



MEETING MINUTES

Planning & Zoning Commission

Thursday, May 7, 2020

CALL TO ORDER

Ms. Call, Chair, called the meeting to order at 6:30 p.m. and provided the following opening remarks: "Good evening and welcome to the May 7 virtual meeting of the City of Dublin Planning and Zoning Commission. We are living in extraordinary times. Both the State of Ohio and the City of Dublin have declared states of emergency. The Ohio Legislature passed several emergency laws to address the pandemic, including the ability for public entities to have virtual meetings. We appreciate this ability to maintain our continuity of government. For the duration of the Stay at Home Order, we will be holding our meetings online and live streaming those meetings on YouTube. You can access the live-stream on the City's website. In order to submit any questions or comments during the meeting, please use the form under the streaming video on the City's website. These questions and comments will be relayed to the Commission by the meeting moderator. We want to accommodate public participation and comment to the greatest extent possible. We welcome your comments on cases, please use a valid name and address when submitting your comments, and please refrain from making any inappropriate comments. This is not a perfect system, but we will do our best in these difficult times. We appreciate your patience."

PLEDGE OF ALLEGIANCE

Ms. Call led the Pledge of Allegiance.

OATH OF OFFICE

Mayor Amorose Groomes administered the Oath of Office to the Planning and Zoning Commission (PZC) appointee Lance Schneier.

ROLL CALL

Commission members present: Mark Supelak, Rebecca Call, Kristina Kennedy, Leo Grimes, Jane Fox, Warren Fishman, Lance Schneier

Staff members present: Jenny Rauch, Claudia Husak, Nichole Martin, Zachary Hounshell, Michael Hendershot, Thaddeus Boggs

ACCEPTANCE OF DOCUMENTS

Mr. Grimes moved, Ms. Fox seconded to accept the documents into the record.

Vote: Mr. Supelak, yes; Ms. Kennedy, yes; Ms. Call, yes; Mr. Grimes, yes; Mr. Fishman, yes; Ms. Fox, yes; Mr. Schneier, yes.

[Motion passed 7-0]

Ms. Call stated the Planning and Zoning Commission is an advisory board to City Council when rezoning and platting of property is under consideration. In such 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. Call swore in staff and members of the public who intended to address the Commission on this evening's cases.

Ms. Call stated that the agenda order is typically determined at the beginning of the meeting by the Chair. Cases 1 through 3 may be approved by consent if the staff, applicant and the Commission agree on all conditions.

There was no request that a Consent item be moved to the regular agenda for discussion. No public comments were received regarding these cases.

CONSENT CASES

Mr. Grimes moved, Ms. Fox seconded to approve the following cases by consent:

1. El Vaquero – Patio, 20-035AFDP-CU, Amended Final Development Plan - Conditional Use

Request for a 680-square-foot outdoor patio and speakers for a restaurant at Avery Square Shopping Center. The 15.05-acre site is south of Perimeter Drive, ±800 feet southwest of the intersection with Avery Road and zoned Planned Unit Development District.

AMENDED FINAL DEVELOPMENT PLAN APPROVED WITH ONE CONDITION:

- 1) The applicant remove the proposed outdoor speaker system.

CONDITIONAL USE APPROVED WITH TWO CONDITIONS:

- 1) The applicant restrict operations to end patio service at 10:00PM and close the patio no later than 11:00PM; and,
- 2) The proposed patio amenities be stored off-site November 1 through April 1.

2. The Lagree Method, 6225 Perimeter Drive, 20-057CU, Conditional Use

Request for a fitness and recreational use in an existing 2,500-square-foot tenant space, in Perimeter Center south of Perimeter Drive, ±950 feet east of the intersection with Avery-Muirfield Drive and zoned Planned Unit Development District.

CONDITIONAL USE APPROVED WITH NO CONDITIONS

3. Calming Waters Massage, 6631 Commerce Parkway, 20-063CU, Conditional Use

Request for a personal service use in a 1,875-square-foot tenant space as part of an office complex northwest of the intersection of Commerce Parkway and Perimeter Drive zoned Suburban Office and Institutional District.

CONDITIONAL USE APPROVED WITH NO CONDITIONS

Vote: Ms. Fox, yes; Mr. Grimes, yes; Ms. Call, yes; Mr. Supelak, yes; Mr. Fishman, yes; Mr. Schneier, yes; Ms. Kennedy, yes.

