



PLANNING AND ZONING COMMISSION

MEETING MINUTES

JANUARY 15, 2009

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

Cases:

- 1. Arfy's Doggy Daycare** **5200 Post Road**
08-113CU **Informal Review**
(Discussion only – No vote taken)
- 2. Perimeter Center, Subarea C – Cabin in the Woods Office Building**
08-112AFDP **5815 Wall Street**
(Approved 7 – 0) **Amended Final Development Plan**
- 3. Dominion Homes** **4900 Tuttle Crossing Boulevard**
08-114AFDP **Amended Final Development Plan**
(Approved 7 – 0)
- 4. Architectural Review Board** **Administrative Request**
07-096ADM **Zoning Code Amendment**
(Postponed without discussion or vote)

Administrative Business

Todd Zimmerman called the meeting to order at 6:30 p.m. and led the Pledge of Allegiance. Other Commission members present were: Amy Kramb, Richard Taylor, Chris Amorose Groomes, Warren Fishman, Kevin Walter, and Flite Freimann. City representatives included: Steve Langworthy, Tammy Noble-Flading, Jennifer Rauch, Rachel Swisher, Jennifer Readler, Dave Stromberg and Libby Farley.

Motion and Vote

Mr. Zimmerman made a motion for unanimous acceptance of the documents into the record, which was received. (Approved 7 – 0)

Motion and Vote

Mr. Zimmerman made a motion to approve the November 6, 2008 meeting minutes as presented. Flite Freimann seconded the motion. The vote was as follows: Ms. Kramb, yes; Mr. Walter, yes; Mr. Freimann, yes; Ms. Amorose Groomes, yes; Mr. Taylor, yes; Mr. Zimmerman, yes; and Mr. Fishman, yes. (Approved 7 – 0)

Administrative Report

Tammy Noble-Flading said the National American Planning Association Conference will be held in April and encouraged the Commissioners to attend. She requested the Commissioners contact Flora Rogers to confirm attendance and make travel arrangements.

Ms. Noble-Flading said the Year End Report included in the packets was a combination of statistics and a written summary of the Commission's accomplishments for 2008.

Ms. Noble-Flading requested that the Commissioners advise planning regarding any objectives or training for 2009.

Steve Langworthy reminded the Commissioners of the Joint Meeting with City Council on the January 26, 2008. Mr. Langworthy also encouraged the Commissioners to attend the City Manager candidate reception on January 23, 2008 from 5 to 7 p.m. at the Dublin Community Recreation Center.

Mr. Zimmerman suggested that a tour with staff, City Council and Commission members highlighting past and future projects would be beneficial. He said he would also like to see any pending projects completed while it is not so busy. He welcomed the Legal Department to conduct any necessary workshops or training for the Commissioners.

Kevin Walter said the Commission has previously requested a workshop regarding sign requirements in straight zone shopping centers on how the signs differ, what is acceptable and what is not versus how signs are handled in a planned district, how the Commission should interpret the requirements and what the intent of the Sign Code is. He said a clarification of existing conditions was needed and what differentiated signs in different parts of the City.

Ms. Noble-Flading reported that Claudia Husak would be returning from leave at the next meeting.

Mr. Walter asked for an update regarding the installation of the recently approved permanent sign for the Chase Suite Hotel on Tuller Road.

Mr. Zimmerman announced that Case 1 was informal and required discussion, and Cases 2 and 3 were eligible for the consent agenda since the applicants had agreed to the conditions listed in the Planning Report.

Chris Amorose Groomes pulled Case 2 and said a presentation would not be necessary. Mr. Freimann pulled Case 3.

Mr. Zimmerman announced the amended order would be Cases 2, 3, and 1. [The minutes reflect the order of the published agenda.] He briefly explained the purpose and procedures of the Commission.

**1. Arfy's Doggy Daycare
08-113CU**

**5200 Post Road
Informal Review**

Todd Zimmerman briefly explained the non-binding informal review purpose and procedures.

Rachel Swisher presented this request for an informal review of a conditional use proposal to permit several pet related services including pet daycare, grooming, training, veterinary and offices. She reported that the applicant is currently in the process of pursuing a use variance from

the Board to Zoning Appeals (BZA) to allow pet boarding and pet supply retail, which are not permitted in this zoning district. She stated that Code requires that City Council make the ultimate determination on the use variance request. Ms. Swisher noted that the use variance application had been on the BZA December Agenda, however the meeting was postponed, and therefore the use variance request will go before the BZA on January 22, 2008. She said the applicant would like to receive informal feedback regarding the proposal this evening so that the proposal can be revised based on the Commission's comments once a determination is made on the use variance.

