

high expectations of the group. She said that Mr. Hardt was fortunate to join the Commission at a great time because of the Bridge Street Corridor Study and its Speaker Series, which starts October 27. She invited the Commissioners to join City Council at 4:30 p.m. for dinner at OCLC to kick off the Speaker Series and reminded the Commission of the subsequent events planned for November 19 and December 1. She said the public was invited as well. Mayor Chinnici-Zuercher said it would be an opportunity to educate themselves and the broader community about the possibilities and the vision, and how the community can continue to grow. She said that City Council was excited to have Mr. Hardt join in this venture. Mayor Chinnici-Zuercher administered the Oath of Office to Mr. Hardt. She thanked and congratulated Mr. Hardt.

Mayor Chinnici-Zuercher suggested the Commissioners read the book *The Option of Urbanism: Investing in a New American Dream* that Planning had made available ahead of time so that they had some sense what the position is of the writer and the speaker for October 27, Christopher B. Leinberger, and how they all might engage in a dialog with him during that evening.

Motion and Vote

Warren Fishman made the motion to approve the September 3, 2009 minutes as presented. Todd Zimmerman seconded the motion. The vote was as follows: Ms. Kramb, yes; Mr. Taylor, yes; Mr. Walter, yes; Mr. Hardt, yes; Ms. Amorose Groomes, yes; Mr. Zimmerman, yes; and Mr. Fishman. (Approved 7 – 0.)

Motion and Vote

Richard Taylor made a motion to accept the documents into the record as presented. Todd Zimmerman seconded the motion. The vote was as follows: Ms. Amorose Groomes, yes; Mr. Fishman, yes; Mr. Walter, yes; Ms. Kramb, yes; Mr. Hardt, yes; Mr. Zimmerman, yes; and Mr. Taylor, yes. (Approved 7 – 0.)

Motion and Vote

Richard Taylor made a motion to approve the 2010 meeting dates as presented. Warren Fishman seconded. The vote was as follows: Mr. Hardt, yes; Ms. Kramb, yes; Mr. Walter, yes; Ms. Amorose Groomes, yes; Mr. Zimmerman, yes; Mr. Fishman, yes; and Mr. Taylor, yes.

Communications

Administrative Report

Claudia Husak said information included in the Newsletter highlighted the Speaker Series and Special Meeting on Tuesday, October 13 at the Dublin Community Recreation Center with the Goody-Clancy consultants for the Bridge Street Corridor Study, at 6:30 p.m. She said it was a public meeting and an agenda had been sent to the media in accordance with the Rules and Regulations.

Ms. Husak said quite a few applications were received in September and they were listed in the Newsletter. She said it was previously discussed that the first meetings of November and December would be cancelled in order to keep the days between the meetings consistent. She proposed that the November 5 Commission meeting would officially be cancelled. Ms. Amorose checked for Commission opposition, and there was none.

Ms. Husak reported that Community Relations has planned Dublin's Tree Lighting Ceremony for December 3 and so she suggested that the Commission meeting on that date be cancelled so that the Commissioners would have time to take part in the event. She confirmed that it would not hold any applications up and there was sufficient time to get through the necessary business.

Ms. Amorose Groomes said that was very good.

Ms. Husak said a photograph of Carson Combs and literature was included in the Newsletter regarding the 2007 Community Plan winning the Ohio American Planning Association Chapter Award. She invited the Commissioners to visit the Planning office to see it. Ms. Amorose Groomes asked that the Commission's congratulations be passed to Mr. Combs and his team on the Planning Award. She said it was great to see that they are formally recognized by their peers with regard to that.

Ms. Husak said there were three Administrative Approvals this month listed in the Administrative Report. She said there were no reports for City Council, the Board of Zoning Appeals, or the Architectural Review Board.

Ms. Husak reported that the Coffman Park shelter secured by Fred Hahn looked more like what was there with the shape. She said shelter would retain the size of the pad.