[MOTION CARRIED 7-0 TO APPROVE THE CASES BY CONSENT]

NEW CASES

4. Schoedinger Funeral Home, 5980 Perimeter Drive, 20-013AFDP, Amended Final Development Plan

Ms. Call stated that this is a request for the installation of a private access drive, gate, shared parking and shared dumpster on a 7.23-acre site north of Perimeter Drive and ±900 feet west of the intersection with Wall Street and zoned Planned Unit Development District.

Staff Presentation

Site

Ms. Martin stated that this is a request for review and approval of an Amended Final Development for Schoedinger Funeral Home. Amended Final Development Plans are the fourth and optional step in the Planned Unit Development (PUD) process. Amended Final Development Plans alter a previously approved Final Development Plan. The site is located north of Perimeter Drive, approximately 900 feet west of the intersection with Wall Street. The three-acre site is currently under construction. In November 2018, the Commission reviewed and approved a Final Development Plan to construct a new, approximately 11,000-square-foot funeral home. The site includes an 87-space parking lot (82 are required), and a stormwater management basin is proposed as a visual amenity for the facility to the south of the building along Perimeter Drive. The architectural character of the building is modern with accents of traditional materials.

Proposal

This proposal is to construct an access drive connecting the Schoedinger Funeral Home site (5980 Perimeter Drive) to the Ruscilli Construction site (5815 Wall Street). The intent is to provide overflow parking for services during non-office hours. A shared access agreement is proposed to be established. Additionally, a shared dumpster is proposed to serve both sites, as neither Schoedinger nor Ruscilli are a heavy producer of commercial waste. Should the dumpster agreement ever be terminated, Schoedinger will be required to build a dumpster per the originally approved Final Development Plan. On the northwest corner is the location of the proposed 24-ft. wide drive aisle, which will be gated during times not in use. The use of the drive aisle and shared parking will be limited to funeral services exceeding the typical capacity. The drive provides Schoedinger access to an additional 95 parking spaces. The removal of Schoedinger's on-site dumpster results in the addition of three parking spaces on their site. The net change is minus one parking space, which still results in both sites exceeding the minimum requirements. Two trees are proposed to be removed, and staff will work with the applicant to preserve the deciduous tree. With these requests, a Minor Text Modification is required to permit a zero (0) setback to the shared access drive. Staff has reviewed the application against the applicable criteria and recommends approval of the Amended Final Development Plan (AFDP) with three conditions.

Questions for Staff

Mr. Supelak inquired how this change would affect the parking provided on the Ruscilli site.

Ms. Martin stated that although three parking spaces would be removed on the Ruscilli site, they will still have 90 parking spaces, which exceeds the minimum parking space requirements.

Mr. Supelak inquired if permitting a zero (0) setback would cause issues in the future, perhaps allowing the space to be used for unforeseen modifications. Would there be merit in structuring the language specific to this addition only?

Ms. Martin responded that the intent is to structure the language specific to the intended purpose, ensuring that the change would be only for these two properties in Subarea B of the Perimeter Center development, and only for a shared access drive.

Mr. Schneier inquired if the applicant has provided an estimate of the number of days overflow parking would be needed.

Ms. Martin responded the applicant would respond to that question in their presentation.

Ms. Kennedy inquired if the intention is that all the funeral home vehicular traffic would enter from the Schoedinger main entrance, not from the Ruscilli site at the rear.

Ms. Martin responded that is correct. There is only the one primary entrance, which is located on Perimeter Drive. For the majority of funerals, that will be the only entrance and only the Schoedinger parking lot will be used. The gate to the drive aisle will remain closed.

Mr. Grimes stated that on the updated drawing, the original dumpster site has been eliminated. Should that site remain referenced in the final plan, in the event the shared dumpster agreement ceases to exist in the future?

Ms. Martin stated that the condition added will preserve the ability to require the applicant to build that facility, should the need arise.

Ms. Fox inquired if at this point, there is no lock on the gate.

Ms. Martin responded that the applicant has indicated that there will be a lock on the gate. The applicant will provide information on the type of lock.

Applicant Presentation

Aaron Underhill, attorney, Underhill & Hodge, 8000 Walton Parkway, New Albany, OH stated that he is representing the applicant. This is a follow-up to the discussions about conditions that occurred with the Final Development Plan. They do not believe that the need for additional parking will occur frequently. This agreement will cover the few times a year when funeral visitations will exceed what is typical. Unless informed in advance, visitors will be unaware of the additional parking opportunity. The shared dumpster agreement is an arrangement that Mr. Schoedinger has utilized in other locations in central Ohio, due to the fact that there is low generation of refuse from this type of use. The applicant is aware of the need to provide the dumpster and dumpster pad, should the agreement cease to exist.

