range Planning

5800 Shier Rings Road
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PLANNING AND ZONING COMMISSION

RECORD OF ACTION

DECEMBER 4, 2014

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

**3. Nationwide Insurance – Sign 5525 Parkcenter Circle
14-110AFDP Amended Final Development Plan**

Proposal: The replacement of the sign faces of two existing ground signs along Parkcenter Circle and I-270 for the Nationwide office building on the north side of Parkcenter Circle, west of Paul Blazer Parkway, and east of I-270.

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

Applicant: Stanley Young III, Columbus Sign Co. Inc.

Planning Contact: Marie Downie, Planner; (614) 410-4679, mdownie@dublin.oh.us

MOTION: Richard Taylor moved, Todd Zimmerman seconded the motion, to approve this Amended Final Development Plan because it meets the applicable review criteria, with one condition:

- 1) That the proposed signs be revised to meet Code requirements for secondary image percentages.

*Stanley Young III, agreed to the above condition.

VOTE: 7 – 0.

RESULT: This Amended Final Development Plan was approved.

RECORDED VOTES:

Chris Amorose Grooms	Yes
Richard Taylor	Yes
Amy Krumb	Yes
John Hardt	Yes
Todd Zimmerman	Yes
Victoria Newell	Yes
Amy Salay	Yes

STAFF CERTIFICATION

Marie Downie
Planner I

~~Ms. Amorose Groomes said there are 5 conditions associated with the Conditional Use:~~

- ~~1) The furniture must be wrought iron and of similar design as the neighboring tenant, the Sunny Street Café;~~
- ~~2) The fence be identical to the fence for the Sunny Street Café and contain planted flower boxes attached to the inside of the fence;~~
- ~~3) The umbrellas will not contain any language including advertisements, branding, or logos;~~
- ~~4) That the patio end service at 10:00 pm and close not later than 11:00 pm; and~~
- ~~5) The patio furniture be stored off-site from November 1st through April 1st.~~

~~Anthony Maronitis representing the applicant, said the one change that they have discussed is the height and thought the fence at Sunny Street Café was too high and felt like being in a cage. He asked if the height could be lowered.~~

~~Ms. Noble Flading said it was proposed with Sunny Street Café and is exactly why the condition is to be identical to mirror one another.~~

~~Ms. Amorose Groomes said it is the Commissions preference that all of the fencing be identical so it is a cohesive look.~~

~~Mr. Hardt said the fence height was established by who ever got there first.~~

~~Mr. Maronitis agreed to the conditions.~~

Motion and Vote: Conditional Use

~~Mr. Hardt moved, Victoria Newell seconded, to approve this Conditional Use application with 5 conditions. The vote was as follows: Mr. Taylor, yes; Ms. Kramb, yes; Mr. Zimmerman, yes; Ms. Salay, yes; Ms. Amorose Groomes, yes; Ms. Newell, yes; and Mr. Hardt, yes. (Approved 7 – 0.)~~

**3. Nationwide Insurance – Sign
14-110AFDP**

**5525 Parkcenter Circle
Amended Final Development Plan**

Ms. Amorose Groomes said the following application is a request for the replacement of the sign faces of two existing ground signs located along Parkcenter Circle and I-270 for the Nationwide office building located on the north side of Parkcenter Circle, west of Paul Blazer Parkway, and east of I-270. The Commission is the final authority on the final development plan, for which we will need to swear-in.

Ms. Amorose Groomes swore in anyone intending to address the commission regarding this application.

Ms. Amorose Groomes asked if there was anyone who would like to make comments with respect to this application. [There were none.]

Ms. Amorose Groomes said there is one condition that the proposed signs be revised to meet Code requirements for secondary image percentages, associated with this application and confirmed there was agreement from the applicant.

Motion and Vote

Mr. Taylor moved, Mr. Zimmerman seconded, to approve this Amended Final Development Plan with one condition. The vote was as follows: Mr. Hardt, yes; Ms. Amorose Groomes, yes; Ms. Kramb, yes; Ms. Newell, yes; Ms. Salay, yes; Mr. Zimmerman, yes; and Mr. Taylor, yes. (Approved 7 – 0.)

4. ~~Perimeter Center, Subarea K – Gordon Flesch~~ ~~14-113AFDP~~ ~~5655 Venture Drive~~ ~~Amended Final Development Plan~~

~~Ms. Amorose Groomes said the following application is a request for modifications to an approved development text to reflect pavement setbacks and a modified sign location affected by right-of-way acquisitions. The Commission will forward their recommendation to City Council for the final plat. The Commission is the final authority on the final development plan, for which we will need to swear-in.~~

~~Ms. Amorose Groomes swore in anyone intending to address the commission regarding this application.~~

~~Ms. Husak said the City Administration has authorized staff to act as the applicant on these cases and are being processed for the property owners to help with issues with the right-of-way taking from ODOT.~~

~~Ms. Amorose Groomes asked if there was anyone who would like to make comments with respect to this application. [There were none.]~~

~~Ms. Amorose Groomes said there are two text modifications:~~

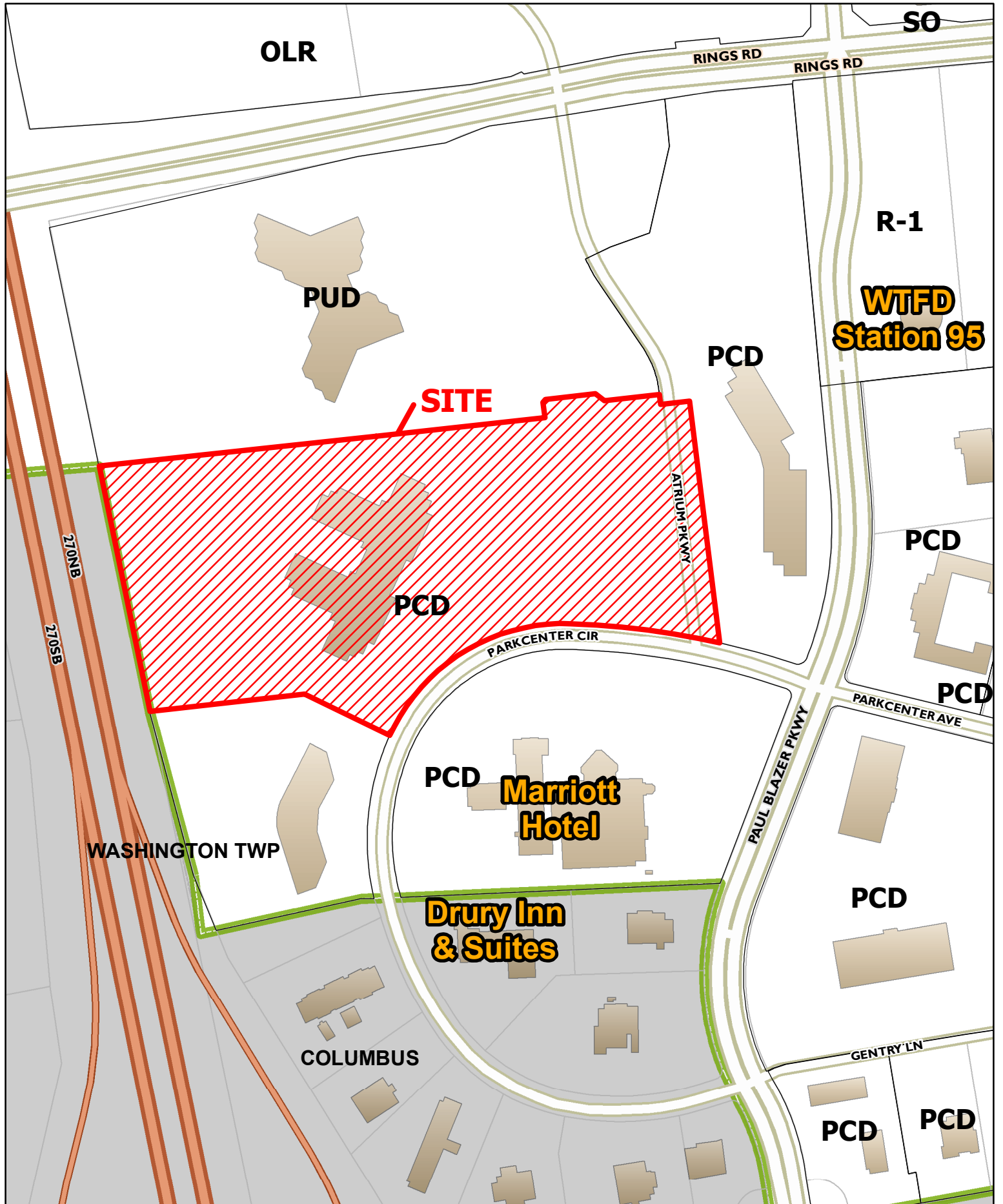
- ~~1) Decrease the pavement setback to 35 feet along US33/SR161~~
- ~~2) Decrease the sign setback to 2 feet for the existing sign (to be relocated) along US33/SR161~~