Ms. Amorose Groomes reminded everyone that the October 26 Commission Training meeting was cancelled, and that the joint meeting was scheduled for October 27. She asked that the Commissioners get October 13 and 27 on their calendars.

Ms. Husak reported that Case 5: 09-088CU - Delta Energy consented to the conditions listed in the Planning Report, but it had not been included on the Chair's Agenda as such.

Ms. Amorose Groomes asked if any Commissioner wanted to pull the Consent cases, Cases 4 and 5. Mr. Taylor pulled Case 4, and Ms. Kramb and Mr. Zimmerman pulled Case 5 because they had questions about them.

Claudia Husak requested that Case 5 remain last on the Agenda, because the applicants were not expecting to be heard early.

The amended agenda order is as follows: Cases 4, 1, 2, 3, and 5. [The minutes reflect the order of the published agenda.]

**1. Shoppes at River Ridge – Montgomery Inn 4565 West Dublin-Granville Road
09-034CDD Corridor Development District**

Chair Chris Amorose Groomes introduced this request to modify building materials for an existing restaurant within the Shoppes at River Ridge development, located on the south side of West Dublin-Granville Road, approximately 750 feet east of the intersection of Riverside Drive. She swore in those intending to speak in regard to this case including the applicant Evan Andrews and his representative Dean Baumgartner, Ford & Associates Architects, and City representatives.

Rachel Ray presented this request for review and approval of a Corridor Development District application. She reported that the case had been tabled without discussion at the July 9, 2009 Commission meeting, as requested in writing by the applicant's representative. She said that although the applicant has submitted additional information about the proposed fencing since the July meeting, Planning's recommendation has not changed.

Ms. Ray presented photographs of the existing restaurant and the approved fencing, as well as the proposed railing for the patio building. She stated that there are two purposes for the patio fencing. She explained that one was for aesthetics, to coordinate with the rest of the restaurant, and the second was for safety, to keep restaurant patrons away from the edge of the patio. She pointed out that there is no seating approved on the walkway outside of the patio building, and that the walkway was only intended to provide space for the windows to open and for people to clean the outside of the structure.

Ms. Ray said that based on the Corridor Development District review criteria, it is Planning's opinion that the proposed fencing is inconsistent with what was approved for the design of the main restaurant building. Ms. Ray added that Planning and Building Standards have evaluated the structural security of the structure and it is their determination that the originally approved white fiberglass railing system would have been as secure as what the applicant is now proposing. She concluded that it is Planning's opinion that the review criterion has not been met, and therefore Planning is recommending disapproval of this request.

Ms. Amorose Groomes invited public comment. [There was none.]

Amy Kramb said she did not think the proposed fence was attractive. She suggested another design closer to what was originally approved. Ms. Kramb commented that the proposed fence does not look as sturdy and substantial as the approved fence and therefore that the fence should be disapproved.

Evan Andrews, the applicant and owner of Montgomery Inn, said he had originally proposed a patio with a roof, posts, and drop down curtains over a year ago, but the Commission said that they preferred a nicer, more attractive structure that could be enclosed, and so that is what they came back with. He said that the approved fence would not have fit because the enclosure doors would not open. He explained that the proposed fence was very similar to other existing fences in Dublin, and to say that it is flimsy or unsafe is inaccurate.

Ms. Kramb clarified that she did not question the security of the fence, only the way it looks.

Kevin Walter asked about the distance between the posts of the proposed fence. Dean Baumgartner, Ford and Associates Architects, said that both fences have posts that are four inches on center. He said the original fence at the front is purely decorative while the patio fence is more functional.

Mr. Walter said he did not think the proposed fence added to the aesthetics of the building or that the building was defined by that railing. He was concerned that a child might put a foot on the railing to climb up and over. He said he did not have a problem with the request, although he did not particularly like the fence.

Richard Taylor preferred the originally approved fence but also said that he did not dislike the proposed fence. He said he did not think the position of the railing around this building detracts from the overall building design. He commented that the proposed fence design and its location around the patio were actually important because the view is the more important design concern, and not necessarily the railing itself.