Ms. Swisher presented photographs of the site zoned SO, Suburban Office and Institutional District. She described the site and its surroundings, noting that the Willow Grove condominium development, located approximately 400 feet north of the site across I-270, is the nearest residential development to the site. Ms. Swisher presented a site plan which outlined the floodway and floodplain partially located on the parcel.

Ms. Swisher explained that the Community Plans identifies this site as General Commercial, which is typical of existing retail and commercial development in Dublin, and that this land use classification anticipates a mixture of retail, personal service, and commercial oriented uses. She said that while the site is not located in one of the area plans, the Community Plan does provide objectives for having an increased mix of uses near the places where people work, live and shop. Ms. Swisher noted that the requested uses are service-oriented in character and therefore the proposed site may be a good location for these types of uses as it would be convenient for owners to drop off pets on the way to work and that it is located in an employment center near a freeway interchange.

Ms. Swisher explained that an outdoor recreation area was proposed to the southeast of the warehouse building, with pea gravel proposed as a ground cover for parts of the outdoor recreation area. Ms. Swisher pointed out that the six-foot tall fence proposed to enclose the recreation is not permitted as Code only permits fences up to four feet in height, however the applicant could seek a variance from the BZA if they thought a higher fence was necessary. She stated that the warehouse currently contains an air ventilation system which would assist with air circulation and odor control.

Ms. Swisher said that the applicant intends to clean and disinfect the building interior and exterior recreation area on a daily basis. She pointed out that one dumpster is shown near the entrance of the site towards Post Road, and Planning is concerned that the location could be difficult to maneuver and may be visible from Post Road, therefore an alternative location is recommended.

Ms. Swisher explained that Code prohibits outdoor recreation areas for pet related services within 500 feet of residential uses or districts; however the Commission may reduce the distance through the conditional use review. She presented a slide showing demonstrating that the Willow Grove condominium development fell partially within the 500-foot radius from the property line. She pointed out that although the condominium development is within 500 feet of the site, the proposed outdoor recreation area itself is approximately 850 feet south of the Willow Grove condominiums.

Ms. Swisher stated 86 parking spaces exist on the site, and should all the conditional uses be approved, a total of 51 parking spaces would be required. She said if the two use variances were

approved, a total of 67 parking spaces would be required, which leaves an excess of 35 to 19, respectively. She stated that Planning is recommending that the excess parking be removed to create additional greenspace on this environmentally sensitive site.

Ms. Swisher noted that Planning visited several other pet service-related facilities, primarily to evaluate the standards for noise and odor mitigation. She said that the Pet Palace in Hilliard was most comparable to this facility with similar uses including pet daycare, boarding, and outdoor recreation. She pointed out the Pet Palace had outdoor kennels, which this applicant was not proposing. She presented slides showing that the Pet Palace has a 21-space parking lot. She pointed out that from the exterior of the building, Planning heard no noises, and no odors were detected inside or outside of the facility.

Ms. Swisher concluded that in Planning's opinion, with appropriate waste and noise management, the proposed uses could be compatible with the existing buildings, businesses, and commercial character of the surrounding area. Ms. Swisher presented the following discussion points for the Commission to provide feedback to the applicant:

- *Based on the Community Plan, does the Commission view the proposed uses (pet day care and outdoor recreation, grooming, training, veterinarian) as appropriate in this location?*
- *Is the Commission concerned with the layout of the site, and would the Commission support a reduction in the paved area, given the environmental sensitivity of the site?*
- *Is the Commission supportive of the proposed waste, noise and odor mitigation plans and the proposed dumpster location?*
- *Any other topics the Commission may wish to discuss.*

Mr. Zimmerman invited public comment and no one came forward to speak.

Jeff and Jessie Roby, the applicants, were present to answer any Commission questions. Ms. Roby reported that they had visited with the Willow Grove Condominium Board last week and their property manager, sent them a letter indicating their approval of this proposal.

Richard Taylor requested elaboration regarding the environmental sensitivity of the site.

Ms. Swisher said the Code prohibits development within the floodway, as well as within 20 feet of the floodplain. She said the 100- and 500-year floodplains are located on the site, and while development is not prohibited in the floodplains, compensatory stormwater storage is required. She explained the large amount of pavement on the site caused concerns regarding runoff due to the proximity to the Indian Run, which is a significant water body. She verified the applicant was not proposing anything that would further encroach the floodway. She pointed out that currently, both buildings are within the floodplain, and the warehouse building, constructed in the 1970s, was non-conforming in its location.

Amy Kramb said that since there would be daily cleaning, especially the outside area, the chemicals should be environmentally sensitive to the Indian Run and she wanted to see what chemicals were proposed.