Randy Schoedinger, 5980 Perimeter Drive, Dublin stated that staff requested that they explore the option for additional parking spaces. The neighbor to the west of their property was not open to that suggestion. Fortunately, the company building the funeral home, Ruscilli, decided to locate an office next door and was willing to provide the spaces, when necessary. The overflow parking agreement is for the uncommon situations that may occur 9-10 times a year. Per the agreement, the spaces would be available only during the evenings or weekends. During those times, signage would be provided directing overflow traffic accordingly. There would be a combination padlock on the access gate, and only their staff would know that combination. This arrangement has occurred in response to staff's request to consider overflow parking needs.

Ms. Fox stated that she inquired about the lock due to the concerns about cut-through traffic. The neighborhood would learn where the cut-throughs are and use them to the extent possible. She likes the idea of a locked gate, which would not be open all the time. If the gate remains locked, except when access is needed to the dumpster or for overflow parking, that is a good

solution. Along the back of the property are some Burr Oaks, which are very slow growing. There is opportunity there to provide evergreen screening. Would he be willing to consider evergreens rather than Burr Oaks?

Mr. Schoedinger responded that he is unable to comment at this time. He does not have the landscape plan in front of him and hesitates to agree to the change without talking to the landscape planner. From the Wall Street residences, the dumpster is barely visible, particularly from their site; it is well screened already. With their plan, which reflects \$150,000 worth of landscaping, over 100 trees will be added to the site. At this point, their landscape plan has exceeded the landscape requirements.

Ms. Fox stated that it is a beautiful landscape plan, which does include quite a few trees. Her inquiry was based on the assumption that the substitution would not cause any additional cost.

Mr. Schoedinger responded that he would be open to it, although cannot agree to it without talking to his landscape planner.

Ms. Martin stated that the City has a very skilled landscape inspector, who works with commercial properties. He is able to work with them to shift evergreen trees from one part of the site to another. Staff can look into that and would be willing to work with the applicant, if that is the desire.

Ms. Fox responded that it could help address some of the Wall Street residents' concerns.

Mr. Fishman thanked Mr. Schoedinger for their response to the concerns about overflow parking and landscaping. They have done a tremendous job!

Ms. Fox stated that she noticed the mounding that is occurring on the site as they are excavating the pond. From the street view, looking north toward the front of the property, will that mounding be leveled out somewhat to provide a better view of the pond and patio area? Is it only construction mounding?

Mr. Schoedinger responded that he is unsure of the leveling. They did not want mounding. The City of Dublin may have required them to have that mounding.

Ms. Fox stated that the Commission stated mounding was not necessary, which is the reason she is inquiring. As she drove past the site, she noticed the front of the property's lack of visibility.

Ms. Husak stated that is correct. The Commission indicated that mounding was unnecessary. Mr. Hendershot may have some information on it.

Mr. Hendershot indicated that he had reviewed their grading plan, and confirmed that they are primarily tying into the existing sidewalk grade. They are not proposing any mounding along that area, so he does not anticipate there will be mounding obstructing views of the building.

Ms. Fox stated that the existing grade of the sidewalk is flat.

Mr. Hendershot stated that he has not visited the site recently. What he suspects is that the mounding occurring is due to the excavation of the pond. When the construction is completed, he does not anticipate there to be mounding on the site.

Mr. Boggs stated that when this project was reviewed for a Minor Text Modification on November 1, 2018, the Commission approved it with a condition that the requirement for a landscape mound along Perimeter Drive be eliminated. Therefore, they are not required to meet the mounding that exists elsewhere on that street.

Ms. Fox stated she was interested in clarifying that point. Because the street view of the pond and patio will be beautiful, it was important that there be no confusion on the Commission's position on the matter.

Mr. Schoedinger responded that he is glad to hear that clarification and would check on the status.

Mr. Fishman inquired if there is an aerator and a fountain in the pond.

Mr. Schoedinger responded that there will be. The pond is holding water.