Motion and Vote: Minor Text Modifications

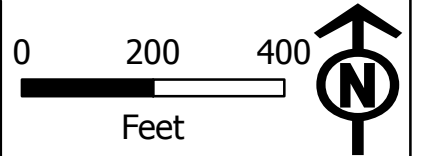
~~Ms. Kramb moved, John Hardt seconded, to approve the Text Modification. The vote was as follows: Mr. Zimmerman, yes; Mr. Taylor, yes; Ms. Amorose Groomes, yes; Ms. Salay, yes; Ms. Newell, yes; Ms. Kramb, yes; and Mr. Hardt, yes. (Approved 7 – 0.)~~

Motion and Vote: Amended Final Development Plan

~~Mr. Taylor moved, Ms. Salay seconded, to approve the Amended Final Development Plan. The vote was as follows: Ms. Newell, yes; Ms. Kramb, yes; Ms. Amorose Groomes, yes; Mr. Zimmerman, yes; Mr. Hardt, yes; Ms. Salay, yes; and Mr. Taylor, yes. (Approved 7 – 0.)~~



14-110AFDP
 Amended Final Development Plan
 Nationwide Insurance
 5525 Parkcenter Circle





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PLANNING AND ZONING COMMISSION

RECORD OF ACTION

FEBRUARY 7, 2013

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

**1. Tuttle I-270 PUD - Nationwide
13-001AFDP**

**5525 Parkcenter Circle
Amended Final Development Plan**

<p>Proposal:</p> <p>Request:</p> <p>Applicant:</p> <p>Planning Contact:</p> <p>Contact Information:</p>	<p>Replacement an existing ground sign located along Parkcenter Circle for the Nationwide office building within the Tuttle I-270 Planned Unit Development District.</p> <p>Review and approval of an amended final development plan under the provisions of Zoning Code Section 153.050.</p> <p>DP Parkcenter Circle LLC, represented by Stanley Young III.</p> <p>Jennifer M. Rauch, AICP, Planner II.</p> <p>(614) 410-4690, jrauch@dublin.oh.us</p>
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MOTION#1: To approve this Minor Text Modification allowing the secondary image size to be 45 square feet for a sign along Parkcenter Circle within Subarea A of the Tuttle I-270 PCD for the tenant occupying 5525 Parkcenter Circle at the time of the approval of this application because the proposed sign is designed with creativity and high quality materials and fabrication.

* Stanley Young III agreed to the modification.

VOTE: 7 – 0.

RESULT: This Minor Text Modification was approved.

RECORDED VOTES:

Chris Amorose Groomes	Yes
Richard Taylor	Yes
Warren Fishman	Yes
Amy Krumb	Yes
John Hardt	Yes
Joseph Budde	Yes
Victoria Newell	Yes



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PLANNING AND ZONING COMMISSION

RECORD OF ACTION

FEBRUARY 7, 2013

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

**1. Tuttle I-270 PUD – Nationwide
13-001AFDP**

**5525 Parkcenter Circle
Amended Final Development Plan**

Proposal: Replacement an existing ground sign located along Parkcenter Circle for the Nationwide office building within the Tuttle I-270 Planned Unit Development District.

Request: Review and approval of an amended final development plan under the provisions of Zoning Code Section 153.050.

Applicant: DP Parkcenter Circle LLC, represented by Stanley Young III.

Planning Contact: Jennifer M. Rauch, AICP, Planner II.

Contact Information: (614) 410-4690, jrauch@dublin.oh.us

MOTION#2: To approve this Amended Final Development Plan application because it complies with Code, as modified the applicable review criteria and the existing development in the area, with one condition:

- 1) That any future sign modifications require approval by the Planning and Zoning Commission.

*Stanley Young III agreed to the above condition.

VOTE: 7 – 0.

RESULT: This Amended Final Development Plan application was approved.

RECORDED VOTES:

Chris Amorose Groomes	Yes
Richard Taylor	Yes
Warren Fishman	Yes
Amy Kramb	Yes
John Hardt	Yes
Joseph Budde	Yes
Victoria Newell	Yes

STAFF CERTIFICATION

Jennifer M. Rauch, AICP
Planner II

Communications

Claudia Husak reported that City Council approved the rezoning for the retail project on Perimeter Drive that Paul Ghidotti brought to the Commission a couple of months ago. She said that they are looking forward to beginning construction soon.

Ms. Husak confirmed that everyone interested is registered for the APA Conference.

Ms. Husak said that in light of every Commissioner being fairly comfortable using their City-issued iPads, the goal was to do away with paper materials, other than the plans which are supplied by the applicants, beginning with the March 7th Commission meeting, unless the Commissioners want to start next week. [No one responded.] She said if there are any issues, contact her or call her to let her know they are stopping by the office for help. Ms. Husak said naming conventions, or anything else that can be done to help troubleshoot can be sent to her via email. She said she would be happy to hear the suggestions, because she is looking at everything from how she uses it and she did not want to prescribe to the Commissioners at all. She asked that if there are issues, they should let Planning know so that they can work on them.

Amy Kramb asked that the naming convention discussion be delayed until the Commission Roundtable.

Administrative Business

Ms. Amorose Groomes announced that the three cases on the agenda were all eligible for consent.

Richard Taylor said he would like to discuss all three cases.

Victoria Newell referred to the email sent by Mr. Hardt earlier today and asked what was the response to his question. She said she had the same concern as Mr. Hardt, and was wondering what was precipitating that application.

Ms. Husak said that for Case 3 - Celtic Crossing, a communication from Planning was sent to the Commissioners members earlier today in the DropBox folder and paper copies were available.

Ms. Amorose Groomes determined that the three cases would be heard in the order of the published agenda. She briefly explained the rules and procedures of the Planning and Zoning Commission.

1. Tuttle I-270 PUD - Nationwide 13-001AFDP

5525 Parkcenter Circle Amended Final Development Plan

Chair Chris Amorose Groomes introduced this application requesting to replace an existing ground sign located along Parkcenter Circle for the Nationwide office building within the Tuttle I-270 Planned Unit Development District. She said the application will require two motions.

Ms. Amorose Groomes swore in those intending to address the Commission in regards to this case including Stanley Young III, Columbus Sign Company, 1515 East Fifth Avenue, Columbus; representing the applicant, DP Parkcenter Circle LLC, 600 E. 96th Street, Suite 100, Indianapolis, Indiana, and City representatives.

Jennifer Rauch presented this application for review and approval of an amended final development plan, which requires a text modification. She said the existing two; five-story buildings are connected by a glass atrium. She said access to the site is provided off Parkcenter Circle.

Ms. Rauch said the site currently contains two signs. She said for the existing sign located on I-270 is not proposed to change as part of this proposal. She said the subject of this application is the replacement of

the sign located in the entrance island off Parkcenter Circle with a sign that matches the design of the sign on I-270. She said the proposed sign includes the logo for Nationwide, which is the blue frame with the center removed, and the Nationwide copy on the bottom. She said the proposed sign meets Code with the exception of the size of the secondary image. She said ten feet is the overall height, and they are permitted up to a 15-foot high sign. Ms. Rauch said as proposed, the sign meets location and color requirements.

Ms. Rauch said given the unique design of the sign with the opening in the center, it was determined by Planning that they would calculate the area of this sign in terms of the logo without the empty space inside the blue rectangle. The logo size would then be 14.5 square feet, larger than the maximum permitted secondary image size, which is 10 square feet, so a text modification is required to accommodate that. Ms. Rauch said that Planning is recommending approval for modification of the development text to permit the secondary image size at 25 percent of the maximum permitted area for this subarea of the text, and is also recommending approval of the amended final development plan with no conditions.

Stanley Young III, Columbus Sign Company, representing the applicant DP Parkcenter Circle LLC, said that Nationwide in trying to continue their effort to maintain a consistent identity, want to replace the sign and bring it into conformance with the image that they want to present. He said the proposed sign represents a sign that is currently available, and if approved by the Commission, it would be submitted for a sign permit before installation.

Ms. Amorose Groomes asked if anyone wished to make any public comment regarding this application. [There was none.]

Amy Kramb asked how the size of the square on proposed sign compared to the one on I-270, which looked huge.

Ms. Rauch said that the overall area of the sign on I-270 is 77 square feet.

