

## DUBLIN PLANNING AND ZONING COMMISSION RECORD OF ACTION

June 6, 1996

CITY OF DUBLIN

5800 Shier Rings Road  
Dublin, OH 43016-7295  
Phone/TDD: 614/761-6550  
Fax: 614/761-6506

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

**5. Conditional Use CU96-001 - Einstein's Bagels - 6300 Frantz Road**

**Location:** 0.73 acres located on the southeast corner of Corbin's Mill Drive and Frantz Road.

**Existing Zoning:** SO, Suburban Office and Institutional District.

**Request:** Review and approval of a conditional use under the provisions of Section 153.256.

**Proposed Use:** Remodeling of a former bank building to be used as a 2,520 square foot retail bagel shop.

**Applicant:** P&L Systems, c/o Glen Dugger, Smith & Hale, 37 West Broad Street, Suite 725, Columbus, Ohio 43215.

**MOTION:** To disapprove this conditional use.

**VOTE:** 6-0.

**RESULT:** This conditional use was disapproved.

STAFF CERTIFICATION

Lisa L. Fierce  
Planner

**4. Revised Final Development Plan/Corridor Development District CDD96-005 - Lexus of Columbus - 3885 West Dublin-Granville Road**

Prior to this meeting, the applicant requested leaving this case tabled until July 11, 1996. Notices of postponement were mailed to the adjacent owners. There was no discussion or action taken.

**5. Conditional Use CU96-001 - Einstein's Bagels - 6300 Frantz Road**

Lisa Fierce presented this conditional use for a retail bagel shop on less than an acre zoned for SO. The site is at the corner of Frantz Road and Corbin's Mill Drive. She said conditional uses in the Suburban Office zone include eating and drinking establishments. The building was built as a bank. Surrounding uses are a bank, apartments and condominiums.

The brick building is about 2,500 square feet. The proposal will retain the covered entrance and add fabric awnings over four windows. The applicant proposes to remove the existing drive-thru and to add 11 parking spaces. If approved, the applicant will need to augment this landscaping to a six-foot continuous screen height. It does not meet that requirement now. Landscaping should also be added on site to offset the material removed to increase the parking.

Ms. Fierce said Dublin will be improving Frantz Road/SR 161, including the installation of double left turn lanes in all directions. Some improvement is needed at this intersection, including a third lane on Corbin's Mill Drive which requires additional right-of-way from this site.

Ms. Fierce said this change of use will require a variance to reduce the parking from 51 to 31 spaces.

Ms. Fierce said this will have both sit-down (65 percent) and carry out service. A maximum of nine employees will be on the site. The hours of operation proposed are 6 a.m. to 8 p.m. except for Sundays which will be 6 a.m. to 6 p.m. Staff is concerned about the effect of the hours on the neighboring properties and recommends an opening of 7 a.m. Staff is also concerned about trash pickup and deliveries and recommends these be limited to 9 a.m.-5 p.m.

The site is landscaped but the perimeter landscape screening, some interior landscaping, and street trees are still needed. Staff expects that the site would be brought to full landscape code compliance if it were approved. The applicant has not provided a full lighting plan. The site must meet the Dublin Lighting Guidelines.

Ms. Fierce said the site is entitled to two ground or wall signs. The existing brick base along Frantz Road will be reused for a ground sign, and a wall sign is proposed on the north elevation. Combining ground and wall signs will require a variance.

If the applicant is willing to prohibit alcohol on site, drive through use, limit the hours of operation and services, limit street access, staff believes the shop can be compatible with the area.

Mr. Dugger said the plan was consistent with staff's requirements. He said the plan prepared for the BZA application meets Dublin's landscape requirements. They will meet the six-foot screening with a fence, and more landscaping.

Mr. Dugger suggested that an additional condition be added that this application be tied to use of the property for a coffee/bagel shop to avoid future use as a fast-food restaurant.

Mr. Dugger said this building had 20 parking spaces originally, and they will add 11 spaces to provide the maximum the site will hold. They think the existing parking is adequate but will comply with the staff's request. The code requires 51 parking spaces, far above Einstein Bagels usual standard for a 2,300 square foot building. He said a number of Dublin restaurants had previously been granted approval of parking variances. They will have only 63 seats. He said traffic for a bank is about 40 percent greater than for a coffee shop. A bank could have customers 24 hours per day. This will have more reasonable hours, and he requested 6 a.m. to 7 p.m.