Public Comment

Ms. Husak stated that the Commission has received the following two comments from the same individual:

Svetlana Gorokov, 6744 Winston Way Dublin, OH 43017, shared:

Comment #1: I appreciate the City of Dublin for giving me an opportunity to voice my opinion. I am a Dublin city resident of almost 16 years and am very proud to live in this community because of the people here and the work that is being done by the city. At the end of last year, as I entered an empty nester stage in my life, I moved to a new community - the Village at Coffman Park - to live in what I thought was a quiet community. Recently, I found out that a Funeral home is being built so close to me that I can see it from my windows. A few days ago, I found out that they are proposing to remove trees and connect to Ruscilli's parking lot for overflow parking. Ruscilli has their entrance/exit at Wall Street - the street that the houses in my new community are built along. Traffic on this street is steady during work hours and into evenings, plus there is noise coming from the nearby 33/270 highways. So the only somewhat quiet time we have is in the evenings and over the weekends. By connecting the two parking lots, we are losing this precious calmer time. I am asking the Planning and Zoning Commission to not allow the Funeral home to remove the beautiful mature trees nor to connect the two parking lots. It seems that something like parking lot capacity should have been thought of when purchasing land and not the other way around. There is a FiServ parking lot next to the Funeral home's property. The parking lot is empty on weekends and evenings and maybe this is something that Funeral home's management can look into. They are also proposing to use a dumpster on Ruscilli's property, which will make Rumpke, or a similar service, enter and exit from Ruscilli's property at a more frequent schedule due to the nature of services the Funeral home will provide. Being a valuable service provider, I think that Schoedinger Funeral home should have their own dumpster. I do not know if any of my neighbors received a public notice as I did. As I mentioned before, our community is very new and is still being built. During this time of pandemic, it is difficult to gather and meet people; but if to stop the proposed changes I need to get signatures from other people in my community, I will do so. Please let me know. I very much appreciate the city office figures and work they do to make people want to live in Dublin and hope for their understanding that residents of the Village at Coffman Park, at the end of their careers, want to have some quiet time inside their homes and outside on the patios during warm seasons. Thank you very much for listening!

Comment #2: "Dear Commissioners, Please accept this note as my heartfelt request that you decline the construction of an access drive between Schoedinger Funeral Home's and Ruscilli Construction's parking lots. When I purchased my home it was part of a quiet and calm community. I built my home right on the other side of Wall Street and I expected the traffic levels on Wall Street to be those of a standard business parking lot access road, most traffic during the weekdays with little to none in the evenings and on weekends. Now what I see is that, in addition to regular traffic by

vehicles that access my community as well as existing businesses, during the day this road is being used by all kinds of vehicles as a pass through road - including big and heavy trucks. Ruscilli, due to the nature of their business, has vehicles going in and out constantly. And Schoedinger will too. Our houses are built so close to Wall Street that I can hear, inside my home, every vehicle that goes by. The only conciliating factor was that Schoedinger Funeral Home's entrance and exit was to be solely connected to Perimeter Drive, providing no incentive for Schoedinger's guests to use Wall Street. Now, with the proposal of an access road which will connect to Ruscilli's and therefore Wall Street, even more traffic will be directed to pass my home, and my community's houses built along Wall Street during evening hours and weekends/holidays. I am fervently asking you to please decline the proposal to build the access drive. That is the only viable solution remaining to provide my empty nester community with some semblance of peace and tranquility. I am hoping Schoedinger Funeral Home will understand that I am talking about living people and their well being who might stay in their homes and not even leave them for days. Thank you very much for listening. Respectfully, Svetlana Gorokov."

Ms. Husak pointed out that the residents currently are seeing construction traffic. However, Ruscilli will not be using this office for their construction business.

Commission Discussion

Ms. Kennedy stated that although the Commission received and read Ms. Gorokov's comments in advance, she appreciates Ms. Husak also reading them for the public's information. However, she believes the applicant has addressed some of the concerns that were shared, specifically any potential for increased traffic with the pass-through. The fact that the gate will be locked unless needed will address that issue. In regard to the concern about tree removal, the applicant will be adding a number of trees on that site. She was serving on the Commission when a concern was expressed about overflow parking needs on certain occasions. She believes the applicant has done a good job in addressing those specific concerns.

Mr. Fishman stated that once the construction is completed, the entry will be through the Schoedinger property, not from Wall Street, and when the landscaping is installed, it will obscure the neighbors' view.

Mr. Schneier stated that he was not serving on the Commission during the project's earlier review. However, the applicant has referenced an exhibit in the agreement that addresses the fact that the overflow parking spaces would be available only after office hours and on weekends. Although referenced, he did not see that document in the materials provided.

Ms. Call inquired if staff had received a copy of the shared agreement.

Mr. Underhill stated that the staff did receive a copy of the agreement, and it was part of the meeting information that was shared at the City's website.

Mr. Schneier responded that the draft agreement was provided, which references an exhibit. The exhibit was not provided, which defines the terms and conditions.