Ms. Kramb noted that the proposed sign is 43 square feet and asked if the area is measured the same.

Ms. Rauch confirmed that was correct if they were measuring around the perimeter of each sign. She explained that since the sign was on I-270, an increased square footage is allowed, so they are permitted up to 80 square feet.

Richard Taylor said he had big concerns about this because this was not the way that we have measured sign areas in the past. He said that the Commission has seen numerous signs and presentations about how sign areas are calculated. He recollected using a case with channel letters as a good example that they drew a large square around the whole sign, and the area of the sign that is within that bounding box where it touches the edges of the sign. He said that they have not picked out the circle in the middle of the 'O' or the space between the letters, or any of that kind of thing. Mr. Taylor said that the space between that is as much a part of the sign as anything else. He said if it was transparent glass, it would be the same. He said in his opinion, the size of the secondary image on this proposed sign is 43 square feet, which is four times what is permitted, not 14 square feet. Mr. Taylor said that he could not support a sign that large.

Warren Fishman said if approved, this would start a dangerous precedent. He asked if the sign on I-270 met Code.

Ms. Rauch explained that the I-270 sign was measured using the outer edges of the sign and no account was taken for it being Nationwide's logo because they said that was the frame of their sign. She said that interpretation could have been taken for this sign as well, but their logo is Nationwide's sign. She said

they could be permitted up to 50 square feet if Planning were going to interpret it this way. She said that on I-270 the sign area, including the blue frame and everything, totaled 80 square feet and it was not accounted for that being a logo. She said typically, the blue square would be limited to 20 percent of those 80 square feet, and that was not how the existing I-270 sign was constructed or approved. Ms. Rauch said that Nationwide's other signs in other locations are calculated the same way as the I-270 sign. She said however, given the recent discussions between the Commission and Planning about logos and how they are going to be calculating that, Planning interpreted this proposed sign this way. She said that for the Audi sign, they removed the internal part of the rings for Audi, and approved that proposed sign with their logo as well.

Claudia Husak said that previously when the Nationwide signs were approved, the blue square was not considered as a logo.

Ms. Amorose Groomes said she did not know that the logo relation to the text is really the concern. She said she thought the greatest concern was the calculation omitting the interior portion of the sign. She said she thought the relationship between text and logo is less important than the overall size of the sign.

Ms. Rauch said if the Commission did not want to interpret it that way, the applicant would either have to shrink the entire sign because the logo would have to be 20 percent or it could be calculated the way it has been calculated in every other instance for the sign with 50 square feet permitted, not considering it to be a logo.

Ms. Kramb asked what the total area of the proposed sign would be if calculated the other way.

Ms. Rauch said it would be 43 square feet. She said what was permitted per Code is 50 square feet.

Ms. Kramb said she was more comfortable calculating the sign area as it had been done previously, and not changing the text to allow a large secondary image. She said she had no problem with the look of the sign, but she thought it was a little large for what was needed. She reiterated that she was not willing to change the text to allow this sign.

Victoria Newell said she agreed. She said if the area was subtracted out for other signs, it would become too complicated to look at a proposed signs consistently and fairly.

Ms. Amorose Groomes said that Mr. Taylor's description of channel letters was very illustrative of that cutting out the middle of every 'O' and 'P' could become very confusing at the minimum.

Ms. Newell noted that the proposed sign at the entry drive was higher than the sign being replaced. She asked if it would be located past the sight visibility triangle.

Ms. Rauch confirmed that the Engineering had determined that the proposed sign was set back far enough to meet that requirement.

John Hardt said he had nothing against the great corporate citizen, Nationwide Insurance and wanted to be as helpful as possible. He said he thought the sign was very creative. He said however, the problem was with the paper trail that will be created. He said he would like to find another way to do this. Mr. Hardt said he agreed with Mr. Taylor that every single channel letter sign the Commission has seen had holes in it, and they have never discounted the hole. He said to take this proposed sign and measure it like every other sign at 43 square feet it would meet the Code and the only hurdle is how to measure the secondary image.

Ms. Newell asked if it was felt that they would be providing the same consistency to this applicant since the way their existing sign was viewed previously when it was committed.

Mr. Hardt said this is a PUD, and they are requesting an amendment to a final development plan for a sign that is unique. He said it seemed that somewhere there was an opportunity to approve this specific sign.

Ms. Husak suggested that the only thing they could do was to say that it is not the logo or a secondary image, otherwise, they will have to modify the text.

Mr. Hardt said although it was not germane to this case, he did not realize that the Audi logo was calculated the same way, and he was really disappointed to hear that. He said he would not have voted for it if he had known that. He said if it was included in the Planning Report, he missed it or it was absent. Mr. Hardt said he was open to suggestions on different ways to get a conclusion that this applicant wants.

Mr. Taylor pointed out that the proposed text amendment would increase the sign area from 20 percent to 25 percent. He said the other interpretation is that this is not a secondary image, and if not, this is all moot because it is an acceptable sign without any issues. Mr. Taylor said that a secondary image typically would be a sign shape with text and an additional graphic or something that is a secondary image. He said it seemed acceptable to him that if this was a large sign and on the left side, it had a square with Nationwide inside, that would be considered a secondary image on the sign. Mr. Taylor said in this case, it seems that the secondary image and the sign are the same thing. He said if it was considered that this is just a big blue sign cabinet with a big hole in the middle with the word 'Nationwide' on it and there is no secondary image involved, it was acceptable. He said he understood that Nationwide intended it to be their logo and it is used as their logo, but it may not be being used as a logo in this particular case.

Mr. Fishman asked if it was a solid blue sign would it meet the Code.

Ms. Amorose Groomes said at 43 square feet it would be meet Code.

Ms. Kramb said that it came down to the definition of a secondary image.

Mr. Taylor suggested that the problem was that it was being called a secondary image, which it would be if it were on a larger sign field, but it is not.

Mr. Hardt said that hypothetically, if this were H&R Block and that was a green square without a hole, it would be exactly what was being described, and it would meet Code.

Ms. Husak pointed out that the green block was the H&R Block logo. She said that the Nationwide blue square is their logo, and a logo is a secondary image.

Ms. Amorose Groomes asked for solutions to be suggested that would create a proper paper trail.

Ms. Husak said that the only option that Planning sees if the Commission is okay with the sign at the proposed size with this arrangement is to amend the text to allow secondary images to be 43 square feet.

Ms. Kramb said she was not willing to amend the text because of future applications that might be submitted. She reiterated that she was okay with the proposed sign, but not with the signs of the next tenant in the building.

Mr. Hardt asked if there was a mechanism that they could amend the text to allow secondary image in the case of this user, and not future users.

Ms. Readler said she thought that with any text there is always going to be the argument about consistency and the application of it, but she thought they could put limitations because they are making modifications to the text that work consistently if they approve that any new sign will have to come in subsequent reviews that are necessary.

Steve Langworthy suggested there could be the caveat that other Nationwide signs on the campus are computed in the same way and that way it would be consistent.

Mr. Readler said then, they would have more substantiation for allowing for interpreting it this way for one particular sign and not creating precedent in any way, but calculating it and construing it as secondary images, and they need to be careful of that.

Ms. Amorose Groomes said she thought it was important that we communicate that we calculate this sign as a whole, and not a circle. She said that she personally would like not to ever see another sign come before the Commission calculated in that manner again. She said she also missed it on the Audi sign. She said although the Commission had discussed handling signs with secondary logos differently, they were letting the secondary logo images become larger, but she did not recall them ever talking about not calculating all of the area.

Ms. Newell said she did not think it was clear to any of the Commissioners the last time. She said she did not even remember that being presented that Planning subtracted a portion of the area when they looked at the rings in the Audi sign.

Ms. Amorose Groomes reiterated for the record that she did not want to ever see another sign before the Commission calculated this way. She requested that Ms. Readler to suggest the best way to get from Point A to Point B.

Ms. Readler said the best mechanism to add would be a condition on the amended final development plan approval, and that Ms. Husak was drafting one.

Mr. Taylor suggested a way to determine a secondary image was that it had to be secondary to something, and this is not secondary to anything. He said this was primary in this case that also happens to be a logo, and maybe the Audi sign was also calculated that way. He said it did not say 'Audi' on the sign, it just had the four rings so that was the sign.

Ms. Kramb said when the secondary image is the whole sign, then it should be considered differently.

Ms. Amorose Groomes asked if every logo is a secondary image or if it is just a logo, is it then the primary image.

Mr. Taylor said he thought they all agreed that the sign was not too big. He said it was just an esoteric question if it was a secondary image and how big it was, and if there are signs relating to them. He said he was willing, unless it was felt it would cause problems in the future, to consider this as being a blue sign with a hole in it and the word 'Nationwide' at the bottom and there is no secondary image, in which case it goes away.

