



MEETING MINUTES

Planning & Zoning Commission

Thursday, August 8, 2019

CALL TO ORDER

Ms. Newell, Chair, called the meeting to order at 6:30 p.m.

PLEDGE OF ALLEGIANCE

Ms. Newell led the Pledge of Allegiance.

ROLL CALL

Commission members present: Victoria Newell, Jane Fox, Kristina Kennedy, Mark Supelak
William Wilson, Warren Fishman

Commission members absent: Rebecca Call

Staff members present: Claudia Husak, Nichole Martin, Thaddeus Boggs, Chase Ridge

ACCEPTANCE OF DOCUMENTS

Ms. Kennedy moved, Mr. Wilson seconded to accept the documents into the record.

Vote: Ms. Newell, yes; Ms. Kennedy, yes; Ms. Fox, yes; Mr. Supelak, yes; Mr. Fishman, yes; Mr. Wilson, yes.

(Motion passed 6-0)

APPROVAL OF MINUTES

Ms. Kennedy moved, Mr. Fishman seconded to approve the July 11, 2019 meeting minutes.

Vote: Mr. Supelak, yes; Mr. Wilson, yes; Mr. Fishman, yes; Ms. Fox, yes; Ms. Newell, yes; Ms. Kennedy, yes.

(Motion passed 6-0)

Ms. Newell stated the Planning and Zoning Commission is an advisory board to City Council when rezoning and platting of property is under consideration. For those cases, City Council will receive recommendations from the Commission. For other cases, the Commission has the decision-making responsibility, and anyone who wishes to address the Commission on any of the administrative cases must be sworn in.

Ms. Newell stated that the agenda order is typically determined at the beginning of the meeting by the Chair. Case 19-058CU – Vantalash is eligible for the consent agenda tonight.

There were no objections to the case being heard by consent.

CONSENT AGENDA

Vantalash Salon, 6631-R Commerce Parkway, 19-058CU, Conditional Use

This application is a request for a personal service (beauty shop) use in an existing office building. The site is northwest of the roundabout of Commerce Parkway and Perimeter Drive.

Ms. Kennedy moved, Mr. Fishman seconded to approve the Conditional Use.

Vote: Mr. Supelak, yes; Mr. Wilson, yes; Mr. Fishman, yes; Ms. Fox, yes; Ms. Newell, yes; Ms. Kennedy, yes.

(Motion passed 6-0)

CASES

1. Germain Lexus of Dublin, 19-059INF, Informal Review

Ms. Newell stated that this application is a request for an addition of a 2,100-square-foot plaza with a canopy, wing wall and two new wall signs to an existing car dealership. The site is southeast of the intersection of West Dublin-Granville Road and Dublin Center Drive.

Case Presentation

Ms. Martin stated that this is a request for an Informal Review and non-binding feedback for a new 2,100-square-foot plaza with a wing wall, canopy, and two new wall signs for Germain Properties of Columbus, Inc., an existing car dealership located at the intersection of West Dublin-Granville Road and Dublin Center Drive. It is comprised of two parcels, with the new car sales facility located on the western parcel and the used car sales facility located on the eastern parcel. The site operates as a car dealership campus. A plaza currently exists in the proposed improvement location. The applicant is proposing to improve that plaza with a stone wing wall feature, 80 feet in length, 4 feet in width, and a variable sloping height of 23-25 feet with the lowest point at the south end of the wall. The drive will have an integral canopy structure for people traversing between the new and used car facilities. There will be a variety of seating options, as well as a vehicle display area, incorporated into the design. Two identical wall signs are proposed, which will be 40-square feet each, mounted at a height of 22 feet to the top of the sign. There will be the same black, internally illuminated channel letters. There are a number of existing signs on the site today. Should this case move forward, submission of a master sign plan will be required and a minor project review application for the site and structural modifications. The site is permitted three signs. The informal review requests feedback on five signs.

Discussion questions for consideration and feedback by the Commission include:

- 1) Is the proposed stone wing wall and associated metal canopy appropriate for the site?
- 2) Are the proposed improvements compatible with the existing architecture?
- 3) Does the site necessitate the need for additional signs and, if so, are the proposed signs compatible with the existing architecture of the buildings and existing signs?

Commission Questions

Mr. Fishman inquired if the extra logos on these signs would comply with the Sign Code.

Ms. Martin responded that they would not.

Ms. Fox inquired if the proposal complies with the Bridge Street District (BSD) Sign Design Guidelines.

Ms. Martin responded that the BSD Sign Design Guidelines complement the Code. They encourage more creative sign design and display within this district that may not be appropriate elsewhere in the City. The BSD Code was amended in 2017 to allow only preexisting auto-oriented buildings to have the preexisting signs, so they are not afforded as much flexibility as some of the new construction.

Mr. Supelak stated that this is being considered as one wall fin with two signs, one on each side. In some circumstances, it could be considered one sign, facing two directions.

Ms. Martin stated that staff has made the assessment that, because the signs are not back to back, they are actually two signs. The existing signs were approved previously.

Mr. Wilson inquired if the two additional signs are permitted, would the permitted square footage be exceeded.

Ms. Martin responded that they will exceed the total of 80 square feet permitted by a commercial business. This dealership already exceeds that total with an existing total of 120 square feet; three signs (40 sq. ft. ea.).

