



CITY OF DUBLIN.

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

Phone/ TDD: 614-410-4600
Fax: 614-410-4747
Web Site: www.dublin.oh.us

BOARD OF ZONING APPEALS

MEETING MINUTES

October 27, 2011

AGENDA

- 1. Pain Care Specialist – Medical Offices – Parking Variance
11-060V
(Approved 4 – 0)** **6397 Emerald Parkway
Non-Use (Area) Variance**
- 2. 2012 Annual Items of Interest
(Approved 4 – 0)** **Administrative Request**
- 3. 2011 Annual Items of Interest – Running an Effective Meeting
(Presentation and Discussion – No vote taken)** **Presentation**

Administrative Business

Vice Chair Patrick Todoran called the meeting to order at 6:45 p.m. Other Board members present were Brett Page, Brian Gunnoe, and Kathy Ferguson. Victoria Newell was absent. City representatives present were Rachel Ray, Tammy Noble-Flading, Alexis Dunfee, Rachel Beck, and Flora Rogers.

Motion and Vote

Brett Page made a motion, seconded by Brian Gunnoe, to accept the documents into the record. The vote was as follows: Mr. Todoran, yes; Ms. Ferguson, yes; Mr. Gunnoe, yes; and Mr. Page, yes. (Approved 4 – 0.)

Motion and Vote

Kathy Ferguson made a motion, seconded by Brian Gunnoe, to approve the September 22, 2011 Meeting Minutes as presented. The vote was as follows: Mr. Page, yes; Mr. Todoran, yes; Mr. Gunnoe, yes; and Ms. Ferguson, yes. (Approved 4 – 0.)

Communications

Rachel Ray indicated that there was a brief update in the newsletter regarding the Bridge Street Corridor along with a link to the video the City Council Mid-Year Goal Review and Discussion of the Bridge Street Corridor. She reported that the implementation studies have been completed, and the draft Bridge Street Corridor Development Code is currently under review by the Planning and Zoning Commission along with the area rezoning. She said that Planning expects that there will be a recommendation to City Council by the end of the year on these two items.

Ms. Ray announced that a new Planning Assistant, Jonathan Lee, has recently been hired. She said that new name tags for the Board Members had been distributed, which Board members should wear during site visits and other functions that they would perform as a member of the Board of Zoning Appeals.

Mr. Todoran swore in the applicants and staff.

**1. Pain Care Specialist – Medical Offices – Parking Variance
11-060V**

**6397 Emerald Parkway
Non-Use (Area) Variance**

Tammy Noble-Flading presented this non-use (area) variance request for parking. She described the site, the zoning, and surrounding uses. She explained that the building is approximately 42,000 square feet of office space surrounded by a parking area with 186 parking spaces.

Ms. Noble-Flading said this site was originally part of a larger tract of land that included the office building to the south. She stated that both sites are developed with office buildings and shared parking facilities. She said that a lot split had been approved in the 1990s created the existing site conditions. Ms. Noble-Flading stated that the change in use from general office to medical office results in an increase in the required parking spaces. She said that the applicant has looked into site modifications to increase the amount of parking on the site, but there are existing constraints including the location of the existing building, the parking lot configuration, the existing landscaping and stormwater detention facility that prevent the applicant from providing more parking. She added that the City is planning to construct a roundabout at the intersection at Emerald Parkway and Glendon Court that will further constrain the available areas of green space that could be converted to additional parking spaces.

Ms. Noble-Flading said the applicant currently owns the property and will be occupying 11,937 square feet of this building as medical office use. She said the medical office will require 60 parking spaces and the remaining portion of the building will require 138 spaces, for a total of 198 parking spaces. She stated that with the applicant is proposing to construct two new parking spaces on the east side of the building, which will provide 187 parking spaces on the site. She stated that this will require a variance of 11 parking spaces.

Ms. Noble-Flading reviewed the review criteria and determined that the applicant met all the required review standards and therefore Planning is recommending approval of the variance request to permit 11 fewer parking spaces than required by the Zoning Code, with one condition:

- 1) That the applicant install the two additional parallel parking spaces on the east end of the building prior to receiving a Certificate of Occupancy.

Mr. Page verified that the Washington Township Fire Department had reviewed the proposal to ensure adequate site access with the addition of the two new parking spaces. Ms. Noble-Flading confirmed that Fire had approved the addition of the two parallel parking spaces.

Darin Ranker, Carney Ranker Architects, 5980 Suite J, Wilcox Place, Dublin and Rao Lingam, property owner, were present.