Mr. Langworthy said that would be the cleanest way to handle it.

Ms. Kramb agreed.

Mr. Taylor said he was not in favor of continually granting exceptions and a little here and there because it erodes the paper trail and consistency that we are trying to have.

Ms. Newell pointed out that McDonald's sign with golden arches could be interpreted as a logo or the whole text that spells out their name. She said this proposed sign is similar because it says 'Nationwide' as part of that logo and how has been consistently measured and applied when they are looking at measuring that logo.

Ms. Amorose Groomes said in particular, some of the McDonald's signs just have the 'M' without a red backdrop or anything.

Ms. Newell asked if they clearly saw the 'M' as a logo and it was a logo when it is a part, so is this a logo when it is Nationwide's name.

Ms. Readler said if it was their goal was to make signs like this not be construed as the secondary image, they may need to tweak that language a little and just doing a brief review of the definitions because of the way they interplay, not necessarily from the secondary image definition.

Ms. Newell clarified that her question was in terms of how Planning has reviewed something like McDonald's where there are both a recognizable logo image that is included with the name of the company.

Ms. Husak said that a business name is a business name and would by definition be considered the primary image. She said if it is 'McDonald's' including the arch, it is the business name. She explained that if it was just the 'M' arches, then they would look at it as a secondary image or as their logo. She said it was the business name that is exempted from the definition. She said that was a conversation the Commission had when they were discussing the logos, sizes, and colors of logos.

Mr. Taylor referred to the comment Mr. Hardt made earlier about this being a creative sign. He recalled that the Commission discussed creative signs, but they never fully vetted out whether fish, bicycles, and all that would be considered secondary images. He recalled that in the Bridge Street Corridor, they were interested in having signs as much as they could reasonably do so, that reflected the nature of the business in the actual design of the sign, and not just logos and text. He said maybe this is an example of exactly that in they have a creative sign and the shape of the sign reflects the nature of the business that qualifies as a secondary logo. Mr. Taylor said as a group, the Commission and Planning agree, maybe the solution here is to disapprove this application and let it go with a sign that meets the Sign Code.

Ms. Kramb said she would like to limit the text modification to the tenant, Nationwide. She said she was okay with the sign proposed, but she did not want to leave the door open for all future logos for other tenants. She said she agreed with Mr. Taylor's idea that because there is no primary image, then the secondary image becomes the whole sign and it is just a sign that meets Code.

Ms. Rauch clarified that the 'Nationwide' text was the primary image as defined by the Code because that was their business name.

Mr. Taylor said the question was, 'Is there a secondary image?'

Ms. Amorose Groomes said that everything without the word 'Nationwide' was considered a secondary image. She said that if it did not say, 'Nationwide' on the sign, there could an argument, but it does.

Ms. Newell said that was what she was getting to in terms of McDonald's because we interpret when the 'M' is included with the text that it is not considered a secondary image, and that is what she thought they had in this instance.

Ms. Amorose Groomes said although on the whole, it meets the Code, but it does not meet the letter of the law.

Ms. Kramb said that it meets the number, but does not meet the definition.

Ms. Newell said if it was a big blue box, the proposed sign would be fully compliant with the Code, and there would be no issue.

Ms. Rauch proposed the following text modification:

1. To allow the secondary image size to be 45 square feet for a sign along Parkcenter Circle within Subarea A of the Tuttle I-270 PCD.

Ms. Kramb said she was satisfied but wanted to make sure the condition is specific to this tenant.

Ms. Newell requested that something be added to the text in regards to the uniqueness of the sign.

Mr. Hardt referred to the Code, 'Signs shall be designed with a maximum of creativity and the highest volume materials and applications.' He said that fact that they are meeting that standard was why he was okay with what they were seeing.

Ms. Newell said that it should be put in the text because it is unique. She suggested copying the Code and including it in the development text.

Mr. Taylor said the potential problem will be that either the Commission or Planning will be placed in the position of informing an applicant that they do not like a sign someone else thought was a creative sign.

Ms. Newell said that when aesthetics and creativity are applied it is always going to create a subjective interpretation from them.

Ms. Rauch proposed the following language for the Minor Text Modification:

1. To allow the secondary image size to be 45 square feet for a sign along Parkcenter Circle within Subarea A of the Tuttle I-270 PCD for the tenant occupying 5525 Parkcenter Circle at the time of the approval of this application because the proposed sign is designed with creativity and high quality materials and fabrication.

Mr. Hardt asked if Nationwide was indeed a 'tenant.'

Mr. Young confirmed that Nationwide was a tenant.

Motion #1 and Vote - Minor Text Modification

Mr. Taylor moved to approve this Minor Text Modification allowing the secondary image size to be 45 square feet for a sign along Parkcenter Circle within Subarea A of the Tuttle I-270 PCD for the tenant occupying 5525 Parkcenter Circle at the time of the approval of this application, because the proposed sign is designed with creativity and high quality materials and fabrication.

Mr. Young, on behalf of the applicant, agreed to the Minor Text Modification.

Ms. Newell seconded the motion.

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

Motion #2 and Vote - Amended Final Development Plan

Mr. Taylor moved to approve this Amended Final Development Plan application because it complies with Code, as modified the applicable review criteria and the existing development in the area, with one condition:

- 1) That any future sign modifications require approval by the Planning and Zoning Commission.

Stanley Young III, on behalf of the applicant agreed to the above condition.

Ms. Kramb seconded the motion.

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

2. ~~Lowell Trace – Section 2 – Lots 62, 63, and 64~~ 12-088AFDP/FP

6432 and 6444 Phoenix Park Drive 6455 Newgrange Drive Amended Final Development Plan/Revised Final Plat

~~Chair Chris Amorose Groomes introduced this application requesting a modification to an approved development text to revise the No-Build Zone requirements for three developed single family lots and to revise the Final Plat accordingly. She said the site is located north of Phoenix Park Drive, west of Newgrange Drive, and west of the intersection with Tullymore Drive. She said the application will require three motions. Ms. Amorose Groomes said that the Commission is the final authority on the proposed text modification and final development plan and the revised final plat will be forwarded to City Council on the Commission's recommendation.~~

~~Ms. Amorose Groomes swore those intending to address the Commission in regards to this application including the applicant Christopher Cline, Blaugrund, Herbert, & Martin, (300 West Wilson Bridge Road, Worthington, Ohio) and City representatives.~~

~~Gladia Husak said that Planning was approached by the new owner of Lot 64 who was trying to get a zoning clearance prior to or after purchasing this residence. She explained that there was a deck located in the No-Build Zone (NBZ), and to receive a clearance from Zoning for this lot the only available avenue is to change the NBZ created on the plat. She presented a graphic showing the distance of the existing NBZ for the three lots. She noted that the surrounding lots have 35-foot NBZ to the north and a 30-foot NBZ to the west. She said this proposal is to continue those two lines and take the hatched area on the approved Final Plat out of the NBZ.~~

~~Ms. Husak said that the Minor Text Revision requested is in the Development Text and graphics showing how the lots are laid out and created and where setbacks are supposed to be and where houses are supposed to be are included in the meeting packets. She pointed out that one of the graphics had a note saying 'That No-Build Zones should be 100 feet from the right-of-way for lots that are not corner lots.' She demonstrated where the 100-feet from the right-of-way would have been measured from the line back. Ms. Husak said that Planning is recommending a text modification to no longer require these three lots to have to adhere to that note in the development text.~~

~~Christopher Cline, Blaugrund, Herbert, & Martin, said that this was a February 1988 rezoning. He explained that the NBZ mentioned in the text says no fences or outbuildings, so the deck and the at-grade patio was the issue raised by the title company. He said as a real estate lawyer, that it was not a fence or an outbuilding, and that is okay and it has been since the house was built in the 1990s. Mr. Cline said the problem they had now is that there are different definitions of NBZs.~~

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Held December 18, 1995

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designate Riverside Drive as a scenic roadway.

Mrs. Stillwell pointed out that Council took action several months ago with the McKittrick rezoning to reaffirm the scenic nature of 257.

Following discussion, Mrs. Boring moved to add a "Whereas" statement including language that effectively states that a goal of this plan, in addition to others is to preserve the scenic character of Riverside Drive.

Mrs. King seconded the motion.

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

Mrs. King then moved that staff be directed to make recommendation as part of the Community Plan process to define scenic character as it relates to 257 and scenic collector or corridor for other roads within the City where applicable.

Mrs. Boring seconded the motion.