Ms. Martin responded that the agreement does reference an Exhibit C. The applicant is required to provide that exhibit prior to building permitting. The applicant has stated that the final details of those exhibits would be dependent upon the Commission's approval and any additional conditions the Commission may place on it. Planning, Engineering and Legal staff were agreeable to the applicant providing the exhibits at that time.

Mr. Underhill stated that it was important to attach the plan that was actually approved by the Commission. When approved, they will be providing that exhibit to staff. However, he can state on the record that the applicant is making a commitment to those hours.

Mr. Boggs stated that provided in the meeting packet was a draft document called a "Grant of Access and Parking Easements," and on page three, under Grant of Reciprocal Parking Easement, is a statement regarding the limited easement to certain parking lot and drive aisles located on Grantor's Property, as depicted on Exhibit C, "for the limited purpose of vehicular parking during such times that are outside the normal operating hours of the business conducted on Grantor's Parcel, including evenings and weekends."

Ms. Fox inquired if it would be advisable to add language to the development text that the gate would be locked and only open during times that access is required. This would address the cut-through traffic concern. She does not believe noise will be a problem, and the issue regarding trees will be addressed by the generous landscaping plan. That amenity will be a benefit for the neighborhood; particularly so, if Planning staff will work with the applicant on moving evergreen screening from one part of the site to the back side of the property, if that would further improve the residents' view. Adding language that the gate should be locked would provide assurance that there will be no access or cut-through available to Ruscilli trucks or Schoedinger traffic. Ms. Husak stated that is the understood intent for providing overflow parking for the business, which offers high-profile services. They will work with landscaping staff on the tree issue.

Mr. Fishman suggested, due to the manner in which public meetings are currently conducted, that staff forward a letter to the residents that would clarify that without this arrangement, the alternative would have been overflow parking using their neighborhood. He has often experienced that parking dilemma; this arrangement is a much better alternative for the neighborhood than having cars parked in front of their homes.

Ms. Call inquired if the take-away items, as noted, should be specified as conditions, or could the Commission state that the applicant work with staff to address them.

Mr. Boggs responded that the landscaping item does not need to be an added condition. The other three (3) items should be listed as conditions.

Ms. Martin stated that in regard to the suggested addition to the development text, that item is already addressed in the development text, and a condition regarding the locked gate has been added.

Mr. Grimes moved, Ms. Kennedy seconded approval of the Amended Final Development Plan with five (5) conditions.

Ms. Fox inquired if the language would be too restrictive, if access to the dumpster is also needed via the gate.

Mr. Underhill requested that Mr. Schoedinger clarify the need for access to the dumpster.

Mr. Schoedinger responded that he does not believe there will be a need to have the gate unlocked to wheel the trashcan to the dumpster; however, if that is not the case, their staff can unlock the padlock to gain access.

Mr. Underhill pointed out that because building permits have already been issued, the language in Condition #5 should be revised to "occupancy permit."

Mr. Boggs concurred that the motion should be amended accordingly.

Mr. Grimes moved, Mr. Supelak seconded to amend the language in Condition #5 from "building permits" to "occupancy permit".

Vote: Mr. Grimes, yes; Ms. Call, yes; Mr. Supelak, yes; Mr. Fishman, yes; Ms. Kennedy, yes; Mr. Schneier, yes; Ms. Fox, yes.

[Motion passed 7-0]

Mr. Grimes moved, Mr. Fishman seconded to approve the Amended Final Development Plan with the following five (5) conditions:

- 1) The applicant construct an on-site dumpster should the shared dumpster agreement be terminated at any point in the future;
- 2) The applicant meet with staff on-site once the driveway is staked prior to construction to determine if adjustments can be made to minimize disturbance to existing trees;
- 3) The applicant update the plans, subject to staff approval, if the intent is to install a gate across the access drive;
- 4) The gate be locked during times when overflow parking is not in use; and
- 5) The applicant include exhibit C prior to occupancy permit.

Vote: Mr. Schneier, yes; Ms. Kennedy, yes; Ms. Fox, yes; Mr. Grimes, yes; Ms. Call, yes; Mr. Supelak, yes; Mr. Fishman, yes.

[Motion passed 7-0]

Mr. Supelak moved, Mr. Grimes seconded approval of the Minor Text Revision to permit a zero setback for a shared access drive between 5980 Perimeter Drive and 5815 Wall Street.