Mr. Lingam said the 11 spaces would really only be required if the building was fully occupied. He added that although 60 parking spaces are required, their medical practice only requires about 45 spaces based on their operational experience.

Mr. Gunnoe asked Ms. Noble-Flading if staff was aware of the number of employees working at the engineering firm in the same building.

Ms. Noble-Flading said she did not have that information available. She stated that Planning's recommendation is based on the analysis of the applicant that 187 parking spaces is sufficient for the site.

Motion and Vote

Mr. Page made a motion, seconded by Mr. Gunnoe, to approve the variance to permit 11 fewer parking spaces than required by the Zoning Code for a medical office use, because the request meets the required non-use (area) variance standards, with one condition:

- 1) That the applicant install the two additional parallel parking spaces on the east end of the building prior to receiving a Certificate of Occupancy.

The vote was as follows: Ms. Ferguson, yes; Mr. Todoran, yes; Mr. Gunnoe, yes; and Mr. Page, yes. (Approved 4 – 0.)

2. 2012 Annual Items of Interest

Administrative Request

Rachel Ray noted a memo with the proposed Annual Items of Interest for 2012 was included in the packet. She summarized the items, which include a presentation by Engineering on transportation planning in Dublin, additional information on sustainable development strategies, an introduction to planning and zoning law, and the Historic Dublin Parking Demand Study results.

Mr. Page said the memo accurately reflected the Board's comments on the proposed Annual Items of Interest, and he thanked Mr. Gunnoe for his suggestions.

Motion and Vote

Mr. Todoran made a motion, seconded by Mr. Gunnoe, to recommend approval to City Council of the 2012 Annual Items of Interest for the Board of Zoning Appeals.

The vote was as follows: Ms. Ferguson, yes; Mr. Page, yes; Mr. Gunnoe, yes; and Mr. Todoran, yes. (Approved 4 – 0.)

3. 2011 Annual Items of Interest – Running an Effective Meeting

Ms. Noble-Flading said that this presentation is about "Running an Effective Meeting," and pointed out that the Board of Zoning Appeals meetings serve multiple purposes and include responsibilities for a variety of participants in order to ensure that meetings run smoothly and effectively.

Ms. Noble-Flading reiterated that the Board members provide their own unique skills, experiences, and perspectives, which is a valuable part of the process.

Ms. Noble-Flading presented information about the roles and responsibilities of the Chair and Vice Chair, staff, applicants, and the public. She said that the Board is tasked with making decisions and providing an adequate public record. She explained that the Chair's role is to act as a facilitator to ensure that the meeting runs properly, timely, and that the discussion stays on topic while remaining neutral.

Kathy Ferguson asked if other Boards or Commissions receive a lot of public comment.

Ms. Noble-Flading indicated that she had experienced a wide variety of applications with varying degrees of public comment. She said that she had observed Chairs who effectively managed to keep the groups focused and on topic, and even helped the speakers summarize their comments for the record. She said it is important for the public be part of the process.

Ms. Noble-Flading reported that preparedness is key, and therefore reviewing case materials, knowing the terminology, conducting site visits, and asking questions all convey an understanding of the application and will allow for a thorough review, and ensure that meetings are run efficiently because everyone has the same understanding of the case.

Mr. Gunnoe asked if Planning keep statistics on the decisions that the Board makes.

Rachel Ray confirmed that statistics are reported back to the Board at the end of each year.

Ms. Noble-Flading stated that being mindful of the main points of each case and keeping the applicant on point is key to helping facilitate a smooth meeting. She said the Staff is also a resource, who helps guide

the applicants through the correct process. She explained however that Staff represents the City of Dublin, and they are tasked with upholding the Zoning Code. She said that Staff often provides applicants with assistance with addressing the review criteria and making sure that they are prepared to present adequate information to the Board to help them make an informed decision.

Ms. Noble-Flading stated that when the Board makes a decision on an application, Board members should provide a finding of fact based on the relevant points of consideration, which is even more critical if the Board makes a decision that departs from Staff's recommendation.

Ms. Ferguson asked when it is appropriate for a condition of approval to be applied to an application approval.

Ms. Ray explained that conditions should be required only when there is no other way that an application can meet a specific criterion, review standard, or Code requirement.

Ms. Noble-Flading concluded the presentation by complimenting the Board of Zoning Appeals members on their success and their established ability to keep applicants and the public on task and focused in running effective BZA meetings.

Mr. Todoran thanked Ms. Noble-Flading for the presentation and adjourned the meeting at 7:58 pm.

As approved by the Board of Zoning Appeals.