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

Mayor Campbell then moved to approve the ordinance as amended per the staff handout, deleting the "Whereas" statement in paragraph 10, and Section 3 on page 2 dealing with Dublin Center Drive and Krier Drive.

Mr. Kranstuber seconded the motion.

Brief discussion followed, initiated by Mrs. Stillwell, that because there was not a detailed traffic analysis done at the time of the Perimeter Center rezoning, that the cul-de-sac of Post Road is not shown in this Thoroughfare Plan but will be taken under detailed advisement as the Community Plan is updated.

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

Ordinance No. 102-95 - An Ordinance Providing for a Change in Zoning for 34.4 Acres of Land Located West of Blazer Parkway and North of Tuttle Crossing from: PCD, Planned Commerce District to: PCD, Planned Commerce District. (Tuttle Crossing Subarea A) (Third Reading) (Applicant: Duke Realty Limited Partnership, Donald J. Hunter, Vice President/General Manager, 4700 Lakehurst Court, Suite 150, Dublin, OH 43017)

Mr. Kranstuber moved to approve the rezoning subject to the conditions as stated by Ms. Clarke at the public hearing.

Mrs. King seconded the motion.

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

Ordinance No. 103-95(Amended) - An Ordinance Amending Section 1189 (Signs) of the Planning and Zoning Code. (Third reading)

Mrs. Stillwell pointed out that a line is missing in Section 1189(g) which was included in the previous draft and moved to add, "should not be eliminated in any manner, shall not be affixed to any utility."

Mr. Zawaly seconded the motion.

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

Vote on the ordinance - Mrs. Stillwell, yes; Mayor Campbell, yes; Mrs. Boring, no; Mr. Zawaly, yes; Mrs. King, yes.

Ordinance No. 107-95 - An Ordinance Adopting the Operating Budget for the Fiscal Year Ending December 31, 1996, and Declaring an Emergency. (Third reading)

Mrs. King moved that the City Manager make recommendation and Council decide how to reduce the number of false alarms before hiring two new police officers.

There was no second to the motion.

Mr. Kranstuber moved to amend Ordinance No. 107-95 to incorporate the revised budget document provided to Council.

Mr. Strip seconded the motion.

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

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Held December 11, 1995

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~~Mr. Hansley stated that the Dublin Schools have withdrawn their application for rezoning. Staff recommends that Council remove this from the table and take action to defeat the ordinance.~~

~~Discussion followed about whether it is necessary to formally defeat the ordinance.~~

~~Following discussion, Mrs. Stillwell moved to take the ordinance from the table and accept the applicant's request to withdraw the rezoning application.~~

~~Mr. Strip seconded the motion.~~

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

Ordinance No. 102-95 - An Ordinance Providing for a Change in Zoning for 34.4 Acres of Land Located West of Blazer Parkway and North of Tuttle Crossing from: PCD, Planned Commerce District to: PCD, Planned Commerce District. (Tuttle Crossing Subarea A) (Public Hearing) (Applicant: Duke Realty Limited Partnership, Donald J. Hunter, Vice President/General Manager, 4700 Lakehurst Court, Suite 150, Dublin, OH 43017) (Public Hearing)

Registered as proponents of the rezoning were Ruth Reiss, 4193 Hitching Post Court and Larry Lehner, 4136 Hertford Lane, Dublin.

There were no registered opponents.

Ms. Clarke stated that this ordinance involves a minor text amendment that creates a new subarea and changes landscape standards or setback standards in an already developed portion of the site. She showed slides of the site and surrounding area. The Planning Commission has approved the development plans for the BMW and atrium buildings and a condition of approval was that the applicant bring forth a rezoning application to revise the development text. Subsequent to the Planning Commission hearing, the neighborhood indicated objection to the relaxation of the standards for the vacant portion of the district for which a development proposal was not yet filed. To satisfy their concerns, a new subarea was created for the undeveloped area under the original standards. The Commission unanimously recommended approval in October with four conditions:

1. That the composite plan be amended to reflect the actual acreage in accordance with the appropriate legal description to be submitted by the applicant.
2. That the entire development text be revised to remove all existing errors, inconsistencies and outdated information.
3. That the text include the appropriate level of detail regarding architecture, signage, landscaping, traffic circulation and coordination for subarea 1.
4. That staff further refine all plans in the text with the developer before scheduling at City Council and that the Commission receive copies of the agreed upon text prior to public hearing.

Staff and the Commission are recommending approval by Council.

Ruth Reiss, 4193 Hitching Post Court stated that she supports the text changes as revised and presented tonight. The residents had been concerned about the loss of greenspace and the precedent for zero setback being established. The text changes tonight have addressed their concerns. She commended Mr. Marsh for his willingness to accommodate the residents' concerns. She urges Council to vote in favor of the text changes.

Larry Lehner, 4136 Hertford Lane, Vice President of the Llewellyn Farms Civic Association thanked staff and the applicant for their work on this proposal. He is representing the Association this evening and indicated their support of the proposed text changes.

There was no further testimony and no questions from Council.

Mayor Campbell noted that a third reading will be held on December 18.

Ordinance No. 103-95 - An Ordinance Amending Section 1189 (Signs) of the Planning and Zoning Code. (Public hearing tabled until December 11)

Mrs. Stillwell moved to take this from the table.

Mrs. King seconded the motion.

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

There were no registered proponents or opponents to the ordinance.

Ms. Clarke stated that these amendments to the sign code were reviewed by Planning Commission in October and November. These are basically minor changes to the sign code which was completely revamped earlier in the year. Suggestions for the revisions came from staff and from

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Meeting

Held November 20, 1995

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Ordinance No. 102-95 - An Ordinance Providing for a Change in Zoning for 34.4 Acres of Land Located West of Blazer Parkway and North of Tuttle Crossing from: PCD, Planned Commerce District to: PCD, Planned Commerce District. (Tuttle Crossing Subarea A) (Public Hearing) (Applicant: Duke Realty Limited Partnership, Donald J. Hunter, Vice President/General Manager, 4700 Lakehurst Court, Suite 150, Dublin, OH 43017)

Mayor Campbell read a letter from Mark Marsh of Duke Realty stating that they are revising their request on the zoning variance for the lot split to create a new subarea, and due to these changes, they are requesting that the public hearing be delayed until December 11, 1995.

Mr. Zawaly moved to table the public hearing of the ordinance until December 11, 1995.

Mrs. Stillwell seconded the motion.

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

Mayor Campbell stated that the public hearing will be held on December 11, 1995.

Tabled Ordinances

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. (Third reading tabled indefinitely)

Mr. Hansley stated that staff is in active negotiations with Columbus Southern and expects resolution within a few months.

Ordinance No. 04-95 - An Ordinance Providing for a Change in Zoning for 2.6871 Acres of Land Located on the Southeast Corner of Avery Road and Post Road from: LI, Limited Industrial District to: PCD, Planned Commerce District. (Ashland Oil Company - SuperAmerica) (Third reading tabled indefinitely) (Applicant: Ashland Oil Company, Jeffrey Brown, Smith & Hale, 37 W. Broad Street, Suite 725, Columbus, OH 43215)

Mayor Campbell commented that Mr. Brown has asked to address Council on this matter tonight. Jeffrey L. Brown, attorney representing applicant Ashland Oil Company stated that he had submitted a letter to the City prior to the November 6 Council meeting asking that this ordinance be set for a hearing. At the last hearing of the matter, Council explained that as a procedural matter, a request to remove from the table must be made at one meeting, and Council would then set it for a hearing at the following meeting. They are now ready to proceed. They have examined the other sites, as previously requested, and are comfortable that this is the site they want. They are requesting that Council set a hearing for the next meeting.

Mayor Campbell asked Mr. Brown to provide details on the other sites considered and the results of their investigation, since the applicant had requested tabling in order to do this research.

Mr. Brown stated that:

1. The alternate sites considered were one in Perimeter and another across the street from Perimeter on the Riverside property. Since the Perimeter site is on the "homebound" site, it would be an appropriate location. However, there are problems on this site in terms of deed restrictions with the BP station located there and the Big Bear store.
2. The Riverside property location is undesirable from a traffic standpoint, and that zoning contains restrictions in terms of not allowing access to Avery/Muirfield Road, requiring an orientation of the buildings to the interior development, and other undesirable development restrictions.

After investigating the other sites in the corridor in which they want to locate, they have rejected them for these reasons.

Mrs. King moved that Ordinance No. 04-95 be taken from the table and set for a vote at the next regularly scheduled Council meeting on December 11, 1995.

Mr. Strip seconded the motion.

Mrs. Boring commented that at the last Council meeting, Council had endorsed the staff recommendation that another public hearing be scheduled with 21 days' notice provided.