Vote: Mr. Supelak, yes; Fishman, yes; Ms. Call, yes; Mr. Grimes, yes; Ms. Fox, yes; Ms. Kennedy, yes; Mr. Schneier, yes.

[Motion passed 7-0]

5. Mango's Place Daycare, 19-125FDP, Final Development Plan

Ms. Call stated that this is a request for the construction of an approximately 7,900-square-foot daycare facility and associated site improvements. The 2.16-acre site is northeast of the intersection of Emerald Parkway and Rings Road and zoned Planned Unit Development District.

Staff Presentation

Site

Mr. Hounshell stated that this is a request for review and approval of a Final Development Plan for a new 7,818-square-foot day care building for Mango's Place, which is currently operating in Emerald Town Center at 5601 Woerner-Temple Road. The 2.17-acre lot is located within the Thomas Kohler PUD, Subarea E, which also includes Emerald Town Center to the north. The applicant is proposing to build a new structure on the vacant site south of the current location. The site is located northeast of the intersection of Rings Road and Emerald Parkway and has

frontage on three major corridors, including Woerner-Temple Road to the east. The development text requires consistency and common architectural themes across the entire Subarea. What is proposed on this site will need to reflect what exists in Emerald Town Center, which contains stone and red brick as the primary materials and stucco as a secondary material.

Existing Conditions

The Cramer Ditch runs west to east through the northern portion of the property. This ditch includes a large floodway and a 100-year floodplain that covers approximately half of the property. A large treeline is located in the northern and center portion of the site. The amount of area these conditions encompass has made it difficult in previous years to develop the site. The applicant has submitted a detailed Letter of Map Revision (LOMR) study to the City of Dublin and FEMA to adjust the effective floodway and 100-year floodplain limits on the site. The relocation of both the effective floodway and 100-year floodplain is critical to the applicant's ability to develop due to the limited buildable space on the site. The applicant must receive approval of the Letter of Map Revision (LOMR) formally revising the effective floodway and 100-year floodplain limits on the site from FEMA prior to building occupancy to the satisfaction of the City Engineer. The Commission reviewed and commented on an Informal Review of the Concept Plan on November 7, 2019. Commissioners supported the layout and architectural design of the daycare. The Commission suggested the applicant include minor site and architectural improvements and landscape screening from Woerner-Temple, Emerald Parkway and Rings Road to the south. The site has had minor changes since the 2019 Concept Plan. The applicant is still proposing a 7,800-sq. ft. building with a 1,200 sq. ft. enclosed playground east of the building. 45 parking spaces are proposed where 43 are required by Code. The sole vehicular access to the site is from the south via Rings Road, where there is an existing curbcut. The applicant has improved the pedestrian connectivity, connecting to the existing sidewalk located along Emerald Parkway. Access to this building also exists via walkways on the northwest and south sides. The dumpster location has been moved slightly to the west from the previously proposed site, resulting in minor changes in the parking lot layout.

Building Elevations

The south elevation can be viewed from Rings Road, and the west elevation can be viewed from Emerald Parkway. The building will be 30 feet in length, which does meet the maximum requirement for this Subarea. The building does take significant inspiration from the Emerald Town Center. The proposed building materials are a "Glen Gery Olde Detroit" modular brick veneer on all four elevations with a "Ply Gen True Stack Calgary" stone water table along the foundation of the building. The applicant has changed the brick pillars to stone, per the request of the Commission and staff. The applicant has also included a thin set stone smooth band that wraps around the building, approximately 10 feet above grade. The proposed materials are consistent along all four facades of the building, with more stone incorporated into the south and east facades. The north elevation can be viewed from Emerald Town Center and the east elevation from Woerner-Temple Road. View of the north elevation is blocked by the treeline to the north, so has the least amount of visibility. The proposed playground will be enclosed by an Ameristar steel fence four (4) feet in height. The dumpster enclosure to the west of the building will be constructed of the same brick and stone proposed for the main building, and include a 6-foot tall wooden privacy fence to enclose the southeast entrance into the enclosure. At the Informal Review, the Commission expressed interest in how the site would be screened, particularly the playground and the area along Emerald Parkway. Two large silver maple trees and a group of hackberry trees were removed, totaling 364 inches to be replaced. These trees will need to be

replaced on-site, but full replacement of the trees will most certainly result in overcrowding. A fee will be required for the surplus inches. Replacement tree details are required to be provided at the building permit submittal. The development text requires a continuous landscape treatment along Emerald Parkway. Mounding and landscape beds containing ornamental trees and shrubs are proposed along Emerald Parkway to mimic the theme further north. Overhead lines exist on the south side of the parcel as well as large utility easements located along the south property line. Trees have been selected and located to accommodate these limitations. The playground is also screened per Code. Staff has reviewed the application against all applicable criteria and recommends approval with five (5) conditions.