Mr. Taylor pointed out that at the southwest corner of the patio a person could walk in the walkway where the windows are going to be open since the fence does not enclose that corner of the building. He recommended that the applicant consider putting a fence or gate at that corner to prevent someone from going out on the walkway. Mr. Baumgartner explained that the opened windows reach the railing, which would close off portions of the walkway when the windows are open.

John Hardt said that the applicant's letter indicated that one of the reasons for using this fence in lieu of the previously approved fence was concern about the structural stability of the other fence. He said that the manufacturer's data seemed to suggest that the other fence would have been fine. He asked if there was something not apparent that would indicate a problem.

Mr. Baumgartner explained that the typical installation for that fence is with base plates, and in this condition, it would have been 50 feet across the west face and a 30-foot return with no structural posts. He said they would have been set on the concrete slab with a base plate and anchors, which he did not feel was a good situation. He said the fence was originally designed to be set off the concrete patio with posts dropped in concrete because that would give more structural support for the posts. He said it became apparent that with the slope and the area and the cost considerations that the best scenario was this type of embedded railing system.

Mr. Hardt asked if a structural engineer had looked at those factors during their design. Mr. Baumgartner said they designed and submitted plans with concrete posts embedded in concrete.

Todd Zimmerman said he was not happy with the difference in the design of the fencing, but he found the existing fence to be sturdy and appealing. He pointed out that the reason the Commission had suggested the glass patio enclosure instead of the curtain design was because of possible noise from the patio that could carry down the river.

Warren Fishman said he had visited the site and it looked fine. He thought the Montgomery Inn had gone beyond what the Commission asked them to do, and he had no problem with the existing fence.

Ms. Amorose Groomes said that the Montgomery Inn has been a wonderful corporate citizen, and that Mr. Andrews did almost everything the Commission had asked for along the way. She said the fence was not what was approved, but from the data, the Commission sees that the fence is safe, that it is installed, and that there was a reason for why they did. Ms. Amorose Groomes said that coming back to the Commission to ask for permission after the fact was not a habit the Commissioners would like to see any of Dublin's corporate citizens start doing, but she did not think that this fence was a detriment to the beautiful building and she thought it was appropriate to stay.

Motion and Vote

Mr. Taylor made the motion to approve this Corridor Development District application because the proposed fence modification complies with the Corridor Development District review criteria and coordinates with the design of the existing restaurant.

Ms. Ray confirmed that the gate suggestion was not a condition.

Mr. Zimmerman seconded the motion. The vote was as follows: Mr. Fishman, yes; Mr. Walter, yes; Ms. Kramb, no; Mr. Hardt, yes; Ms. Amorose Groomes, yes; Mr. Zimmerman, yes; and Mr. Taylor, yes. (Approved 6 – 1.)

**2. Kumon Learning Center
09-067Z/PDP**

**4056 West Dublin-Granville Road
Rezoning/Preliminary Development Plan**

Chair Chris Amorose Groomes introduced this rezoning/preliminary development plan application to rezone a parcel from R-4, Suburban Residential District, to PUD, Planned Unit Development District, to permit construction of a commercial building. She said the property is located on the north side of West Dublin-Granville Road, west of the intersection with David Road.

Rachel Ray presented this request for review and recommendation of approval to City Council for an application to rezone this half-acre parcel to allow a 4,921-square-foot commercial building with up to three tenant spaces and associated site improvements. She described the site, the proposed site plan, and how it relates to the Shamrock Crossing preliminary development plan, which was approved in 2007 for the four acres to the west of this site.