Mr. Ferrara asked how customers from Metro Center could get back to work, especially when the road was widened. He predicted a bad traffic flow problem during the peak traffic periods, which are also peak bagel sales hours. He saw a traffic flow conflict.

Mr. Dugger said staff had asked that the westernmost entrance be made right in/right out which would take the left turn out movement and moves it as far east as reasonably can be done.

Ms. Boring shared the concern over traffic and thought this would have parking problems due to its popularity. Mr. Dugger said much of the lunchtime business would be carry out.

Mr. Rauh said the plan showed 30 parking spaces, not 31. He suggested compromising on the hours of operation to benefit the neighbors. Mr. Dugger said 6:30 - 7:00 a.m. is the busiest time.

Jamie Hall, 174 Corbin's Mill Drive, said bagels baked on site would create odor problems such as they experience from Mac and Erma's restaurant. She said semi trucks would not be able to use the driveway, and they could not park in front of the property after the road widening. Truck service might spread in front of their condo development. With only 30 parking spaces, there will be a large carry out business. She asked about a carry out window and if signs would be illuminated. She said residents paid for the installation of trees for additional screening along the site. She also thought there might be accidents involving those trying to turn into this location.

Ms. Fierce said she could not address the odor from the baking or the delivery trucks. She said there would be no carry out window. No signage package was submitted, but lighting cannot shine onto an adjacent property. She said there is a significant buffering on the east end.

Jack Price, 158 Corbin's Mill Drive, President of Corbin's Mill Association, said most of the residents in the development oppose the conditional use. He said the building would make an exceptional office. They are concerned about wastepaper and food. They also think it will add greatly to the traffic problems which exist.

Harry Hall, 174 Corbin's Mill Drive, asked that this application be disapproved. He said the worst period for traffic was from 11 a.m. until 2 p.m. He predicted this business would fail like previous businesses because of the traffic problems. Corbin's Mill Drive will become worse.

Chris Amorose, 187 Corbin's Mill Drive, said this was a poor use for this building. She said that the fact that many variances are needed to do this project is an indicator that it is not the right use. She was concerned about the parking and said if parking were permitted on Corbin's Mill Drive, there would be a gridlock. She said this product is already available on Bridge Street.

Carol Susie, 102 Corbin's Mill, had similar concerns. She thought 30 parking spaces would be inadequate. She said neither the president nor vice president of the Carrowmoor condo association received a meeting notice. She said this would be a burden on a lovely neighborhood.

Elizabeth Noblitt, 188 Corbin's Mill Drive, said Corbin's Mill Drive was used as a cut-through from SR 161.

Ms. Fierce reaffirmed that this is a conditional use application, not a variance. The only variance needed is to reduce the parking. Ms. Fierce said the notification requirement was for all adjacent property owners. She said staff asked the applicant to notify any neighborhood associations.

Mr. Dugger said there will be three small truck deliveries per week which will use the parking lot. He said the signs would be internally illuminated, and the dumpster service would be twice weekly by a small truck. He said Corbin's Mill Drive was designed to handle cut-through traffic to relieve at the Frantz/Post/161 intersection. He said Dublin was a target market for bagels.

Mr. Rauh said his initial reaction was positive toward a neighborhood bagel shop, but peak hour activity and the proximity of residents indicate it is too intense. The site access will compound a currently tough traffic situation. He thought it was the wrong location for a bagel shop.

Mr. Peplow agreed this usage is not desirable. Mr. Harian also agreed. He said it was a perfect site for a lower impact use, such as an office building.

Mr. Ferrara was uncomfortable with a right turn only traffic orientation. He said bagel/coffee shops are a good idea and do lend a sense of community, but not at this location.

Ms. Boring said this could be a good service in the proper location, but this site has too much vehicular traffic. She encouraged the applicant to look elsewhere in the community for a site.

Mr. Sutphen had traffic concerns also. He said this was the wrong location.