Commission Questions

Ms. Fox stated that previously, staff requested that the dumpster be located on the east end of the property, and it still remains on the corner, though well screened. She is curious as to the reason it could not be located at the far east end of the drive parking lot, closer to Woerner-Temple. There appears to be space there for a dumpster.

Mr. Hounshell stated that was a topic discussed with the applicant following the Concept Plan review in November. After a better understanding of the site constraints, staff was agreeable to this location, which has been shifted slightly to the west.

Ms. Husak stated that the issue was with the trash truck turn around. They tried to locate the dumpster in the location to which Ms. Fox is referring, but discovered the trash truck would be unable to turn around. Although the location ultimately decided upon was not the preferred location, it was the only location.

Ms. Fox stated that when she visited the site, there appeared to be a substantial amount of scrub trees and overgrowth in the Cramer Ditch. She noticed that the large tree has already been taken down in the area where the building will sit. Will the ditch remain natural, as it now is, or will some of the growth be removed?

Ms. Hounshell stated that it is his understanding that much of that scrub is within the floodway, and it is very challenging to remove scrub from that area.

Ms. Fox stated that she is not suggesting that it be removed but inquiring what would continue to exist. Is this not a protected stream corridor?

Ms. Husak responded that 90% of what currently is there would remain. The one large tree removed will be replaced and the applicant will landscape their site. Other than that, the site will remain natural within that area.

Ms. Fox requested clarification of the keystone material to be used on the retaining wall at the rear of the building. Is that a manufactured stone? Will it be a natural-looking retaining wall?

Mr. Hounshell deferred that question to the applicant for response.

Ms. Fox stated that her last concern is regarding the tree selections. Does the opportunity remain to make any changes in the landscape materials?

Ms. Husak responded affirmatively. She has shared Ms. Fox's previously mentioned concern about the Kentucky Coffee tree that is specified near the playground area with the City's landscape architect, who has suggested alternative selections, such as a Tulip tree, Yellow Poplar or Frontier Elm – all of which would have less droppings. Therefore, a condition could be added that the Kentucky Coffee tree should be replaced with a species selected by the City Forester or City Landscape Architect.

Ms. Fox explained that because she was unfamiliar with the Kentucky Coffee tree mentioned in the landscape plan, she conducted a little research and discovered that it is a “messy” tree, dropping pods and seeds that are toxic to humans. She was concerned that a tree with poisonous pods would not be an appropriate tree to locate next to a toddler garden.

Ms. Husak responded that an alternative tree could be selected.

Ms. Call stated that the staff report refers to FEMA’s requirements regarding the 100-year floodplain. Was the Army Corps of Engineers involved in the review, as well as FEMA and the City Engineers?

Mr. Hendershot responded that the Army Corps is not involved with this review, only FEMA. As part of their review, a Community Acknowledgement Form must be signed by the City, which is the extent of the City’s review.

Mr. Grimes inquired if any history exists regarding any flooding that may have occurred up or downstream. There are many roadways within that area now; he is curious what impact those roads may have had on the water flow and the floodplain.

Mr. Hounshell responded that the applicant hired an engineer to conduct the LOMAR, which is a detailed study of the floodplain. The primary purpose was to update the floodplain map to reflect the two box culverts that have been installed as part of the Emerald Parkway/Woerner-Temple roadway construction project. It does not change the flooding limits.

Applicant Presentation

Mary Frances Curtis, co-owner/manager, Mango’s Place, 3901 Bickley Place, Upper Arlington, stated that they have a pandemic operation license, so their Dublin facility has been open during this time to provide service for essential workers. They are waiting for the Governor’s authorization to open to full capacity. They are looking forward to building and opening a larger facility with more room for their clients.

Scott Curtis, co-owner/manager, Mango’s Place, 3901 Bickley Place, Upper Arlington, stated that their landscape architect is present to answer any questions, as well. In regard to the question about the dumpster, there have been discussions about the possible extension of the Old Rings Road, if needed. In regard to the trees remaining on the site, every tree intended for removal has been removed. In regard to the trees selected for landscaping, their architect, Mr. Clarke, has been working with the City landscape architect and will follow those recommendations. Mr. Clarke can also answer any questions regarding the keystone retaining wall.