Applicant Presentation

Jonathan Grubb, Architectural Alliance, 49 E. 3rd Avenue, Columbus, OH 43201, stated that brands have image standards that dealers must meet. The Lexus brand standards are contemporary and monolithic with use of engineered stone, metal panels and glazing. Typically, improvements are made consistent with the existing design. However, they preferred a design that would infuse the new brand, yet complement the existing. The intent is to take an existing, programmed interior plaza and develop it into a space that is useful year round. It will provide display space and seating for day-to-day use but also space for potential events for their coworkers, customers and Dublin residents. The brand is moving toward use of their "L" logo on signage, which is typical on a blade wall. With the Master Sign Plan, there may be opportunity to work with the existing signage and reapportion it. The current proposal for the blade wall is proportional and suitable to the overall massing; however, they are willing to work with staff on this issue.

Ms. Kennedy inquired what is the need for the additional signage. Is it for directional purposes or is it primarily for the branding?

Mr. Grubb responded that is for both purposes. The "L" is the Lexus logo that people are familiar with, but as it is oriented on the site, it will have a clear presence from the street.

Mr. Fishman stated that he is not supportive of the additional signage. The site already has three signs, and one of those exceeds the height requirement. If a hardship is the reason for the request, i.e., lack of visibility to the public, an additional sign may be permitted. However, in this case, there is no hardship; this site and signage on S.R.161 is very visible. Perhaps if the applicant is willing to give up the existing sign that is larger than Code permits, the Commission could be supportive of the request. Recent requests for more signage have been made on the basis that the brand was requiring the sign. He does not object to additional signs if the signs meet Code. He is confident that there are cities in the country that require Lexus to meet their codes.

Ms. Kennedy stated that she, too, is not supportive of this proposed number of signs. However, she concurs with Mr. Fishman's suggestion that if the dealership were to compromise on the existing signage in lieu of the requested signs, the request could be considered.

Mr. Grubb responded that they would be willing to consider that option. He inquired if the square footage would be based on building frontages.

Ms. Martin stated per the standard Code, it is based on building frontage. The buildings are large, so it will be easily exceeded.

Ms. Fox requested a comparison of the height of the blade wall and the highest point of the other buildings.

Mr. Grubb that the wall matches the existing rooflines of the other buildings.

Ms. Fox inquired about the landscape design.

Mr. Grubb responded that they have not yet engaged an architect. Conceptually, the space will developed with permeable pavers and different hardscape textures, then infilled with a variety of landscaping.

Ms. Fox stated that the hardscape would be increasing from 315 square feet to 1,284 square feet. The hardscape in proximity to the building front has also been tightened. Because hardscape provides a strong element in an outdoor space, including some vertical landscape elements would soften the space on the corners. There is also opportunity to refresh the existing signage in a way to help it meet Code.

Mr. Grubb concurred.

Mr. Supelak stated that this is an attractive proposal, but for the proposal to go forward, the number of signs and the square footage will need to be negotiated. The Bridge Street Code states that a Master Sign Plan cannot be requested to allow a greater number of signs or greater visibility without unique consideration for how the signs are architecturally integrated and contribute to the vibrancy of the BSD. This proposal begins to do that.

Ms. Kennedy stated that a beautiful space has been proposed. In regard to the question concerning compatibility with the existing architecture -- are the materials matching or unique to the new building?

Mr. Grubb responded that they did not want to use the existing stone material. The color of the engineered stone product will match the existing stone, but have a more contemporary look. The heights and module size can be varied. The Lexus brand is more lenient regarding materials than some brands to help make the design contextual.

Mr. Supelak inquired if the emblem were to be etched into the stone, would it be considered a sign.

Ms. Martin responded that it would be considered a sign.

Mr. Wilson responded to the Informal Review questions:

1. The design is good. Even though it is more modern than used on the neighboring sites, it does link both structures.
2. The architecture also is more modern but blends. Natural materials within this area are used.
3. Lexus is better known today by its logo than any other signage, so he concurs that the logo should be considered a sign. Two existing signs should be removed to be compliant with the Code.

He believes this project would be a very nice addition to the community.

Mr. Grubb requested clarification of whether the two signs, one on either side of the blade wall, would be considered two signs.

Ms. Martin responded that it would be considered two signs.

Mr. Fishman stated that this is an attractive project, but the City looks as it does because the Code is followed except in cases of hardship. The trend of recent cases is to claim hardship due to the threat of the brand dropping their franchise if their requirements are not met. To date, that has never occurred. He would like to see their proposal meet Code. Concerning the proposed public space – the interior space will be used for the purpose of selling cars. It is not likely to be a public space.

Mr. Grubb responded that it will provide opportunity for their clients to host events there after hours.

Mr. Fishman inquired if the trees that will be removed would be replaced per Code.

Mr. Grubb responded affirmatively.

Ms. Fox requested an explanation of engineered stone.

Mr. Grubb stated that it is comprised of a panel that is faced with a product that looks and feels like stone. It is an architectural façade system.

Ms. Fox stated that real stone has been used on the existing buildings. Was consideration given to using a real stone veneer?

Mr. Grubb responded that they would look into that.

Ms. Fox stated that in previous cases where the City has approved engineered products, the synthetic product often has not achieved the same look as the authentic material. She is not familiar with this product, but it would be preferable to have a true stone product on the building. Its timelessness would create a better look.