Flite Freimann said although he was not wild about the uses, he saw no reason to deny them; however, the layout of the plan was unacceptable. He said he would not support an outdoor recreation area inside a floodplain, even if the Ohio Environmental Protection Agency (EPA) had

no concerns with it. He was concerned with the amount of chemicals, traffic, and animal waste that would come into contact with the floodplain. He suggested that the applicant use creativity in locating the outdoor recreation area on the site in an area not within the floodplain.

Mr. Freimann said the graphic of the Pet Palace parking lot was very instructive in understanding the use and nature of the site. He noted that owners drop their pets off and then leave, and he thought 51 parking spaces was a lot. He said he would like to see the whole western portion of the parking area removed and reverted back to greenspace. He thought 20 to 30 parking spaces along the southern portion of the site should be ample for dropping off pets. Mr. Freimann suggested the outdoor recreation area be located on the western portion of the site to give the dogs more room to play. Mr. Freimann was also concerned about the dumpster location being too far away to regularly get rid of the waste. He said he would like to see something that would convince the Commission that one dumpster was enough for a vet clinic, 100 dogs, and other waste associated with the facility. He said there were ways to make these uses work on this site, but the applicant was not there yet.

Mr. Walter said he was supportive of the use. He noted that the site was a difficult location, and pet day care was a great use for the site. He pointed out the noise from the freeway is a terrific buffer. He said he was not supportive of the proposed layout. He said the site was “backwards” and approaching the site from the rear with the fence and dumpster would not be what the business would want. He suggested reorienting the visitor entrance where the outdoor recreation area was now proposed and then provide the outdoor recreation area closer to the freeway, eliminate parking, and add more greenspace.

Mr. Walter encouraged the applicant to investigate the amount of effort the Noah’s Ark veterinary clinic in Muirfield took for noise abatement because the Commission would require the same standard applied in this location. He thought the site was workable and was better served for this use, but he agreed that the floodway needed to be respected, the amount of asphalt needed to be reduced, and the visitor experience needed to be reworked.

Ms. Roby said she had checked with the US EPA and the Ohio EPA about the creek to see what chemicals they suggested could be used. She told them she was considering Edge Top Performance™ or another product. She said the agencies wrote back and said they only would stipulate that there has to be a reference number on the bottle which meant it was being regulated. She said the proposed chemicals were EPA-approved for indoor or outdoor use.

Mr. Walter requested that the applicant include the details of the proposed EPA-approved chemicals with the formal application.

Ms. Kramb expressed concern regarding the quantity of chemicals that would be used outside everyday, noting that the entire site sloped toward the creek.

Mr. Roby pointed out that regarding the parking spaces, he thought that more parking spaces would be needed for the veterinary offices. He said they could move the recreational area to where the handicap spaces were located instead.

Ms. Roby said they could arrange to have the dumpster emptied more than once a week to avoid having it overflow. She said that two dumpsters would be fine.

Mr. Freimann said the Commission wanted to see a well laid-out plan including a waste disposal plan showing that they had addressed each issue. He said he did not want surrounding businesses to see a six-foot privacy fence and a dumpster, especially if the site could be reoriented with development further from the creek and if they could get more greenspace and less asphalt.

Mr. Freimann recalled that the Commission had spent a lot of time with the Noah's Ark Veterinary Clinic and held them to a very high standard regarding odor and noise control. He said while this may be outside the buffer zone, there are neighbors much closer that have businesses to be considered, well within 500 feet of the site. He said the Courtyard by Marriot and the Red Roof should be addressed and specifically contacted by the applicant about this proposal.

Ms. Kramb asked the applicant for information about how many dogs would be outside at once the next time they return to the Commission.

Christine Amorose Groomes did not want the buildings to remain as they are without making them appropriate for the use. She questioned whether the existing site layout and facilities were appropriate for the use in terms of the sound mitigation with the overhead doors. She challenged the applicant to make the facility appropriate for the use in all aspects, environmentally and functionally, but she did not otherwise have a problem with a dog daycare and veterinarian. She said there was a need for that service. She applauded the applicant for seeing that void and wanting to fill it.

Mr. Fishman was concerned about the creek and agreed asphalt could be removed. He said he would like to see heavy landscaping, particularly along the Indian Run. He said the buildings needed to be more aesthetic and look like a dog daycare and not a renovated car dealership.

Mr. Zimmerman pointed out that they needed to be cognizant of the different corporate citizens nearby. He did not think that this proposal meets Conditional Use criteria 1, 3, 4, 7, or 9. Mr. Zimmerman expected that the adjacent hotels will have a problem with noise coming from the dogs barking, and said he was not comfortable with this proposal.