Mr. Rauh made the motion to disapprove this conditional use application, and Mr. Harian seconded the motion. The vote was as follows: Mr. Ferrara, yes; Mr. Peplow, yes; Ms. Boring, yes; Mr. Sutphen, yes; Mr. Rauh, yes; and Mr. Harian, yes. (Disapproved 6-0.)

Mr. Sutphen said Dublin would like to have an Einstein's Bagels in an alternative location.

**6. Informal Discussion - Tuttle Crossing - Marriott Hotel**

Prior to the meeting, the applicant requested postponing this case until June 20. Postponement notices were sent to affected property owners. There was no discussion or action taken.

**7. Development Plan - Perimeter Center - Swan Cleaners - Perimeter Drive - Perimeter Center**

This application was postponed until the June 20, 1996 Commission meeting. Postponement notices were sent to affected property owners. There was no discussion or action taken.

**8. Revised Final Development Plan - Metro Center - CMHC Systems - 570 Metro Place North**

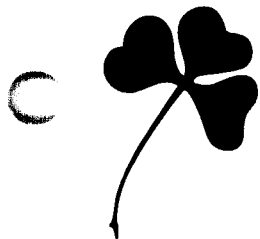
Mary Newcomb presented this revised final development plan for a 37,348 square foot office addition to the existing 32,000 square foot CMHC Systems office building in Metro Center. The company is involved in software development for the mental health field and on-site training.

Ms. Newcomb said the 4.69 acre site is on the north side of Metro Place North, about 1,300 feet west of Frantz Road. CMHC recently acquired an 1.67 acre parcel for expansion. The site is between a vacant office parcel and the Renaissance Hotel, formerly Stouffer's. She said the existing cedar and limestone building is about 10 years old. She said the landscaping material is maturing nicely, and staff requests that the parking lot be redesigned to help preserve the plant material at the northwest corner of the building. The dumpster location has not been identified, and staff requests that it be located in the rear of the site with full screening. The addition will consist of three stories added to the rear elevation to the existing two-story building.

The applicant is proposing a second curbcut which is permitted based upon the frontage. Staff is concerned about maintaining adequate separation, preferably 100 feet, from the existing curbcut at the Renaissance Hotel. She said staff has recommended that the spacing of the two curbcuts be maximized as much as possible (approximately 80 feet). The parking required will be a total of 278 spaces, and the plan shows 306 spaces.

Ms. Newcomb said the proposed density will be 14,850 square feet of building area per acre. The proposed landscaping is deficient in terms of screening of the parking lot, perimeter trees, and interior landscaping. Mechanical units will be located on the roof of the existing building. A rear service area will be screened with a 12-foot high screen wall constructed of stone.

She said the proposed addition will match the existing materials. The existing building is 44 feet to the top of the roof, and the addition will be 56 feet to the top of the peak with a 6.5 :12 roof slope to match the existing building. The window treatment on the first and second floor of the addition is to be similar to the existing building. The third floor elevation has large expansions



CITY OF DUBLIN

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

## DUBLIN PLANNING AND ZONING COMMISSION RECORD OF ACTION

May 2, 1996

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


8. **Conditional Use CU96-001 - Einstein's Bagels - 6300 Frantz Road**  
**Location:** 0.73 acres located on the southeast corner of Corbin's Mill Drive and Frantz Road.  
**Existing Zoning:** SO, Suburban Office and Institutional District.  
**Request:** Review and approval of a conditional use under the provisions of Section 153.256.  
**Proposed Use:** Remodeling of a former bank building to be used as a 2,520 square foot retail bagel shop.  
**Applicant:** P&L Systems, c/o Glen Dugger, Smith & Hale, 37 West Broad Street, Suite 725, Columbus, Ohio 43215.

**MOTION:** To table this conditional use application as requested by the applicant.

**VOTE:** 5-0.

**RESULT:** This conditional use application was tabled without discussion or vote until the June 6, 1996 Planning Commission meeting.