Mr. Grubb responded that they would provide material samples when the case returns for PZC review. The engineered product is the current trend because it achieves the desired look, is easier to install, and from a maintenance and durability standpoint, is far superior.

Mr. Fishman stated that he finds the purported maintenance superiority interesting. He recently visited a site where engineered stone had been used and was deteriorating.

Ms. Newell noted that there are different levels of quality in the product.

Ms. Fox stated that, in regard to the proposal's compatibility with the existing architecture, this proposal is compatible, and typically, car dealerships are not. Activating their outside space for their customers in a nontraditional, comfortable way is commendable.

Ms. Newell stated that she likes the infill proposal. She agrees that use of a natural stone product would be more complementary, given that it already exists on the buildings. If engineered stone is used, it needs to match the existing stone. She likes the design. This is a creative way in which to display automobiles. In regard to the signs, she believes the proposal needs to meet Code, unless the applicant has developed a master sign plan that truly meets the intent of a master sign package.

2. Dublin Rehabilitation Hospital, 19-028FDP, Final Development Plan

Ms. Newell stated that this application is a request for the construction of an approximately 48,000-square-foot rehabilitation hospital providing 40 inpatient beds. The site is south of Emerald Parkway, approximately 750 feet southwest of the intersection with Sawmill Road.

Ms. Newell swore in any members of staff and the public wishing to provide testimony on the case.

Staff Presentation

Mr. Ridge stated that the Commission provided an Informal Review of this proposal at their June 20 meeting, and parking, the west lawn, architecture and connectivity were identified as the primary issues. The 5.8 acre site is located on the south side of Emerald Parkway, approximately 550 feet southwest of the intersection with Sawmill Road, and is zoned PUD - Planned Unit Development District – Northeast Quad, Subarea 5B. The proposed site plan retains the orientation that the Commission viewed on June 20. The main entrance faces south on Summer Drive. The central amenity area for patients, located between the two patient wings of the building, faces north towards Emerald Parkway. The lawn remains to the west of the primary structure. In response to the Commission's guidance at the Informal Review, the applicant has increased connectivity throughout the site. The west lawn has been re-designed with two new patios and a meandering path connecting the north parking to the south parking area and the adjacent sidewalks. The proposed character of the building has been updated, providing architectural relief to the east and west elevations. The south elevation remains unchanged. The single drive aisle around the building provides access throughout the site. The refuse and delivery drive on the east side of the building facing Sawmill Road remains unchanged. The proposed sign is 7 feet in height, 50 sq. feet in width and comprised of three colors – black, silver and white. There is an 11-foot setback and a stone wing wall extending down Summer Drive. An aluminum canopy overhang area is provided for patient drop-off/pickup.

The proposed Minor Text Modification is consistent with all applicable review criteria, and approval is recommended for the following text modification:

- 1) To modify the development text to permit a decrease of the parking requirement for a hospital to two spaces per 1,000 square feet.

Staff recommends approval of the Final Development Plan with one condition.

- 1) That the applicant continue to work with Engineering to demonstrate stormwater management compliance in accordance with Chapter 53 of the Dublin Code of Ordinances.

Commission Questions

Ms. Fox noted that she had asked staff to provide a parking space comparison with the other rehabilitation hospital within the City.

Mr. Ridge responded that the Heartland Rehabilitation Center on Emerald Parkway/SR 161 is a skilled nursing facility. The Code required the facility to provide 100 parking spaces; they provided 131 parking spaces. The 65,000 square foot facility has 120 beds. However, Heartland is zoned as a skilled nursing facility, not a hospital, so its requirements are different.

Ms. Fox inquired the parking ratio requirement per bed and per employee for a skilled nursing facility.

Mr. Ridge responded that the Heartland facility was required to provide one parking space per six beds and one space per employee on the larger shift.

Applicant Presentation

Applicants Present:

Jack Reynolds, Smith and Hale, 37 West Broad Street, Columbus, Ohio; Brian Wentworth, America Development and Investments, LTD, 7006 Chantilly Lane, Dallas, TX 75219; Jeffrey Jones, America Development and Investments, LTD, 9 Brittonwoods Way, Dallas, Texas, 75220; Dan Negley, 4328 Trindel Way, Columbus, Ohio.

Mr. Reynolds stated that they appreciated the Commission's guidance in June. The applicant has improved the project according to the recommendations provided. They also have demonstrated ability to provide the 175 parking spaces required for a hospital, although that number would over park the site. The applicant has provided current parking information regarding their other seven facilities, which shows an excess of parking spaces on those sites.

Commission Questions for Applicant

Ms. Fox stated that she believes the view of the site from Emerald Parkway and the green area would be improved if there was no parking between the pond and the sitting area. Perhaps the 15 employee parking spaces located there could be relocated to the north end.

Mr. Jones explained that those spaces were added in response to Engineering's request to move the drive on the southeast side, which eliminated some parking spaces there, but they can accommodate that suggestion.

Ms. Fox noted that during her visits to another rehabilitation center in Dublin, she observed patients crossing the street to sit at a pond located at an adjacent business. There is an opportunity to take advantage of the pond on this site and create a sitting space. It would add even greater enhancement to that greenspace. In regard to the windows, those on the south façade do not have as much interest as the windows on the patient wings. She appreciates the canopy and variety in materials.

Mr. Jones suggested that lentils could be added to the windows on that façade, which is the administrative wing.