She explained that the proposed development text states that the architectural concept is intended to be traditional in look and feel, while also allowing for consistency and cohesiveness with any future buildings constructed with Shamrock Crossing. She noted that the building is designed to give the appearance of a one-and-a-half to two-story building like Shamrock Crossing, and is also comprised of three individually articulated tenant spaces. Ms. Ray stated that the purpose of a preliminary development plan is to establish the overall design concept and building materials and permit the details to be refined and approved with the final development plan. She explained that although the architecture demonstrates general consistency with Shamrock Crossing, several significant details typical of Shamrock Crossing's design have not been effectively translated with this proposal as shown. She listed more differentiation and articulation of the individual tenant spaces and reevaluating the locations of exterior building materials as architectural features that are essential to creating a consistent character that should be addressed prior to final development plan approval.

Ms. Ray concluded that Planning has reviewed this proposal based on the review criteria for rezoning and preliminary development plan applications, and it is Planning's opinion that the criteria have either been met, or may be met with conditions. She reported that this development, along with the future Shamrock Crossing, will assist with establishing a pedestrian oriented streetscape along the State Route 161 corridor, which is consistent with the Community Plan and the objectives of the Bridge Street Corridor Study currently underway. She added that this site will also help connect future redevelopment west of Shamrock Drive and east of David Road, and will also contribute to establishing a transition into the Historic District.

Ms. Ray said that based on the review criteria, Planning is recommending approval of this proposal with the following eight conditions:

- 1) That the applicant continue to work with the City on the traffic study and determine any necessary improvements with the final development plan;
- 2) That the applicant pay the City of Dublin \$6,986 for the improvement of David Road prior to obtaining a building permit unless a more appropriate fee is determined and agreed to by the applicant and the City;
- 3) That the applicant demonstrate compliance with the City's stormwater management requirements with the submission of the final development plan;
- 4) That the applicant continue to work with Planning and Engineering to identify a future cross-access point farther north that will provide better vehicular circulation and parking lot cross-access prior to approval of the final development plan;
- 5) That a sidewalk is constructed between the building and the parking lot to provide pedestrian access to future development to the west;
- 6) That the sidewalk along David Road be extended to the existing path on Banker Drive;
- 7) That the development text is revised to address comments in this report prior to scheduling the preliminary development plan/rezoning public hearing at City Council; and
- 8) That the applicant continue to work with Planning to implement and refine the design details discussed in this report prior to final development plan approval.

Aaron Underhill, Smith and Hale, representing the applicant, said that they had worked very diligently with staff on this application over the past seven months. He thought this proposal meets the spirit and intent of the Community Plan and the Area Plan for this property. He explained that the Kumon Learning Center would be the primary tenant, but they were trying to attract other tenants as well. He described the use of the Kumon Learning Center, which he characterized as very low intensity, with hours of operations between 4 p.m. and 7 p.m. every day. He said there are typically just a few students at a time, and parents often drop off students and pick them up later. He said they expect this use to occupy at least 40 percent of the building as the primary use, and that is why the need for parking is much lower. He added that if they occupy less than 40 percent of the building, they agreed to increase the parking to meet Code.

Mr. Underhill pointed out that the closest and most recent zoning in the area is the Shamrock Crossing development, which the applicant has used to guide their development proposal. He said they pushed the building closer to SR 161 as shown on the Shamrock Crossing preliminary development plan, which he thought was the City's goal and they are happy to coordinate.

Mr. Underhill commented that they had created a development with a lot of pedestrian connectivity, and they are setting the stage to permit future development to connect with this site. He recalled that he had worked on the Shamrock Crossing development text during their rezoning, and their intent with this current application is to take those same uses allowed in Subarea C, the subarea closest to this site, and apply generally the same uses. He realized however that this is a smaller site with different development constraints. He said that with respect to cross access, they are more than happy to move the future driveway to the north.

Mr. Underhill stated that they had been through several iterations with staff on the proposed architecture, and although he thought there could be some improvements based on staff's comments, he thought they were very close. He asked for the Commission's consideration to

allow them to continue working with staff to make some of the remaining improvements before they return for the final development plan.