Mayor Campbell noted that a discussion took place regarding giving both sides the opportunity to come in and add to their previous testimony because of the time lapse on this application and the new information available. He, personally, is awaiting feedback from civic associations in his ward, and would like that input prior to the next hearing. Finally, voting on this application at the end of December when two Council members will not be returning and in view of the public opposition does not seem appropriate.



DUBLIN PLANNING AND ZONING COMMISSION

RECORD OF ACTION

OCTOBER 5, 1995

CITY OF DUBLIN

5800 Shier Rings Road
Dublin, OH 43016-1236
/TDD: 614/761-6550
Fax: 614/761-6506

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

2. **Rezoning Application Z95-016 - Tuttle Crossing Subarea A - Revised Development Text**
Location: 34.4 acres (Subarea A) located west of Blazer Parkway and north of Tuttle Crossing.
Existing Zoning: PCD, Planned Commerce District.
Request: PCD, Planned Commerce District, with a text revision that reduces landscaping requirement at lot perimeters for combined or cross-access parking lots.
Proposed Use: Permitted uses under the Tuttle Crossing development text including corporate offices, hotel/motel, and general office uses.
Applicant: Duke Realty Limited Partnership, c/o Mark Marsh, Construction Manager, Suite 150, 4700 Lakehurst Court, Dublin, Ohio 43017.
Staff Contact: Mary H. Newcomb, Landscape Planner

MOTION: To approve this rezoning application because the text revision, provides for additional landscaping consistent with code requirements and is consistent with the Tuttle Crossing development with the following three conditions:

- 1) That the proposed text be amended, prior to scheduling the public hearing at City Council, to include lots to function as a single parking area in combination with a common access drive and the specific landscape requirements, subject to staff approval;
- 2) That the 25 foot side yard requirement not be deleted; and
- 3) That Subarea C, yard and setback requirements of the Tuttle development text, be amended to read "Side yards shall be 12.5 feet for pavement and 25 feet for buildings and rear yards shall be 12.5 feet for pavement and 25 feet for buildings".

Mark Marsh agreed to the above conditions.

VOTE: 6-0.

RESULT: This rezoning application was approved.

STAFF CERTIFICATION

Mary H. Newcomb

Mary H. Newcomb
Graduate Landscape Architect

Mr. Rauh emphasized that the Commission wanted to be developer friendly. He said they, staff, and the residents felt this would be an amenity. Residents now have brought forth many viable things. Mr. Rauh said he would like the staff and the developer to look at other internal sites for this, and perhaps the parking lot could be shared. He read from the staff report "all new development on the ground must be directly associated with the golf club to comply with the approved preliminary development plan." He did not feel the context being proposed was directly associated with the golf club.

Ms. Chinnici-Zuercher did not support the suggestion that the Saturdays hours be limited to mornings. Many out of town visitors would only be able to visit on weekends.

Mr. Maher requested a few minutes to confer with the applicants. Mr. Rauh called a five-minute recess.

Mr. Maher, on behalf of the developer, requested that the case be tabled to allow time to consider issues raised at the meeting.

Mr. Peplow asked if the subcommittee issue needed to be addressed at that time.

Mr. Zawaly made the motion to table this case and Mr. Sutphen seconded it. The vote was as follows: Mr. Fishman, yes; Mr. Peplow, yes; Mr. Sutphen, yes; Mr. Rauh, yes; Ms. Chinnici-Zuercher, yes; and Mr. Zawaly, yes. (Tabled 6-0.)

* 2. Rezoning Application Z95-016 - Tuttle Crossing Subarea A - Revised Development Text

Mary Newcomb said this is a rezoning within Tuttle Crossing by revising the adopted Tuttle Crossing development text. It will reduce the sideyard and landscaping requirement at Perimeter in some case for the 34.4 acres within Subarea A. The development text was approved in 1989 as part of a 110 acre office/commercial park. The adopted development text for Subarea A requires a sideyard of 25 feet for both pavement and buildings. The applicant is requesting to revise the text so that in certain specific cases, the sideyard is reduced to zero feet.

Mr. Newcomb said Subarea A is located between Blazer Parkway and I-270. The BMW and Atrium sites are under construction within Subarea A.

Ms. Newcomb said the applicant was requesting the sideyards be eliminated where there was a common drive and cross access between two sites, such as the BMW and Atrium sites. The sites were originally developed on one parcel, and the applicant would like to split the parcel into two. The landscaped sideyard is then triggered along the new property line. Additional landscaping be provided on either side of the access in such cases.

Staff believes that the language needs to be reworked. The applicant has not included in the proposed revisions has not included the 25-foot setback for parking. It should be maintained as a standard, rather than the exception. Staff believes that this should apply when be the case also when there is parking that functions as one lot. Ms. Newcomb said there may be a circumstance

where there is a common access drive, but split and there would be no reason not to provide the 25-foot setback. Staff is also requesting that the applicant provide more specific language regarding the landscaping. On these sites they are providing wider islands with at least two, 3.5 inch caliper trees.

Ms. Newcomb said there had been a couple of other text changes within Tuttle Crossing over the years. One was in Subarea A1, which concerned the orientation of buildings. Another text change was for a sideyard setback within Subarea C which changes the sideyard for pavement from 25 feet to 12.5 feet. She said there was an error in the text stating that 12.5 feet was included for both parking and for buildings. Staff would like to correct it so that the text reflects what was actually approved.

Staff is recommending that the development standards text be amended to provide for the reduction in sideyards under the specific circumstances mentioned in Subarea A with the following three conditions:

- 1) That the proposed text be amended, prior to scheduling the public hearing at City Council, to include shared parking in combination with a common access drive and the specific landscape requirements, subject to staff approval;
- 2) That the 25 foot side yard requirement not be deleted; and
- 3) That Subarea C, sideyard and setback requirements of the Tuttle development text, be amended to read "Side yards shall be 12.5 feet for pavement and 25 feet for buildings and rear yards shall be 12.5 feet for pavement and 25 feet for buildings."

Mr. Peplow asked if staff had an amended text. Ms. Newcomb said the text amendment was included in the staff report. Staff proposes to compensate for the lost greenspace by additional interior parking lot islands with a minimum width of 18 feet, as measured face of curb to face of curb, and planted with a minimum of two, 3.5 inch caliper shade trees along both sides of the access drive. Staff was not requiring the two buildings to share the parking lot, but the parking lots function as one.

Mark Marsh, Duke Realty Investments, agreed to the above conditions. He said however, they did not want to promote "shared" parking in this situation. They proposed that each building have adequate parking independently. He suggested to reword the text to state that the parking lots would function as a single/common parking lot. Mr. Marsh said Subarea A was 34 acres. The Atrium and BMW projects are 22 acres, the Xerox building is 7 acres (total 29 acres), and 5 acres remaining to be developed. Mr. Fishman asked if the five acres could be developed another office building. Mr. Marsh said yes.

Mr. Rauh asked if it would be legal to apply the amendment to only to the 85 percent of Subarea A that is already developed. Mary Newcomb said the subarea would need to be broken down into smaller subareas with separate standards.

Regarding condition 1, Mr. Marsh proposed "lots to function as a single parking area" instead of "shared parking. Ms. Clarke agreed. She said each building would provide enough parking for its occupancy, and when they function as one parking lot, this provision would apply.

Ruth Reiss, 4193 Hitching Post, said because some of this subarea is undeveloped, she opposed this zoning text amendment. She suggested obtaining a variance for the BMW and Atrium buildings. She asked how many additional landscaped islands in the parking lot would be added to compensate for the loss of green side yard. Ms. Reiss said there was still undeveloped land, and it would set a precedent. Dublin prides itself on its greenspace and trees. Allowing a zero side yard eliminates some of the greenspace that commercial developers normally provide. She said the Tuttle Crossing text requires continuous landscaped treatment along I-270 of deciduous and evergreen trees. She did not notice many trees in front of the Xerox building. She felt that reducing sideyards in Tuttle Crossing is inconsistent with the text that promotes the "extensive landscape treatment" throughout the development. The text also requires major water features as focal points, but there was no water feature on the BMW site.

Ms. Chinnici-Zuercher asked if the developer had been held accountable to the text. Ms. Newcomb said the Xerox I-270 landscape plan had been approved with a mixture of plantings, but no landscape inspection has been done. Landscape treatment with mounding is required for both the Xerox and Atrium sites along surface streets. There were no water features.

Ms. Chinnici-Zuercher was in favor applying this exception only to developed sites. She understood that staff wanted the 25 foot setback to be the rule, not the exception.