### STAFF CERTIFICATION

  
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Lisa L. Fierce  
Planner

**CU96-001**  
Einstein's Bagels  
6300 Frantz Road



CITY OF DUBLIN

**BOARD ORDER**  
**BOARD OF ZONING APPEALS**  
City of Dublin, Ohio  
December 17, 1992

5. **Variance Application V92-028 - NBD Bank - 6300 Frantz Road**  
**Location:** 0.61 acres located on the southeast corner of Corbins Mill Drive and Frantz Road.  
**Existing Zoning:** SO, Suburban Office District.  
**Request:** A variance to Section 1189.05(b)(3) to permit a ground sign in combination with a wall sign visible from the public right-of-way; and to Section 1189.06 to increase the height of a wall sign from 15 feet to 16.7 feet.  
**Proposed Use:** A bank with a 20 square foot ground sign and wall sign.  
**Applicant:** NBD Bank, c/o Donald Gdowski, 175 South Third Street, Columbus, OH 43215.

**MOTION #1:** To approve this application for a ground sign (Section 1189.05(b)(3) with the following conditions:

- 1) That the existing three-foot brick base be used;
- 2) That entire sign including base be no taller than eight feet as established from grade;
- 3) That the "NBD" graphics and automated teller graphics be considered as logos and be limited to 20% of the total square footage of the sign;
- 4) That the sign fully comply with the size, color, and lighting regulations of the Code; and
- 5) That the NBD Bank signs at their current location, along the southeast corner of S.R. 161 and Frantz Road be removed prior to granting an occupancy permit at the new location.

**RESULT:** This application was approved.

**VOTE:** 4-0

\* The applicant agreed to the above conditions.

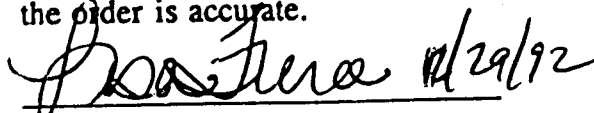
**BOARD MEMBER:**

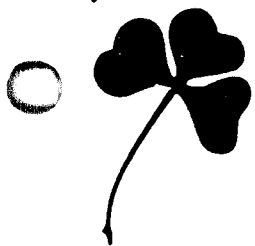
John Belton  
John Ferrara  
Frank T. Pandora II  
Becky Saylor  
Peter Zawaly

**VOTE:**

Absent  
Yes  
Yes  
Yes  
Yes

Signature of staff member in attendance, certifying that the order is accurate.

  
Lisa Fierce  
Planner



CITY OF DUBLIN

**BOARD ORDER**  
**BOARD OF ZONING APPEALS**  
City of Dublin, Ohio  
December 17, 1992

**5. Variance Application V92-028 - NBD Bank - 6300 Frantz Road**

**Location:** 0.61 acres located on the southeast corner of Corbins Mill Drive and Frantz Road.

**Existing Zoning:** SO, Suburban Office District.

**Request:** A variance to Section 1189.05(b)(3) to permit a ground sign in combination with a wall sign visible from the public right-of-way; and to Section 1189.06 to increase the height of a wall sign from 15 feet to 16.7 feet.

**Proposed Use:** A bank with a 20 square foot ground sign and wall sign.

**Applicant:** NBD Bank, c/o Donald Gdowski, 175 South Third Street, Columbus, OH 43215.

**MOTION #2:** To approve this application for a wall sign (Section 1189.06) with the conditions listed below:

- 1) That the signs fully comply with the size, color, and lighting regulations of the Code; and
- 2) That the NBD Bank signs at their current location, along the southeast corner of S.R. 161 and Frantz Road, be removed prior to granting an occupancy permit at the new location.

**RESULT:** This application was approved.

**VOTE:** 3-1

\* The applicant agreed to the conditions.

**BOARD MEMBER:**

John Belton

John Ferrara

Frank T. Pandora II

Becky Saylor

Peter Zawaly

**VOTE:**

Absent

No

Yes

Yes

Yes

Signature of staff member in attendance, certifying that the order is accurate.

*Lisa Fierce 12/29/92*

Lisa Fierce

Planner



Mrs. Robyn Fillman and Mr. Dennis Muchnick said that they felt that the rights of the homeowners should be protected and that there should be full compliance with the law.

Mr. Amorose said that the 15' trees on center, after maturing, will probably look very nice in about 10 years.