Jim Clarke, Clarke Architects, 7844 Flint Road, Columbus, stated that the keystone, stacked stone is a fabricated material. A brown or tan color would be selected to match the building. The wall will only be about two-three feet in height. They have an option with the contractor to use concrete, and if that should be used, the keystone product would be applied to it, as well, to match the building.

Ms. Kennedy thanked the applicant for taking into consideration the Commission’s previous feedback. The changes that have been made are nice upgrades to the building.

Ms. Call noted that she has one observation about the landscaping around the playground enclosure. Barberry bushes are thorny and, immediately adjacent to the semi-private fence, children’s fingers could reach through and touch the thorns.

Ms. Curtis stated that they will be working closely with the landscaper on selection of the plantings around the playground area.

Public Comment

No public comments were received regarding this case.

Commission Discussion

Mr. Supelak inquired if a condition is needed regarding the modifications to the landscaping specifications.

Mr. Hounshell responded that a sixth condition has been added.

Ms. Call suggested that the language of the condition be generic, providing direction that the applicant work with the City landscape architect to identify the suitable plant material.

Ms. Fox stated the Planning report referred to a concern about sidewalk access. Has that been addressed?

Mr. Hounshell stated that there was a discrepancy in the plans discussed at the Informal Review. Those plans showed egress doors on the north elevation -- the rear of the building, but showed no walkways on that side of the building. They have been added to the plans, so that is no longer an issue.

Ms. Call stated that the report indicates that, "Staff has concerns with the lack of sidewalk access to the west parking lot and around the entire building, including the playground." Has that been mitigated?

Mr. Hounshell responded affirmatively.

Ms. Fox stated that many of the light poles she has seen recently have a 3.5-ft. concrete base. They are very unattractive. What is the purpose of the concrete base, and is it the only option? Could light poles be installed at-grade?

Mr. Clarke responded that if the light poles are not located near traffic, they could be installed at grade without the bases. If they are close to traffic, it is preferable to have the light poles located on top of concrete bases to avoid the potential of vehicles striking the poles. It is primarily a safety precaution.

Ms. Fox stated that there must be a more aesthetic solution for light pole bases. That is not a request for this project, but it is worth a future conversation.

Ms. Husak responded that approximately ten years ago, light pole bases were required to be clad in stone. Such a discussion could be scheduled, should the Commission desire to do so.

Ms. Call inquired if the applicant was in agreement with the six conditions as indicated.

Mr. Curtis indicated that they are in agreement with the conditions.

Mr. Grimes moved, Ms. Kennedy seconded to approve the Amended Final Development Plan with the following six (6) conditions:

- 1) That the applicant grants a utility easement to the City of Dublin that will encompass the existing 18'x5' box culvert located at the west property line of the site;
- 2) That the applicant obtains an approved Letter of Map Revision (LOMR) from FEMA to revise the effective floodway and 100-year floodplain limits on the site prior to building occupancy to the satisfaction of the City Engineer;

- 3) That the applicant demonstrates compliance with Chapter 151 – Flood Control of the City of Dublin Code of Ordinances to the satisfaction of the City Engineer;
- 4) That the applicant pay a fee in lieu of the caliper inches not being replaced on the site;
- 5) That replacement tree details be provided to staff with submittal for building permits; and
- 6) That the applicant work with Planning staff to finalize the Landscape Plan, subject to staff approval.

Vote: Mr. Schneier, yes; Ms. Kennedy, yes; Mr. Grimes, yes; Ms. Fox, yes; Ms. Call, yes; Mr. Supelak, yes; Mr. Fishman, yes.

[Motion carried 7-0]

COMMUNICATIONS

Ms. Husak stated that staff would be contacting PZC and ARB members to poll for the best date within the first week of June for a Special Joint PZC/ARB meeting to review/discuss the following items, per City Council's request:

- Property Maintenance Code, which is pending before Council.
- Temporary Sign Code. There is a need to ensure Dublin's Code is aligned with the recent Supreme Court ruling regarding temporary signs.

Ms. Call inquired if this is what is referred to as the "contents law," from a case concerning content discrimination in a city in either New Mexico or Arizona.

Mr. Boggs responded that it is related to that ruling, which concerned the town of Gilbert, Arizona.

The next regularly scheduled PZC meeting will be held at 6:30 p.m., Thursday, May 21.

ADJOURNMENT

The meeting was adjourned at 8:00 p.m.

Rebecca Call [Approved 6-11-2020]

Chair, Planning and Zoning Commission

Judith K. Beal

Deputy Clerk of Council