Mr. Walter stated that strong noise studies should be done to mitigate the noise concerns. He noted that the negating circumstances of the site are the topography, where it is located with respect to Post Road, and the expressway.

Mr. Zimmerman recalled that the Commission had limited outdoor entertainment for restaurants due to the noise that would carry to the surrounding neighbors and businesses. He said that dogs barking cannot be controlled like outdoor entertainment can, and that should be considered.

Ms. Roby said the dogs would not be outside after 7 p.m.

Mr. Freimann pointed out seven Commissioners were not comfortable with the site layout. He reiterated that the Commissioners were concerned with the site layout, the use of the existing buildings, some of the building external features, traffic flow, and concerns about noise, odor and waste and they needed to be addressed through mitigation plans.

Mr. Fishman said he wanted something that the applicant would be proud of and he would like to see this as an attractive amenity to Dublin. He reiterated that the buildings, entrance, and layout should look good, and the creek and the environment need be protected and the noise addressed. Ms. Swisher asked the Commission for input regarding the pea gravel in the recreation area. Ms. Kramb said whatever would be a good filtration unit for the chemicals would be the best ground cover.

Mr. Zimmerman confirmed that sufficient Commission feedback had been provided regarding this proposal.

2. Perimeter Center, Subarea C – Cabin in the Woods Office Building

08-112AFDP

**5815 Wall Street
Amended Final Development Plan**

[This case was pulled from the Consent Items on the Agenda.]

Todd Zimmerman explained the process and procedures of this Administrative matter. He swore in anyone wishing to address the Commission in regards to this case, including the applicant, the applicant's representative Carter Bean, and City representatives. He confirmed with the Commissioners that a presentation by Planning was not necessary.

Chris Amorose Groomes expressed concerns regarding the proposed mounding along the northern portion of the site intended to meet the vehicular use area screening requirement. She noted that the mounding may harm the existing trees in that portion of the site and she requested that the applicant utilize a hedge or planting treatment rather than mounding to meet the intent of this requirement. She suggested a condition that the applicant plant sea green juniper five to six feet behind the curb from the parking lot or construct a short stone wall rather than try to add more soil. She indicated that she would hate to see any burden on the existing trees' root systems.

Mr. Bean agreed that if additional topsoil would end up harming the trees, it would be more expensive than just adding plantings. He asked if the extent of the plantings would just need to be within the landscaped area between the two existing curb cuts.

Ms. Amorose Groomes clarified that the planting was needed just on the deficient portion of the site.

Motion and Vote

Mr. Zimmerman made the motion to approve this Amended Final Development Plan because the proposed sign meets the design intent of the approved development text and the proposal meets the review criteria with the two conditions as listed in the Planning Report and one additional condition:

- 1) That the applicant submit a landscape plan that complies with Code requirements for vehicular use area perimeter landscaping, vehicular use area interior landscaping, screening for service structures, and street trees prior to obtaining a building permit;
- 2) That the tree protection fence detail and the information regarding the size of the proposed plantings be provided prior to obtaining a building permit; and

- 3) That the applicant utilize a sea green juniper hedge on the south side of the existing mound along Wall Street to meet the vehicular use area screening requirements in lieu of increasing the height of the mound.

Mr. Fishman seconded the motion. The vote was as follows: Mr. Taylor, yes; Ms. Amorose Groomes, yes; Mr. Walter, yes; Mr. Freimann, yes; Ms. Kramb, yes; Mr. Fishman, yes; and Mr. Zimmerman, yes. (Approved 7 – 0.)

**3. Dominion Homes
08-114AFDP**

**4900 Tuttle Crossing Boulevard
Amended Final Development Plan**

[This case was pulled from the Consent Items on the Agenda]

Todd Zimmerman explained the process and procedures of this Administrative matter. He swore in anyone wishing to address the Commission in regards to this case, including the applicant Steve Beck, and City representatives.

Flite Freimann agreed that a Planning presentation was not necessary for this Consent case. He commented the refacing of the sign was a dramatic improvement. He stated he preferred the use of the Marine Blue awning to the Tuscan Orange colored awning. He expressed concern about the address on the awning since the Commission had previously discussed the issue in depth for the La Chatelaine awning proposal. He said he was not comfortable with the building address on the awning since the address was included on the monument sign. He said if the applicant had a compelling reason for placing the address on the awning, he would listen.

Amy Kramb said she preferred the Marine Blue awning because it matched the sign and it did not stand out as much as the Tuscan Orange color. She asked if the sign lettering was engraved.