Mr. Underhill expressed his general agreement with the conditions, although he mentioned that they had a few concerns. He referred to Condition 1, regarding signs, and noted that the Zoning Code would base the permitted sign area on the amount of store frontage on the right-of-way, although he recognized that would be too much for this site. He pointed out that the approved Shamrock Crossing signs can be up to 40 square feet, but the proposed development text for this site allows only 22.5 square feet. He said they would like to increase that area to about 30 square feet, if the Commission was willing, which would still be 25 percent less than what is allowed for Shamrock Crossing.

Mr. Underhill continued that the signs for Shamrock Crossing oriented toward their parking lot are allowed by their development text to be up to 24 square feet per tenant. He said that they were only proposing 18 square feet, again about 25 percent less than Shamrock Crossing. He said that Planning has asked them to reduce the sign area on the parking lot side of the building to six square feet, which they feel is too small and inconsistent with Shamrock Crossing.

Mr. Underhill said that regarding the condition requiring the sidewalk on David Road to connect to Banker Drive, they do not necessarily have an issue with paying their share to get this done, but they believe that the grade change will make difficult. He said they will be giving the City about \$7,000 toward improving David Road, and they would prefer the City to take care of the sidewalk extension with some reasonable contribution instead of the applicant.

Mr. Underhill added that the other issue they had regarding sidewalks was with the connection to the property to the west. He said they have provided quite a bit of sidewalks, and they are concerned with providing sidewalks to the next site when they do not know where the building will be located. Mr. Underhill said they assumed it would be close to SR 161 like this building, but exact location is unknown. He requested further discussion on this issue as well.

Mr. Underhill concluded that he would like further discussion from the Commission regarding Conditions 5, 6, and 7, but they were fine with the rest of the conditions.

Ms. Amorose Groomes invited public comment on this application.

Kevin Scott, representing his mother, Donnabelle Scott, who resides at 4070 West Dublin-Granville Road, pointed out that the Shamrock Crossing development does not currently include his mother's property. He referred to a statement made in the last paragraph of Section A in the application statement that the price of his mother's property was prohibitively high. He said that the owner of this particular site paid \$217,000, but the Shamrock Crossing developers previously had his mother's property in contract at \$250,000. He noted that they reduced the price on October 1 to \$230,000. He continued that the application stated that the developers of Shamrock Crossing backed out of the contract with his mother because of the exorbitant price, which was not the case. He said that it had been in contract, but an existing AEP easement was found between the properties, which stopped them from being able to build a building across the property line. Mr. Scott said that this property and his mother's property to the west should be developed at the same time.

Kevin Walter confirmed that the AEP easement ran north and south and asked about the dimensions of the easement. Mr. Scott said he did not know the dimensions of the easement, but thought that nothing could be built over it.

Ms. Amorose Groomes invited further public comment. [No one had comments.] Ms. Ray brought to the Commissioners' attention that a statement from the owner of Shamrock Crossing had been placed on the dais before the meeting.

Ms. Amorose Groomes asked for clarification regarding the AEP easement and the approved Shamrock Crossing plan. Ms. Ray explained that the Shamrock Crossing development had only a preliminary development plan approved thus far, so they would need to come back for final development plan approval, and the final building layout would be determined at that time. She said a building was conceptually shown over the easement, but there was intent to have some breakup of that building, so the conceptual layout could change.

Claudia Husak clarified that the property Mr. Scott was referring to is included in the Shamrock Crossing preliminary development plan, so it is zoned PUD; however, the owners of Shamrock Crossing do not own Mrs. Scott's property. She said that Mrs. Scott was a co-applicant at the rezoning. She said the existence of the easement was not known when this was approved.

Mr. Walter asked if the AEP easement had active lines located in it. Ms. Husak said she was not sure, but they would look at what type of development would be feasible within the easement at the final development plan. She said the buildings were approved with a certain square footage, but exact location was unknown.

Ms. Kramb asked how many parking spaces would be required for this site if the Kumon Learning Center did not occupy 40 percent of the building. Ms. Ray said that it would depend upon what the uses were, and they would be required to meet Code.