Mr. Reiner said that 10' is the required planting for a screen of this type of material.

He again said that the purpose of the law is to defend a homeowner's right to his major investment, his home.

Mr. Callahan commented that the difficult site is not the result of any action of the Commission or the Village.

Mr. Amorose said that if the motion were amended to include putting five additional shade trees behind the area that he would second the motion.

The applicant asked if they could re-space some of the trees they now have (those along the north property line).

Mr. Amorose said that he did not agree with that; that additional screening is needed and that could be accomplished around the playground area with five additional shade trees.

The applicant said that they had already complied with code and did not feel that adding those trees is required.

Mr. Amorose seconded the motion in order to provide an opportunity for discussion.

Mr. Callahan said that he did not think five additional trees would come close to being adequate, suggesting that the applicant add in depth screening.

Mr. Reiner said that he felt that the screening should be tightened up on the lineal, 10', and then some trees added on the other side where the buildings are (conifers at 10' intervals).

Mr. Wisinger said that complying with the requests would probably mean adding 30 more trees, and said that he felt that that was wasteful. He also said that he did not think a fence would be appropriate.

The vote on the motion to approve with conditions was as follows: Mr. Berlin, yes; Mr. Reiner, no; Mr. Amorose, yes; Mr. Jezerinac, abstain; Mr. Callahan, no.

The issue did not pass; it must pass by a majority.

Mr. Al Celli, a resident along Dublin Road, suggested that perhaps Norway spruce every 10' could be substituted for the Austrian pine every 15' and would not cost be similar?

## 2. Conditional Use - CU87-003 - Ameritrust

Ms. Clarke had the following comments:

1. Two months ago the Commission heard a Conditional Use for a Household Bank which is located at the northeast corner of Corbin's Mill and Frantz Road.

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2. This site is three quarters of an acre located at the southeast corner.
3. It is a Conditional Use for a drive-thru.

Slides of the site were shown.

4. The site has two curb cuts, both on Corbin's Mill; one is an entrance only on the west side and the curb cut on the east side is an exit only cut.
5. There are no curb cuts on Frantz Road.
6. The drive-thru will stack or hold approximately 19 cars without any interference with the rest of the lot, and there are 20 parking spaces shown on the site.
7. Since the time of the last staff report an application has been filed for a sign variance for this site. They are asking for permission to put a ground sign on Frantz Road, small wall signs on each of the street frontages. The ground sign is approximately 30 square feet.
8. Building materials are red brick with white trim and a slight gray roof. The roof is shingle.
9. Staff has requested several landscaping changes; several of them have been made and several of them are outstanding. There are several additional revisions which staff would like to see to this site plan. Staff would like to see the interior landscaped increased by 456 square feet as required by Code. There is to be a continuous 6' high screen along the interior lot lines with trees 40' on center and the engineer's comments include that the MORPC storm water requirements will have to be met as well as his recommendation that the water service to the site be relocated.
10. Since the time of the staff report there has been an application for sign variances as well.
11. Those signs were not distributed to the Commission, and with those general landscaping and engineering revisions staff is recommending approval.

Mr. Olausen explained that currently the plans call for the water service to come off of the waterline that is off of Frantz Road which is underneath the road. He would like the water service relocated to the Corbin's Mill Road so that they do not cut into Frantz Road.

Responding to a question from Mr. Reiner, Ms. Clarke said that the staff had received landscaping drawings which were distributed to the Commission. She noted that those do not include all of the revisions that are required by Code. The applicant was told to come prepared to tell the Commission how he wishes to address those things.

Mr. Dave Bupp, regional head of Ameritrust in Central Ohio, was present and had the following comments:

1. They are requesting a Conditional Use for a drive-thru facility at this site.
2. Regarding a comment by staff with regard to the screen on the east boundary of the property; that has been provided.
3. The mounding that goes along the front of Frantz Road is approximately 5' in elevation from the height of the mounding.
4. There is additional mounding which is on the far eastern part of the site which is approximately 4' in elevation.