Steve Beck, representing Dominion Homes, said regarding the address, the issue was Dominion has consolidated into one building, with the visitor entrance facing Frantz Road. He said clients come to the wrong door because the address is on Tuttle Crossing Boulevard, but the main entrance faces the other way. He said this has caused confusion in the past.

Kevin Walter asked if vehicular traffic will enter from Tuttle Crossing Boulevard. Mr. Beck explained that people can access the site from Tuttle Crossing Boulevard or Park Center.

Mr. Freimann said he was not against people finding the business. He said the Commission often sees addresses proposed on signs and it was an ongoing issue that needed to be resolved.

Mr. Walter and Mr. Zimmerman noted that the monument sign also was not located on Tuttle Crossing Boulevard.

Mr. Walter said he thought putting 4900 on the Tuttle Crossing Boulevard side of the building would help, but putting the address on the awning would not help find the location.

Warren Fishman said he did not like the Tuscan Orange awning and he agreed that the address on the awning was not necessary. He pointed out that clients will receive directions from their realtor. He said the building was dominant on the corner, and he did not see any hardship.

Mr. Zimmerman asked if the signs were changed around when the Dominion Homes office relocated to one building.

Jennifer Rauch said the text for this planned district has unique sign requirements. She said when Dominion Homes owned both buildings, three signs were permitted; one for this parcel and two for the western parcel. She said a new owner is now using the building to the west, so one of those signs is eliminated for that particular use and could go back to Dominion, if they so chose to do that. She clarified that based on this Dominion has the potential of having two signs.

Richard Taylor said the Commission had previously discussed sign criteria and said if an awning was considered an additional sign if it had text on it. He recalled that the original Matt the Miller application had proposed signage at the front door, a monument sign in front, and the restaurant name on half a dozen awnings. He said La Chatelaine was a similar application.

Mr. Zimmerman pointed out that an address, not a corporate logo or verbiage was being proposed on these awnings.

Mr. Taylor asked how many signs the Dominion building currently had without the awning. He asked if it was judged by the Commission as a sign, and above and beyond what was permitted.

Ms. Amorose Groomes asked if Dominion would have the ability to put 4900 on the door in lettering. Ms. Rauch said the address could be placed on the entrance door.

Mr. Zimmerman said he thought the second sign reverted back to Dominion Homes if a buildings' ownership changed. Ms. Rauch said that was correct. She said if the new user of the western building, Boundtree Medical wanted to use both signs, they would have to submit an application and receive approval from the Commission.

Mr. Beck mentioned that Dominion Homes may return to the Commission for another sign on Tuttle Crossing Boulevard.

Ms. Amorose Groomes agreed the awning would be a sign, because it was communicating with the general public.

Mr. Zimmerman summarized the Commission preferred the Marine Blue awning with the address removed.

Mr. Taylor asked what material would be used to reface the monument sign, and would it be identical to what exists.

Mr. Beck said the face of the monument sign would be a plastic material, painted blue with the white letters internally illuminated.

Ms. Kramb stated that the text specified that any new sign have a black background with white routed letters, which was not what was being proposed. She stated that the white lettering style should remain.

Ms. Rauch said the text required Commission approval of any sign modifications and allowed the Commission the discretion to allow the blue background and non-routed letters. She said if

the Commission thought it was appropriate to keep the sign as proposed, the Commission could do that. She confirmed the existing sign did not have routed letters.

Steve Langworthy stated the use of a blue background and non-routed lettering should be specifically permitted. He said it could be specified in the motion that this approval applies only to this sign.

Mr. Zimmerman invited anyone in the audience wishing to speak on this case to come forward and no one appeared.

Motion and Vote

Mr. Zimmerman made the motion to approve this Amended Final Development Plan because the proposed sign meets the design intent of the approved development text and the proposal meets the review criteria with the following two conditions.

- 1) That the applicant utilize the Marine Blue color for the proposed awning, and that the copy be eliminated from the proposed awning and placed on the exterior door at the applicant's option; and
- 2) That the final development plan be amended to permit the use of a blue background and non-routed white lettering for this sign.

Mr. Beck agreed to the conditions listed above. Mr. Taylor seconded the motion.

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

4. Architectural Review Board 07-096ADM

Administrative Request Zoning Code Amendment

This Administrative Request was postponed prior to the meeting. There was no discussion or vote taken.

Administrative Business

Mr. Freimann recognized the members of Leadership Dublin Class of 2009 and thanked them for coming to see how their government works.

Mr. Zimmerman adjourned the meeting at 7:40 p.m.

Respectfully submitted,



Libby Farley
Administrative Assistant