Ms. Kramb asked how many spaces would be needed at maximum, since there is not much room to add more parking spaces. Ms. Husak said they would need approximately 20 parking spaces. Ms. Ray added that there might be enough room to add a few extra parking spaces or work out a joint parking agreement if cross-access to the future Shamrock Crossing parking lot to the west was provided.

Ms. Kramb asked why the development text did not require property perimeter landscaping from SR 161. Ms. Ray explained that per Code, the property perimeter landscaping requirement along major arterials like SR 161 is a six-foot mound or screen. She stated that because such a large amount of screening would not contribute to the pedestrian-oriented streetscape desired on SR 161, they were proposing to eliminate this requirement from the development text.

John Hardt asked what would happen to the stormwater swale if cross-access is provided to the adjacent property. Ms. Ray said that at the final development plan, the actual location of the access will be finalized, and either an easement on the adjacent property would be required, or they would have to reconfigure the stormwater swale. She noted that the proposed development text permits pervious pavement and a green roof, so the applicant could use any combination of these stormwater management methods as long as they comply with the Code.

Mr. Fishman asked if this site meets the Zoning Code parking requirements based on the proposed permitted uses. Ms. Ray confirmed that the parking would meet Code.

Mr. Walter said that this is a classic infill development, and he did not really like this application. He thought they were trying to force too much onto a small site. He said he did not care about the parking in this particular case because he would like to see this parcel more densely populated with a building and significantly less parking, perhaps with a shared parking arrangement with Shamrock Crossing. Mr. Walter said he was sensitive to the neighbor to the west and how it will be impacted by what happens on this parcel. He said that because they might end up with a gap between buildings due to the easement, it makes sense to try to incorporate the parcel to the west into this development, although he realized that the Commission cannot require that of the applicant. He said the architecture was bland, and he did not like the parking layout in the back because it does not seem functional.

Ms. Krumb asked for clarification of the development text section A-2, regarding the administrative approval of patios. She asked if it meant that the *use* of the patios will be subject to administrative approval, not what they look like. Ms. Ray answered that the appearance and layout of the patio would be part of the final development plan approval, and then as new tenants came in, use of the patio would be administratively approved if the criteria in the text is met.

Ms. Krumb said she did not understand why patios would be allowed since restaurants are not permitted. Ms. Ray clarified that restaurants are permitted as a conditional use. She mentioned that the patio was intended to help reinforce the pedestrian oriented streetscape.

Ms. Krumb said she was okay with the wall signs as described by Mr. Underhill; however, she was unsure about the ground signs. Ms. Krumb agreed that since they do not know what will be built to the west, a sidewalk connection to the west should not be required, and she did not think the architecture had to look like Shamrock Crossing. She concluded that she was okay with this proposal, but she was not thrilled with it.

Warren Fishman said this was complicated for him because this is part of Dublin's gateway and he hated to see a small shopping center on this site, with a car wash across David Road from this site. He agreed with the other Commissioners' comments that combining this site with the adjacent lot could allow something of substance to be built. He said that cross access and shared parking would be fine if they had a project that looked great and coordinated with Shamrock.

Todd Zimmerman said he had no problem rezoning this parcel for this particular use. He referred to Condition 8, stating that the applicant would continue working with staff on the architecture. He said he was not yet comfortable with the architecture to the point where he was ready to approve this as a preliminary development plan.

John Hardt said that he did not have a problem with rezoning this property either, specifically putting a relatively small building on it. He said that in the context of Shamrock Crossing and the other projects in the area, he thought a variety of smaller buildings could be very nice. Mr. Hardt agreed with some of the other Commissioners that the architecture has to be consistent and of similar character to the Shamrock Crossing, and this application does not accomplish that.

Mr. Walter suggested a plaza or a green in between this site and the adjacent parcel that could lend more of a village-feel to this site. He thought that this looked like a strip mall with parking in the back instead of the front, and a couple of smaller buildings on the site might actually add some character and maybe preserve the idea that there used to be single-family homes here.