George Peplow did not want the exception to apply to projects yet unseen. He supported the variance mechanism. Ms. Clarke said there absolutely no hardship on a flat, zoned, serviced undeveloped site. She said the text change was a condition on the Atrium/BMW projects if the owner were to pursue a lot split. As approved, they are two buildings on one site with a connected expanse of parking and without a property line between them. This completely complies with Code. The staff believes that by creating a property line between them, no harm is done to the community. And, if it is appropriate here, it should be appropriate for all others within the entire subarea. Ms. Clarke said the PCD, Planned Commerce District, standards are very straight-forward and definable. It is the job of the Planning Commission to determine if all the development text requirements are met. The Planning Commission does not have the power to grant a variance—only the Board of Zoning Appeals does, and only when there is a hardship. The plan examined was thought acceptable by the Commission.

Mr. Peplow agreed the Atrium/BMW development was fine, but the undeveloped five acres in the subarea should be prevented from having zero sideyards.

Ms. Clarke said staff believes that a landscaped perimeter sideyard generally makes sense. Creating a landscape sector in the midst of what functioned as one parking lot made no sense. Staff discussed this with the applicant before the buildings were approved, and he is fulfilling a condition of approval by making this application. She said staff was open to alternative mechanisms. Ms. Clarke expected this to be the exception because most developers or users do not want a combined parking lot.

Peter Zawaly was concerned about policing issues and asked staff to follow-up.

Warren Fishman said the developer at the last hearing, made several concessions including extra landscaping, islands, and more, bigger trees. He said this developer made a commitment to have water features on the west side of I-270 Thomas/Kohler rezoning).

Mr. Sutphen made a motion to approve the text amendment with the following three conditions:

- 1) That the proposed text be amended, prior to scheduling the public hearing at City Council, to include lots that function as a single parking area, in combination with a common access drive and the specific landscape requirements, subject to staff approval;
- 2) That the 25 foot side yard requirement not be deleted; and
- 3) That Subarea C, yard and setback requirements of the Tuttle development text, be amended to read "Side yards shall be 12.5 feet for pavement and 25 feet for buildings and rear yards shall be 12.5 feet for pavement and 25 feet for buildings."

Mr. Fishman seconded the motion and the vote was as follows: Mr. Peplow, yes; Ms. Chinnici-Zuercher, yes; Mr. Rauh, yes; Mr. Zawaly, yes; Mr. Sutphen, yes; and Mr. Fishman, yes. (Approved 6-0.)

Administrative Business

Ms. Chinnici-Zuercher expressed concern about Ms. Reiss' remarks. She asked that Mr. Zawaly's statement about "policing" formally be addressed. She said it was important that Commission actions, conditions, etc. be enforced by in the field. She said the volume of the Commission's work makes it impossible to remember the specific landscape conditions for each case. She said sufficient staffing was necessary to inspect and maintain records of compliance with conditions imposed by the Commission or any other board. She asked if it would be appropriate to send the recommendation to Council. Mr. Zawaly said the Chair could direct a letter to Council with comments from the record included. Mr. Rauh asked that a memorandum be sent to Council.

3. Zoning Code Amendment - Driveways

This case was tabled without discussion at the request of staff.

4. Zoning Code Amendment - Signs

Tom Rubey said the Commission gave no comments on this amendment to Chapter 1189 on September 21 because of the late hour. A formal recommendation vote was being requested.

He said a new sign code was approved in January 1995. Since then, the need for additional clarification has been discovered for several Code sections.

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Meeting

DAYTON LEGAL BLANK CO. FORM NO. 10228

Held October 2, 1995

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Mrs. Boring asked Ms. Fierce if in her viewpoint the Steering Committee has provided a vision statement that fulfills the requirement.

Ms. Fierce stated that under the definition in the report, she believes that it does fulfill the requirement. However, she was not actively involved in the development of the statement.

Mrs. Boring noted that she believes Mr. Zawaly's draft is somewhat too specific, and she hopes a balance can be achieved between the two versions.

Mrs. Stillwell applauded the work of the Committee in drafting the visioning statement. The Committee will continue to work on this document and she invited Council members to share their comments with the Council representatives to the Committee.

Mrs. King encouraged everyone to continue to keep the citizens and businesses informed about the progress of the Community Plan process, utilizing all of the communication forms available to the City.

There will be a third reading at the October 16 Council meeting.

Mayor Campbell noted that the next item on the agenda is the first of three consent items. Ordinance Nos. 100-95, 102-95 and 103-95 are proposed as consent items.

Ordinance No. 100-95 - An Ordinance Vacating a Sanitary Sewer Easement in Reserve A of Shamrock II. (Second Reading)

Ordinance No. 103-95 - An Ordinance Amending Section 1189 (Signs) of the Planning and Zoning Code. (First Reading)

He asked for a motion to waive the readings, introduce ordinances 102-95 and 103-95, hold Ordinance No. 100-95 over for third reading, refer 102-95 to Planning & Zoning Commission, and hold 103-95 over for second reading.

Mr. Zawaly so moved.

Mr. Strip seconded the motion.

Mrs. Boring requested that Ordinance No. 102-95 be removed from the motion since it involves a rezoning.

Mayor Campbell stated that Ordinance No. 102-95 would then be removed from the consent agenda and treated separately.

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

Ordinance No. 101-95 - An Ordinance Authorizing the Replacement of the Roof, Rooftop HVAC Units and Related Systems/Equipment and Installation of Screening for Rooftop Units for the 5800 Building, Waiving Competitive Bidding Requirements, and Declaring an Emergency. (Second Reading)

Mr. Hansley stated that a memo was provided by Mr. McDaniel responding to concerns raised at the last Council meeting. Staff is requesting emergency action tonight to ensure completion before winter.

Mr. Strip commented that he is satisfied with the responses provided by staff to his concerns. He disclosed that he had a professional relationship with the company proposed for contract. He has had no such relationship with the company for the past two years and therefore sees no conflict in voting upon this matter if his vote is needed for passage by emergency.

Mr. Smith responded that he agrees with Mr. Strip's evaluation.

Mr. Zawaly moved to waive the three-time reading rule and treat this as emergency legislation.

Mrs. King seconded the motion.

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

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

Ordinance No. 102-95 - An Ordinance Providing for a Change in Zoning for 34.4 Acres of Land Located West of Blazer Parkway and North of Tuttle Crossing from: PCD, Planned Commerce District to: PCD, Planned Commerce District. (Tuttle Crossing Subarea A) (First Reading) (Applicant: Duke Realty Limited Partnership, Donald J. Hunter, 4700 Lakehurst Ct., Suite 150, Dublin, OH 43017)

Mr. Strip introduced the ordinance and moved to refer it to Planning & Zoning Commission.

Mrs. Boring seconded the motion.

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

**DUBLIN PLANNING AND ZONING COMMISSION
RECORD OF ACTION
JUNE 15, 1995**

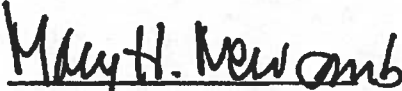
5. **Development Plan - Tuttle Crossing - The Atrium at Tuttle Crossing - 5525 Park Center Circle (Cont.)**
- 8) **That a right-of-way permit be obtained from the Division of Engineering to abandon existing storm sewer lines and that the abandoned pipes be grouted.**

*** Mark Marsh agreed to the above conditions.**

VOTE: 6-0.

RESULT: This Development Plan was approved.

STAFF CERTIFICATION


Mary H. Newcomb
Graduate Landscape Architect

4. Conditional Use/Corridor Development District Application CU95-005/CDD95-001 - Butts Property

Tom Rubey presented this case to permit the outdoor display of storage sheds on 0.665 acres on the southwest corner of SR 161 and Sawmill Road. The applicant proposes eight parking spaces and display of 12 storage sheds. The proposal includes maintaining existing curb cuts on SR 161 and the one on Sawmill Road and blocking off one existing curb cut with concrete wheel stops. The City of Columbus is in the process of widening the intersection of SR 161 and Sawmill Road. 112 feet right-of-way is required for both roads, which makes the actual buildable area on this site very small. According to the proposed plans, the storage sheds would encroach that right-of-way. He said the sheds will need either a foundation or tethering/stabilizing.

Mr. Rubey said additional letters from surrounding property owners and one from the Dublin Tree and Landscape Commission were distributed to Commission members prior to the meeting. All recommend disapproval. He noted the Tree and Landscape Commission would like to see this corner set up as a gateway to Dublin, as shown in the Community Plan. Other bases for recommending disapproval are the development standards of the Corridor Development District (CDD) are not met, the display may have a negative impact on surrounding properties, and the proposal is not consistent with the character of development established within the area.

Mr. Rubey said abandoned underground tanks need to be removed. He said studies were done in 1993 which indicated soil contamination.