Mr. Reynolds noted that lentils that match the color of the wing wall could be added.

Mr. Wilson concurred that lentils would enhance the appearance of the windows.

Mr. Jones stated that they would be willing to do so.

Mr. Fishman inquired if the lot coverage requirements are met.

Mr. Ridge responded that they are meeting the density requirement.

Mr. Fishman responded that his concern is that the facility eventually will be expanded. There is not much room on the site to accommodate expansion. Parking would need to be added and greenspace would have to be eliminated. A condition should be added to address that potential occurrence.

Ms. Newell noted that if that need should arise, the applicant would be required to return to the Commission for review and approval of an Amended Final Development Plan.

Mr. Jones agreed that the only place to expand would be within the lawn area, but they understand that they may not ever be expanding this facility in the future. If the facility should become filled to capacity, it is likely they would build another facility. In other cities, they have facilities 7-8 miles apart.

Mr. Wilson inquired the reason a second floor expansion was not a possibility.

Mr. Jones stated that at the outset of the project, the neighborhood was opposed to a two-story facility. This is the largest site (5.8 acres) on which they have built a single-story facility.

Mr. Supelak stated that the applicant has addressed the Commission's concerns – demonstration of ability for additional parking spaces, connectivity, landscaping and patio, and addition of relief on the patient wings. With the addition of window lentils and relocation of the parking, as noted, he is satisfied with the plan.

Ms. Kennedy thanked the applicant for their willingness to take the Commission's feedback and make meaningful changes to the site.

Ms. Newell stated that she appreciates that the applicant listened and has come back with a revised plan that addresses all issues. This will be a very nice facility.

Ms. Fox stated that the stone benches on the patios are attractive, but not particularly comfortable. In addition, the landscaping plan provides for trees to be located away from the patio, so they do not actually shade the patio.

Mr. Negley responded that there are actually three benches, including some traditional benches, on the main patio.

Ms. Fox suggested that if they have gone to the effort to create the spaces, they should also attempt to include comfortable seating and shading. Otherwise, the money is being spent for something that looks good but is not used. She would encourage them to enhance the seating areas and add some seating by the ponds.

Mr. Reynolds noted that trees could be added behind the benches.

Ms. Fox stated that the landscape already contains some nice landscaping around the pond. She would suggest adding some seating near the pond. The investment to the greenspace will improve patient satisfaction. She compliments them on adding circulation to the adjacent retail area. Families of recovering patients will appreciate that connection.

Mr. Jones stated that in their first iteration, they had included a sidewalk and a bench near the pond, but concern was expressed about the need to cross a drive.

Ms. Fox suggested that it be added back to the plan. Stamped concrete or brick or another method could be utilized to identify the crossing area.

Mr. Negley stated that midway on the south lot, there is a crossing to the outside sidewalk.

Ms. Fox suggested that a crossing to the pond be included.

Mr. Reynolds stated that the sidewalk could be extended west from the patio to the pond.

Mr. Negley noted that there is a slight grading issue that will need to be addressed.

Mr. Wentworth noted that discretion is necessary to place it where it is safest for the patients.

Mr. Reynolds noted that the pond shape was altered slightly due to Engineering's request, so they will need to identify a location for a safe crossing.

Ms. Fox stated that a condition could be added that they work with staff to identify an appropriate location.

Ms. Newell inquired if the applicant is in agreement with the conditions as indicated on the screen. The applicant indicated that they were in agreement.

Ms. Kennedy moved, Ms. Fox seconded to approve the Minor Text Modification.

Vote: Mr. Supelak, yes; Mr. Wilson, yes; Ms. Kennedy, yes; Mr. Fishman, yes; Ms. Fox, yes; Ms. Newell, yes.

Ms. Fox moved, Ms. Kennedy seconded to approve the Final Development Plan with the following 5 conditions:

- 1) That the applicant continue to work with Engineering to demonstrate stormwater management compliance in accordance with Chapter 53 of the Dublin Code of Ordinances;
- 2) That the applicant revise the window detail along the south elevation to add lintels and sills with material that matches the stone wing wall;
- 3) That the applicant revise the site plan to relocate the proposed parking spaces along the western portion of the drive aisle, adjacent to the pond, to the north of the drive aisle to create a vista to the pond;
- 4) That the applicant add seating near the pond in a patio setting; and
- 5) That the applicant provide a direct sidewalk connection from the building to the pond area.

Vote: Ms. Fox, yes; Ms. Newell, yes; Mr. Supelak, yes; Mr. Wilson, yes; Mr. Fishman, yes; Ms. Kennedy, yes.

(Motion passed 6-0)

3. Doubletree Hotel by Hilton, 600 Metro Place North, 19-050AFDP, Amended Final Development Plan

Ms. Newell stated that this is a proposal for demolition of an existing conference center and renovation of a three-story 124,000-square-foot hotel.

Ms. Newell swore in any members of staff and the public wishing to provide testimony on the case.