Richard Taylor said that although “pedestrian-oriented design” is in the Community Plan and the Corridor Development District, he does not think that sidewalks and pseudo-historic building façades alone make something “pedestrian-oriented.” He explained that in his reading of the Community Plan, the intent in this area is to cluster buildings as Mr. Walter described, so that the pedestrian-orientation is more interior to the site. He did not believe that the point of pedestrian-oriented design is to push pedestrians toward SR 161.

Mr. Taylor said that he could not support this project as presented. He thought that the Community Plan and the CDD requirements specifically require a very high level of architecture here, as shown with Shamrock Crossing. Mr. Taylor said this is a weak imitation of Shamrock Crossing, and has a long way to go. Mr. Taylor said what needs to be done is way beyond minor changes, and he thought they could do much better.

Mr. Taylor said that regarding the signs, this is an opportunity on a very visible site to do something different than the typical, flat, scalloped-edge signs with gooseneck light fixtures.

Ms. Amorose Groomes agreed with Mr. Taylor’s comments. She reiterated that the Commission must utilize the review criteria in evaluating applications. She referred to Criteria 3, that “the proposed development advances the general welfare of the City and immediate vicinity, and will not impede the normal and orderly development and improvement of the surrounding areas.” She said she did not know how this proposal had come before the Commission in its current state, because the outstanding issues have a profound impact on orderly site development. Ms. Amorose Groomes said they also have to consider the impacts on the adjacent property. She concluded that the Commission seems to agree that this proposal does not meet Criteria 3, and therefore, if it does not meet the criteria, she cannot support this application.

Ms. Amorose Groomes clarified that she did not have a problem with rezoning the property, but she did not want to create an isolated development on this site, because then the Commission will be painting themselves into a corner from which there will be no way out. She asked Mr. Underhill how he would like to proceed, given the Commission’s comments this evening.

Mr. Underhill said they would be happy to return with modified architecture and he would not ask for a vote tonight. He said from the applicant’s perspective, they thought that they were meeting the spirit and intent of the Community Plan by pushing the buildings toward SR 161, even though they do not care where the building is located. He pointed out that they meet Code regarding lot coverage and parking requirements, and 9,000 square feet per acre is not an intense density. Mr. Underhill thought this could work with some modifications. He recalled that when Shamrock Crossing was approved, they were not required to buy this particular property before it was approved, and unfortunately, with infill sites, they often have little pieces of land that they have to try to develop appropriately. He requested that the Commission table this case.

Ms. Amorose Groomes reiterated that the Zoning Code is only one component of their review, since the Code, the Community Plan, the review criteria, and the uses all play a role. Mr.

Underhill understood, but clarified that he did not think they were forcing too much onto this site, since the proposal meets Code.

Steve Langworthy pointed out that Mr. Hardt had questions regarding the signs. Ms. Amorose Groomes surveyed the Commissioners to see if they at a point where they were ready to discuss signs for this application, because it is her opinion that the application was not ready yet.

Ms. Amorose Groomes asked if Mr. Underhill had any other questions that would help continue this process. Mr. Underhill said he understood that architecture is a problem. He asked if there was consensus that the use was appropriate and consistent with the Community Plan.

Ms. Amorose Groomes said there is no issue with the use. She said that the applicant is a good corporate citizen, and they welcome this establishment and will work with them toward that end.

Mr. Underhill requested that the Commission to consider with an open mind whether or not they have to acquire Mrs. Scott's property in order to get this development approved, because he thought this site could work without that parcel.

Ms. Amorose Groomes confirmed that Mr. Underhill was requesting the application to be tabled.

Motion and Vote

Mr. Taylor made the motion to table this Rezoning/Preliminary Development Plan application at the request of the applicant, to allow reconsideration of the site design and architectural concept.