Jeff Hakola, Local Manager of Heartland Industries, 5079 Columbus Pike, Lewis Center, said this is a good location for his operation. He said the placement of buildings on the site was taken from a drawing given him by Mr. Butts, but he can redo the drawings to see if the buildings will still fit on the site. He asked to be given time to talk further with Staff and have the application heard at a later date.

The applicant, Mr. Butts, was not present. Mr. Zawaly moved to dismiss this conditional use/Corridor Development District application because the applicant was not present. Mr. Sutphen seconded the motion. The vote was as follows: Mr. Fishman, yes; Mr. Ferrara, yes; Mr. Peplow, yes; Mr. Rauh, yes; Mr. Sutphen, yes; Mr. Zawaly, yes. (Dismissed 6-0.)

5. Development Plan - Tuttle Crossing - The Atrium at Tuttle Crossing - 5525 Park Center Circle

Mary Newcomb presented this case and slides. It is a review of a Development Plan under the PCD, Planned Commerce District, regulations to permit a 330,040 square-foot, five-story office building with an atrium. The site is 18.33 acres located on the north side of Park Center Circle within Subarea A of the Tuttle Crossing development. The area permits large scale multi-story

signature office buildings with densities up to 18,000 square feet per acre. This proposal is for 18,005 square feet per acre, and no parking structure is proposed.

Ms. Newcomb said the site will be developed in two phases, with a first tower of about 162,000 square feet to be constructed with parking for about 850 vehicles. The southern tower would be developed as Phase Two, with additional parking along I-270. Three access points are proposed, one of which is a boulevard entrance. An updated landscape plan was distributed before the meeting, which attempts to address concerns of breaking up the parking lot and provides additional plantings around the perimeter. The building is to be constructed of precast buff-colored concrete panels with a glass framing system. The roof mechanicals will be screened with parapets and there are proposed service areas on the south and north sides of the building which are to be screened.

Ms. Newcomb said the stormwater on the site is to be detained within the parking lot and will have to meet the requirements of the City Engineer. There will be a sidewalk located on the north side of Park Center Circle, which is consistent with the pedestrian plan of Tuttle Crossing. The proposed lighting plan is currently under review. No information has been submitted concerning signage. This site is eligible for a 300 square-foot building-mounted sign facing I-270. It will also maintain the standards that have been established on other large scale office buildings within the City and enhance the I-270 architecture.

Staff recommends approval of the Development Plan subject to the following seven conditions:

- 1) That the site be landscaped to preserve openspace and break up parking areas, in accordance with the Development Text and Code;
- 2) That the landscape plan comply with Code;
- 3) That all mechanicals units including rooftop units, cooling tower(s), transformers, dumpsters, and utility meters be screened to Code;
- 4) That the east edge of the parking lot be screened per Code within 36 months of occupancy unless the adjacent site is developed;
- 5) That stormwater meet the requirements of the City Engineer;
- 6) That lighting conform to the Dublin Lighting Guidelines; and
- 7) That a tree preservation plan providing for protection of the northern treeline be submitted prior to issuance of a building permit, subject to Staff approval.

Mr. Peplow asked for clarification of stormwater detention on the parking lot. Ms. Newcomb said the MORPC stormwater manual permits ponding within the parking lot up to six inches. The applicant may be requesting up to twelve inches. Randy Bowman said there have been two reviews of the stormwater calculations. Because of the topography of the site, the six-inch limit cannot be met. A compromise of nine inches of storage was reached and revised calculations have been submitted. The average depth of storage on a new submission is seven inches.

Mr. Zawaly suggested that the requirement for screening of mechanicals is inconsistent, and asked if language could be formulated to apply to future applications. His recommendation was "That all mechanical units, utility meters, and waste receptacles be fully screened per Code." He said the way Condition #3 is written, it is questionable as to whether dumpsters and utility

meters are included as mechanical units. Ms. Clarke read from the Code to clarify the need for screening dumpsters, etc. She said the conditions are specifically written for the details of each case.

Mr. Fishman asked whether the greenspace in the parking lot meets Code. Ms. Newcomb said the original submittal did not, and the most recent one is still under review. She said substantial amounts of landscaping have been added and is fairly certain it does meet Code.

Mark Marsh, Duke Realty Investments, said he agrees with all seven conditions as listed in the Staff Report. Additional trees have been added along the south and north property lines, and islands have been added in the parking lot. A tree preservation plan is currently being formulated. Negotiations are in progress with a 200,000 square-foot user that would bring 800 new jobs to the community.

Mr. Ferrara asked if the landscaping was bare minimum. Mr. Marsh said he believes they exceed landscaping requirements.

Mr. Ferrara asked whether the future site of the south tower would be well manicured prior to construction. Mr. Marsh said if the lease previously mentioned is entered into, both phases will be done simultaneously. If not, all perimeter landscaping and tree plantings, mass earthwork for the parking lot, The Atrium, and the building pad to the south, and grass would be planted.

Mr. Zawaly and Mr. Rauh complimented the developer on the project.

Randy Bowman said the two ponds being filled by the developer are linked by a storm sewer equalizer pipe. The ponds serve no stormwater management function, but the storm sewer pipe being abandoned needs to be filled with cement grout to avoid roadway failure. He asked that the developer apply for a right-of-way permit.

Mr. Rauh said it could be added as Condition #8. Mr. Marsh said he would get a permit.

Mr. Zawaly made a motion to approve this Development Plan because it is consistent with the Mt. Auburn study density recommendations, is compatible with adjacent and proposed development within the area, is consistent with the Community Plan, and conforms to the Tuttle Crossing Plan and Development Text, with the following eight conditions:

- 1) That the site be landscaped to preserve openspace and break up parking areas, in accordance with the Development Text and Code;
- 2) That the landscape plan comply with Code;
- 3) That all mechanicals units including rooftop units, cooling tower(s), transformers, dumpsters, and utility meters be screened to Code;
- 4) That the east edge of the parking lot be screened per Code within 36 months of occupancy unless the adjacent site is developed;
- 5) That stormwater meet the requirements of the City Engineer;
- 6) That lighting conform to the Dublin Lighting Guidelines;

- 7) That a tree preservation plan providing for protection of the northern treeline be submitted prior to issuance of a building permit, subject to Staff approval; and
- 8) That a right-of-way permit be obtained from the Division of Engineering to abandon existing storm sewer lines and that the abandoned pipes be grouted.

Mr. Fishman seconded the motion. The vote was as follows: Mr. Ferrara, yes; Mr. Peplow, yes; Mr. Sutphen, yes; Mr. Rauh, yes; Mr. Fishman, yes; Mr. Zawaly, yes. (Approved 6-0.)

6. Development Plan - Tuttle Crossing - Northwest Surgery Center - 4900 Tuttle Crossing Boulevard

Mary Newcomb presented this case to permit a 25,941 square foot outpatient surgery center. The site is 5.683 acres on the north side of Tuttle Crossing Boulevard approximately 350 west of Frantz Road. It is in Subarea C of the Tuttle Crossing Office Park. The first phase, located in the southern portion of the site, includes the outpatient surgery center with the majority of parking to the north and some on the east and west sides. 92 spaces are proposed, and Code requires 130. This facility is different than a typical medical office in that there are fewer patients who remain for longer periods of time. Staff supports deleting some parking. Access will be provided by a full-service curb cut off of Tuttle Crossing. The building is to be constructed in stucco stone in a gray rubble pattern with wood siding. The stain color has not yet been submitted. Staff would like to be assured when the grading plan is completed there will be a comparable finished floor elevation with this building and those to the east and west.

Ms. Newcomb said the landscape plan generally meets or exceeds Code requirements, and only minor changes are requested. The proposal shows a significant buffer along the west property line. To use the one IDI has installed along their parking lot, a formal landscape easement will be needed. No information has been submitted regarding signage, but it will have to conform to Code and the development text. Lighting appears to comply with the Lighting Guidelines, but Staff is requesting additional information including cut sheets.

Staff recommends approval of the Development Plan, subject to the following eight conditions:

- 1) That a grading plan be submitted, subject to Staff approval, which shows a comparable finish floor elevation with the IDI building and the Borrer building.
- 2) That a formal landscape easement be obtained from IDI or that appropriate landscape screening be installed along the west property line;
- 3) That the landscape plan be revised so that it is consistent with the site plan and conforms to Code;
- 4) That the proposed wood stain be submitted for Staff approval;
- 5) That lighting conform to the Dublin Lighting Guidelines;
- 6) That all mechanical units be fully screened per Code;
- 7) That signage conform to Code and be coordinated with other signage within the office park; and
- 8) That stormwater management meet the requirements of the City Engineer.