Case Presentation

Ms. Martin stated that this a request for an Amended Final Development Plan. The Commission has not previously seen a Preliminary Development Plan or Final Development. This is an older development zoned and developed prior to Dublin being incorporated as a city. It is unclear how some of the conditions have come into existence. Since the time of its development, however, the property has been rezoned a number of times. It is currently zoned Planned Unit Development District (PUD) so must follow the PUD process for any modifications desired. When making changes to a previously approved site, it requires an Amended Final Development Plan. The proposed amendment must be consistent with the general site layout and development standards for the existing structure. This is an approximately 11-acre site, located north of Upper Metro Place and south of the I270 off ramp to US33E. The site is comprised of two parcels. The parcel line does bisect the approximately 130,000 sq. ft., three-story Crown Plaza Hotel. With this application, the applicant is proposing to rebrand the facility with extensive exterior and interior renovations to make this a Doubletree Hotel. A significant amount of parking surrounds both of the existing structures. The applicant is proposing to retain the parking area as well as approximately the same number of spaces. The applicant is also proposing demolition of the existing 40,000 sq. ft. convention center, which is entirely on the east parcel. That area would be regraded and reseeded with grass. There will be exterior modifications to the hotel. The applicant is proposing to re-veneer the entire building with a new brick. The applicant's architect provided two material samples. The first is ACME brick in a Pikes Peak color (beige), and the second is a Belden brick in an Ivory Bay (beige). Staff recommends the ACME brick as it has less tonal variation and texture. The main hotel entrance at the southeast corner of the building is proposed to be highlighted with a Cultured Pro-Fit Alpine LedgeStone in a Dark Ridge (black/gray) color. Specifically, a stone water table and stone columns are proposed. The entry will have a new black standing seam metal roof to differentiate the entrance from the rest of building; new black asphalt shingles are proposed for the remainder of the building. Due to the construction and demolition activities, some tree removal and landscape replacement will occur, including removal and replacement of 21 trees with 41 trees and the addition of 502 new shrubs along the perimeter of the site. Minimal parking improvements are proposed. The parking lot has deteriorated along with the building over time, and the applicant will work with City Engineering to ensure the parking lot is maintained to the City's standards. Staff recommends approval of the Amended Final Development Plan with two conditions:

- 1) That the applicant select the ACME brick in a Pikes Peak color; and
- 2) That the applicant repair the existing pavement to acceptable professional engineering standards subject to the satisfaction of the City Engineer, and in coordination with the property owner, prior to issuance of occupancy.

Commission Questions

Mr. Supelak inquired if there will be a need for the 520 parking spaces when the conference center is eliminated.

Ms. Martin responded that the parking space requirement is approximately 245 spaces, which is significantly less than what they will have.

Ms. Kennedy inquired if staff is satisfied with the proposed greenspace improvement.

Ms. Martin responded affirmatively. The applicant has indicated their intent to redevelop the remaining portion of the site. No formal conversations have occurred. As a temporary condition, it does satisfy the Code requirements.

Mr. Fishman stated that he is disappointed that the intent is not to resurface the entire parking lot, which is in a current state of disrepair. The intent to "repair existing pavement to acceptable professional engineering standards" means it will function properly. It does not mean it will look good. With this project, there is an opportunity make the investment and resurface the entire parking lot, and it will look good for many years.

Ms. Fox referred to the proposed landscape plan. Was there any consideration for also updating the entrance? She is concerned about the large, open greenspace that invites the question of its purpose.

Ms. Martin responded that, given the amount of improvements that will occur on this site, the applicant is required to come into full landscape compliance, which addresses the vehicular use areas and not the ornamental areas, such as the entry point. She will defer to the applicant to provide greater explanation of the reason no improvements are proposed for the grassy area.

Applicant Presentation

Aakash Patel, Principal, The Witness Group, 600 Enterprise Drive, Lewis Center, Ohio; Steve Hermiller, Principal, and Michael Lenz, Landscape Architect, Mannik Smith Group, 1160 Dublin Road, Columbus, Ohio; Bobby Morris, Principal Architect, Morris Workshop Architects, 4404 Simpson Lane, Richmond, Kentucky represented the applicant.

Mr. Patel, The Witness Group, stated that they purchased the property in September 2018. The property has had a 30-year history in Dublin. The Witness Group has several hotels in the area. They own and manage 30 hotels, most of which they have developed. The group is a result of a merger of two Ohio family businesses, one from Dayton and the other from Lewis Center. They purchased the hotel with awareness that it would require a significant renovation. They believe the best update from a guest experience standpoint and for the community would be to completely strip out and rebuild the hotel. The structure is somewhat limiting, but by investing in the exterior and interior upgrades, it is possible to completely change the property. The project will require the facility to be closed for several months. Their team has met with Mr. Gracia of the City's Economic Development division and additional City staff members, who have assisted them in this effort.

Ms. Fox stated that this will require a significant investment. It is a beautiful design. In particular, the standing seam roof in front is quite complementary. She requested additional information about plans to resurface the parking lot and improve the landscaping, including that in the interior open space.

Mr. Hermiller, Mannik Smith Group, stated that the discussions with staff have not focused on investing in a significant amount of infrastructure in anticipation of a potential additional

development on the site. The grassy area preserves that site for a potential additional development to be identified within the next year. The intent is to move in phases on this site, methodically planning the construction schedule. They will be meeting with the construction team to identify how the renovations with the site work will occur and to address part of the pavement rehabilitation or maintenance thereof. They do not want the site to appear in disrepair, given the amount of money being invested. They will be reinvesting more in the near future and that is the reason the landscaping will be grass for now. Until that future development occurs, the hotel patrons can use the grassy area temporarily as recreational space.