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Einstein's Bagels  
6300 Frantz Road

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5. A number of the mature trees have been retained on the site.
6. Some of the revisions included changing what was originally called for in the landscaping plan of some of the trees to honey locust.
7. Three parking spaces were eliminated and they were replaced with large tree plantings as well as an additional lawned area which would be along Frantz Road.
8. The sign variance has been requested for a ground sign and a wall mounted sign, because according to the code the applicant would be permitted two ground mounted or two wall mounted signs. He said that they felt that it would be better to have a wall mounted main signage than to have a ground sign along Frantz Road.

Mr. Jezerinac pointed out that this application had nothing to do with the variance for signage.

Mr. Amorose said that his concern was that a drive-thru facility could prove to be difficult on Corbin's Mill, and said that he would like to see a continuous mound along Corbin's Mill. He noted, however, that there is a 20" maple tree right in the front yard which would make it difficult to mound around that tree. He noted that when one is westbound on Corbin's Mill one would be looking into a drive-thru facility which he did not feel was appropriate.

There was discussion regarding the possibility of a problem with the site triangle, that if the mounding were to be pulled back inside the sidewalk there would be no problem. He also said that he would like to see that area raised 3' on center.

The possibility of a potential traffic hazard with the mounding was discussed. Mr. Amorose said that he would like some mounding in the area which would not affect the site triangle.

With regard to the bike path, Ms. Clarke said that as the situation is at present, that there is a sidewalk on the north side of the street and there is a bike path on the south side of the street.

The applicant is putting in a concrete sidewalk along Frantz Road and will be continuing the asphalt walk/bike path along Corbin's Mill.

Mr. Olausen, responding to a question from Mr. Jezerinac, said that Portland concrete cement is by far a better material for a walk or a bike path than asphalt because the asphalt does not get exercised, exercised by traffic driving over it.

Mr. Bowman said that the Village's standard is a 6' asphalt/concrete bike path. The current sidewalk standard is 4'.

Mr. Bupp said that they would be willing to put in a 6' concrete sidewalk.

Mr. Olausen said that the Village records show no taps into the existing lines; that if you were to tie into the line that it is underneath the pavement on Frantz Road and one would have to cut into the pavement. If one were to tie into the one that is paralleling Corbin's Mill one can bore underneath the pavement and will not disturb the pavement.

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With regard to the screening on the south side, adjacent to the apartments, Ms. Clarke said that there is a wood fence adjacent to the apartment's property.

Ms. Clarke, responding to a question from Mr. Callahan, said that this did not fulfill the requirement for screening between residential and commercial property. Mr. Callahan asked what the applicant would be willing to do to come into compliance with the requirements for the southern boundary. There was no response.

Mr. Amorose said that one could raise the existing canopy on the shade trees there and clean out the undergrowth, but that then if evergreens were planted in there they probably would not do well in the shade of those trees. He also noted the competition with the roots, and said that he did not know whether he would like to see a board on board fence along the property line.

Mr. Callahan said that he was looking for a year-round screen in the area for protection from headlight traffic, etc.

Mr. Bupp pointed out that there would be a 24 hour service in the front portion of the building area. He also said that the desire on the part of staff was to preserve the trees which are rather substantial. Five of the most substantial trees will be saved.

Mr. Reiner said that he felt that the screening could be obtained in a very inexpensive way with a deciduous planting of 3' tall and noted that this was a plan that had not met code.

He recommended that adjustments be made; to continue the planting all around; the short planting along the center section is required.

Mr. Reiner noted also that he would recommend that if the deciduous screen were removed that an evergreen screen be placed along the back property lines. He also recommended that the five trees being saved be supplemented with evergreens along the rear property line.

With regard to the storm water drainage Mr. Olausen said that he did not feel that there will be any problem with the storm water drainage, but that he had not received any calculations as of this date.

Mr. Reiner moved for approval based on the following conditions:

1. That the calculations for storm water drainage be presented to the Engineer to his satisfaction.
2. That the 6' concrete sidewalk be continued along Corbin's Mill.
3. That the landscape ordinance be complied with to include the evergreen screening to the rear of the proposed bank.
4. That the continuous planting on the front righthand side of the bank be completed and that a continuous planing be done in the center area of the bank.

Mr. Amorose seconded the motion.

The vote was unanimous in favor of the motion for approval.