Ms. Fox inquired about the intent for the landscaping in front of the facility, particularly the landscape island. Is there intent for any immediate improvement?

Mr. Lenz responded that the existing landscape is mature and worth keeping, so the entry aisle simply needs to be cleaned up and maintained. Where the accessible parking is located on the side, the ends of the large shrub will be kept, but the rest of it will be eliminated and that area re-landscaped to meet the accessibility needs.

Ms. Fox inquired if the existing conference center will be eliminated, is there intent to create any future meeting space for this hotel.

Mr. Patel responded that they have had two conversations regarding meeting space needs, one with the Crowne Hotel general manager and team, and the second with Hilton Doubletree brand. At this point, the conference center is generating some local business, but none of that increases room nights. They have been informed that there are other meeting space options within the area that are superior to what is available at this location. Due to the lack of market demand, the decision was made not to invest the money in a conference center that is not used often, but to renovate the rooms and focus on the guest experience. To that end, they will be reducing the hotel room count from 215 to 174 rooms, which will add approximately 2,500 square feet back into the hotel area, and in lieu of the conference center, approximately 4,000 square feet of conference and boardroom space will be provided in the hotel.

Mr. Fishman stated that he has no objection to leaving the greenspace, as future development will be identified for that area. He does have an issue with the parking lot, however. It is important the applicant abide by their initial commitment to repave the parking lot. Repavement has a long-term benefit.

Mr. Patel stated that they have discussed with staff the fact that resealing and restriping is not a long-term solution. However, repaving the entire lot is a significant investment. They are having discussions with Hilton Marriott and the larger brands at this time to determine what the optimal use would be for the right side of the parcel. They do not want to repave the entire parking area and within two months tear it up again, because there may be a gap between the opening of the Doubletree and the start of that next project. The renovation costs exceed the purchase costs, so they definitely do not want the hotel patrons to have a negative impression of the parking lot. They are attempting to find the best solution from a visual and financial standpoint. The revised language of the current condition provides them the ability to work with City staff to ensure the best solution. They want to make sure that their certificate of occupancy is not tied to repaving the entire lot. However, they are likely to have a decision before the Doubletree Hotel opens regarding how the conference center parcel will be redeveloped after the structure is removed.

Mr. Fishman inquired if they would be willing to make a commitment that after the second parcel is developed, the entire parking lot will be repaved.

Mr. Patel responded that if it seems that certain areas of the lot were fine, so he hesitates to overcommit.

Mr. Hermiller stated that they, their construction team and the City Engineer's team would be meeting to assess the site together.

Mr. Fishman inquired if the portion of the lot related to the Doubletree Hotel would be repaved.

Mr. Patel responded that if the City Engineer's team identifies any areas that can be salvaged and the desired aesthetics can be assured, that would occur. The City Engineer's office must approve that project prior to their hotel opening.

Mr. Fishman stated that he has observed this scenario previously. Repairs are made and a "functional" solution is achieved, but that does not equate to a new parking lot for a new hotel. He was disappointed that the original commitment to resurface the entire lot had been revised. However, he would agree to a condition that the portion of the parking lot serving the Doubletree Hotel be repaved before an occupancy permit is issued, and the portion serving the second parcel could be repaired in the interim, but completely resurfaced when the second project occurs. A functional solution is not synonymous with an aesthetic solution.

Mr. Hermiller responded that the difference in the definitions for repaving and resurfacing is unclear, as well.

Mr. Fishman stated that he is trying to assure that when the second hotel or project is completed, the surrounding parking lot for those two structures has a consistent, like-new appearance.

Mr. Wilson stated that when the conference center is removed, the number of parking spaces needed for the Doubletree Hotel should be reduced until the second project occurs.

Mr. Patel responded that there is a second access point. They have discussed the potential for closing that access because there are sufficient parking spaces nearer to the Doubletree Hotel side.

Mr. Wilson stated that the second building could be oriented in a different position than the existing building. Would the applicant be willing to having that space as a greenspace until the second development occurs?

Mr. Patel responded that, given the current parcel lines, it would be discussed with the brand, which has their own landscaping requirements. If a second hotel that is appropriate for both them and Dublin is not identified, a future lot split could be considered. Removing the rest of the asphalt and making it greenspace would make a lot split possible.

Mr. Hermiller stated that when the second development occurs, the aggregate need of both structures could be 100 less spaces. In that case, some of the more unsightly areas of pavement could be removed and the landscaping adjusted accordingly. They are committed to the current plan, but because another brand could be involved on the second parcel, some components are tenuous.

Mr. Fishman indicated that Mr. Wilson's suggestion for greenspace in the interim would be acceptable to him.

Mr. Patel responded that he wants to avoid a duplication in costs. He would like the flexibility of identifying what that second project will be. A two-month window after they have occupancy for the Doubletree to identify what that will be would help avoid a duplication in costs.

Mr. Fishman stated that he wants to clarify that what will serve as parking lot for the Doubletree Hotel will be repaved, and a condition that by the time the Doubletree opens, the parking for the other parcel is either repaved or converted to greenspace.

Mr. Wilson stated that the risk is that the second project that is intended to be identified by the time this hotel opens might occur as planned, but it may not occur until 2022 or 2025. The Commission is not satisfied with there continuing to be an unattractive piece of property immediately adjacent to the Doubletree Hotel and is attempting to assure that does not occur.

Mr. Patel inquired if they had submitted an application for a second project, but it was not yet approved within the designated timeframe, would that meet the intent?

Mr. Supelak stated that he understands their intent is to have a like-new condition when the hotel is completed, but they do not want to put something down and tear it up for construction of the second project.

Mr. Newell stated that if the applicant extends the effort and installs new pavement, which is followed by additional development on the adjoining parcel, construction vehicles on the adjoining site would tear up the new pavement. Architects are aware of other options that are available, such as compacted bases, when future adjacent construction is anticipated. New pavement will not survive the construction traffic. On the other hand, tearing up the asphalt to replace it with grassy area would necessitate exporting all of the existing gravel and asphalt, then importing fill and top soil, only to then export it all again if the second development occurs. Would the Property Maintenance Code provide opportunity to address the property aesthetics if the property were not to be developed for a period of time?

Mr. Fishman stated that the Commission would be allowing it to become an enforcement issue.

Mr. Supelak stated that it appears the applicant is amenable to repaving the parking lot to a "like-new" condition, but desires to identify the second project first and avoid cost duplication. Could a condition be included that the parking lot be completed by some date specific?

Mr. Fishman stated that instead of a date, it should be tied to the hotel occupancy permit. If the second project is not identified by that time, the additional parking area must be repaved or the asphalt removed and replaced with a grassy area. It would involve stripping off the blacktop, leaving the gravel but covering with a couple inches of top soil that can be seeded. The area can be maintained by mowing until a second project occurs.

Ms. Newell stated that it would take more than two inches of top soil to convert that area. It would be essential to remove the gravel.

Mr. Patel stated they would be willing to agree that by the time a certificate of occupancy is issued for the hotel, one of the following three would occur: the parking lot would be repaved, or the asphalt would be removed and replaced with a grassy area, or an application for a second development project would be in process.

Mr. Fishman noted there is risk that the project would not be approved.

Mr. Patel suggested the language be altered to state that two months after the Doubletree Hotel opens, a second project application has to be approved.

Mr. Boggs stated the issue is that while the applicant anticipates having an application in process for the parcel on which the conference center now sits, there is nothing concrete at this time and that might not occur for a few years. The challenge is tying the occupancy of the Doubletree to work that is done on the other portion of the site. The Doubletree cannot secure a hotel license from the State of Ohio without a certificate of occupancy. It would be preferable to state that the applicant will work with the City Engineer to repair the parking lot serving the Doubletree Hotel, and additional space would be allowed for ingress and egress of construction traffic, so that new pavement is not damaged by adjacent construction. He inquired the anticipated date of the hotel opening.

Mr. Patel responded that he would estimate late summer or early fall 2020.

Mr. Boggs stated that if a certificate of occupancy is issued to the Doubletree Hotel, the only option to enforce compliance to the condition regarding the remainder of the parking lot would be to file a Code Compliance Action. It is difficult to identify satisfactory language for both parties that also provides a reasonable enforcement mechanism. Perhaps the condition could be that if a Final Development Plan for the second project is not approved by June 2020, the portion of the parking lot not serving the Doubletree would either be replaced, covered with fill and planted, or a thin, skim coat of blacktop be applied to the surface to make it aesthetically pleasing. As Ms. Newell has indicated, there is more than one repaving solution.

Ms. Newell described the different techniques for resurfacing or for repairing the pavement. It is possible to repair the potholes, reseal and restripe the parking lot, and have it look aesthetically pleasing. The techniques she described are all acceptable professional engineering standards for repairing pavement. Schools, businesses and the City itself utilize those repair techniques. The condition suggested by staff is appropriate and adequate.

Ms. Martin stated that Planning staff and an Engineering staff member worked with the applicant earlier today to establish the condition language. The applicant had contacted staff about their difficulty with the previous language that was not drafted by Engineering. The revised language was provided by Engineering, and allows the needed flexibility but also requires a certain level of assessment by both parties to ensure the repaving meets both functional and aesthetic needs. There is an Engineering Code that has been used in the past for other properties that have experienced deterioration. Engineering is comfortable with enforcing that Code and reviewing it at the building permit stage. Engineering believes the recommended language provides for that enforcement.

Mr. Hermiller noted that he appreciates the alternative offered for implementing a grassy space solution. However, the Engineering Code suggests that once the asphalt is converted to grass and then back to impervious pavement, it will be necessary to invest more money into stormwater conditions and stormwater quality. What initially may seem to be a simple solution is not simple from an engineer's perspective. For that reason, they do not want to remove asphalt and then have to replace it, plus have the unnecessary costs of importing and exporting materials. They

believe Engineering has provided the language that meets the City's standards and enforcement needs, and they have agreed to that language.

Mr. Wilson inquired if a condition is added that requires that the entire parking lot be resurfaced but later, a second project with a great brand is identified, could the applicant request that the condition be amended?

Mr. Boggs stated that it would require a new application for an Amended Final Development Plan.

Mr. Fishman stated despite intentions, situations can change; for instance, the applicant could choose to do sell the property if the right offer was received.

Mr. Boggs noted that the hotel is located on a portion of the second parcel.

Mr. Fishman responded that the lot could be subdivided.

Ms. Martin stated that the applicant had asked to subdivide the site in advance of this application. Staff determined that the subdivision could not be approved, because it would create a greater nonconformity than already exists. Parking is the primary use, and a lot cannot be created that would have parking as the primary use. It will be necessary for the applicant to retain the existing lot line configuration until they have an approved Amended Final Development Plan for a development on that parcel that would serve as its primary use.

Mr. Patel stated that the intent is to have a second hotel or project identified as soon as possible. Their group owns and operates 30 hotels, 27 of which they have built. They have owned them all for 10-15 years. They do not buy and flip hotels. An opportunity such as this in Dublin does not come often. They believe the condition recommended by Engineering protects the City yet also provides them the ability to work with Engineering to identify the best solution.

Mr. Supelak expressed support for the request with the recommended condition. He understands the intent is to tie the enforcement to the issuance of the certificate of occupancy. Can the applicant obtain a temporary certificate of occupancy if the timeframe stipulation is not fulfilled, but is nearly completed? If so, what timeline exists on a temporary certificate of occupancy?

Ms. Newell stated that a temporary certificate of occupancy is a provision in the Zoning Code, but the Zoning Code is different from the Building Code. With the latter, denial of building occupancy would require a catastrophic situation.

Ms. Husak stated that it is not possible to request the Building Department to tie their issuance of a certificate of occupancy to a zoning issue.

Ms. Newell stated that she believes the applicant has proposed very attractive improvements to this building and the suggested condition is fair. She is satisfied with that condition. The Commission needs to trust City staff and the City Engineer. She is supportive of this application.

Ms. Kennedy concurred with the Chair's position and defers to the City Engineer on the recommended condition. She is supportive of this application.

Ms. Fox concurred with the Chair. She requests that staff communicate the Commission's discussion on this case to the City Engineer. She agrees that the Commission should trust the City Engineer on the appropriate solution.

Mr. Wilson stated that the discussion has focused on the parking lot, but not on other matters, such as walkability, which would make this hotel more accessible to the rest of Metro Center. It is important that hotel patrons have access to the sidewalks. There appears to be only one point of access. Are there other ways in which to enhance the connectivity between the street and the hotel?

Mr. Lentz responded that a bikepath on the north side of Metro Place extends across the front of the hotel site. There was no sidewalk to the current hotel, but they have installed a walking path in the limited area available, aligned in the best manner for accessibility. When a subdivision of the site occurs, only a narrow piece will remain along the Doubletree Hotel frontage, which will provide the shortest and best alignment to the door.

Mr. Hermiller stated that it is a six-foot-wide walk, well in excess of ADA standards.

Mr. Fishman inquired if the applicant is in agreement with the brick recommended by staff.

Mr. Morris responded affirmatively, with the caveat that if the brick is discontinued, they have opportunity to submit an alternative for approval.

Ms. Husak stated that there is provision in the Zoning Code that permits staff to approve an equivalent material, if a selected material has been discontinued.

Ms. Newell inquired if the applicant is in agreement with two conditions, as stated.

Mr. Patel indicated that they were in agreement.

Ms. Kennedy moved, Mr. Fishman seconded, to approve the amended final development plan with the following two conditions:

- 1) That the applicant select the ACME brick in a Pikes Peak color; and
- 2) That the applicant repair the existing pavement to acceptable professional engineering standards subject to the satisfaction of the City Engineer, and in coordination with the property owner, prior to issuance of occupancy.

Vote: Mr. Fishman, yes; Ms. Kennedy, yes; Mr. Supelak, yes; Mr. Wilson, no; Ms. Newell, yes; Ms. Fox, yes.

(Motion passed 5-1)

Communications

Ms. Husak stated that a large public attendance is anticipated at the PZC meeting on August 22. Overflow seating and a monitor will be provided in the lobby to provide additional seating and viewing opportunity.

Ms. Newell inquired if staff was aware that the McDonald's structure undergoing renovation on SR161 is having thin brick placed over the entire exterior of the building, which is inconsistent with the presentation made to the Commission. The applicant stated specifically that a whole white brick would be used, which would match the existing brick on the lower portion of the building.

Ms. Husak stated that staff would review the matter.

Mr. Supelak inquired about the process being used.

Ms. Newell responded that they appear to be using an appropriate system for that application.
Mr. Fishman inquired if it was applied immediately over the old brick.
Ms. Newell confirmed that it is.

Ms. Fox inquired what the City's options are when the applicant does not comply with the terms of the Commission's approval.

Ms. Husak responded that they would check the building permit. However, if the permit was issued for something other than approved, that was a staff error. An option could be to have the applicant return and request the change be made. Potentially, the Commission could include conditions to make it consistent with what has been applied.

Mr. Boggs stated that they would have to check the building permit, the Building Code, and what was submitted in terms of the actual construction plans. Perhaps a stop work order could be issued. Potentially, they could be cited to Mayor's Court or Environmental Court. There are not many enforcement opportunities. If the masonry installed is not consistent with their construction plan, it may not pass an inspection.

Ms. Newell stated that thin brick is a permissible building material, which is what a Building official would look for. The Building staff would not be aware if it was inconsistent with the testimony given to the Commission.

Ms. Fox requested that staff bring back their findings on the matter to the Commission. If it is easy to alter materials after the entire review process and there is no recourse available to the City to penalize the applicant, that is a policy question for City Council.

Ms. Kennedy inquired the anticipated completion date for the pedestrian bridge.
Ms. Husak responded that the target date is later this year.


Chair, Planning and Zoning Commission
Deputy Clerk of Council