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

3. Riverside Drive Animal Care Center 09-079CDDS

6924 Riverside Drive Corridor Development District Sign

Chair Chris Amorose Groomes introduced this application to replace an existing ground sign for a veterinary care center located on the east side of Riverside Drive, north of the intersection of Tuller Road. She swore in those who intended to speak in regards to this case including the applicant, James Hartley, Signcom, Inc. and City representatives.

Claudia Husak presented this Corridor Development District (CDD) sign application. She explained that the purpose of the Corridor Development District was to overlay a zoning requirement to ensure that that existing and future commercial development is of high quality. She said all signs within the CDD require review and approval by the Commission, which is the final step before obtaining a sign permit. Ms. Husak explained that this site was recently annexed into Dublin and one of the requirements of the annexation agreement was that the signs would come into compliance with Code and receive through this CDD process.

Ms. Husak said that the City was gearing up for the construction of Emerald Parkway Phase 8, and this site is in that vicinity that will impact of the turning lane. She said a significant piece of right-of-way is being acquired through the annexation process. She said therefore, the existing

Riverside Drive sign would be within that new right-of-way. Ms. Husak said this proposal is for the sign to be installed eight feet, as required by Code, east of the new right-of-way line.

Ms. Husak said that Planning reviewed this sign proposal under the criteria and proposed a condition that the sign along Tuller Road be removed prior to the submission for the permit for the Riverside Drive sign. She said the applicant was concerned that as the condition is worded, that at the point when they remove the Tuller Road sign and remove the Riverside Drive sign to move it, there would be no sign. Ms. Husak said the alternative condition proposed would say that the Tuller Road sign be removed within thirty days of the Riverside Drive sign being installed. She said that Planning is recommending approval with the alternate condition.

Ms. Amorose Groomes suggested since both signs are being removed, that the condition state that both signs were to be removed in 30 days.

Kevin Walter asked why both signs were being removed. He said in the future, Tuller Road may be cul de saced, so they would probably want that sign. Ms. Husak said that Planning had made the applicant aware that this CDD sign process would have to happen again. Mr. Walter asked if the sign was removed, would the ability to have a sign be removed. Ms. Husak said the applicant would have to come to the Commission for review and approval.

Richard Taylor confirmed that there was to be only one tenant listed on the sign.

Bruce Sommerfelt, Signcom, 527 West Bridge Street, on behalf of the applicant, said that the alternate condition was satisfactory to them and left some identification in place during the fabrication and excavation process.

John Hardt asked for a condition that the stone sign base match the stone watercourse on the building.

Ms. Amorose Groomes proposed Condition 2 read: That the cultured stone base of the sign would match the cultured stone course on the building.

Motion and Vote

Mr. Taylor made the motion to approve this Corridor Development District Sign application because it complies with the sign review criteria and the existing development standards with two conditions:

- 1) That both existing signs be removed within 30 days of the installation of the new Riverside Drive sign; and
- 2) That the cultured stone base of the sign match the culture stone course on the building.

Mr. Sommerfelt on behalf of the applicant, agreed to the two conditions.

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

**4. Tartan West, Subarea G, Decks and Patios
09-081AFDP**

**Corazon Drive
Amended Final Development Plan**

Chair Chris Amorose Groomes introduced this application which involved modifications to the location and size of permitted patios and decks within the Tartan West Planned Unit Development District, located on the south side of Corazon Drive at the intersection of Vineyard Haven Drive. She swore in those intending to speak in regards to this application including the applicant, Kirk Denyes, Truberry Homes and City representatives.

Richard Taylor who pulled this consent item, said that a case presentation was not necessary. He asked if there were any corresponding changes to the development text with this or was it just the development plan. Jamie Adkins explained that the development text was silent on these kinds of details, which is why they had to come back in 2006 and get the original plan approved. She said it was all just part of the final development plan.

Mr. Taylor asked if any existing trees will be lost with the potential location of these patios. Ms. Adkins expressed confidence that no trees would be lost. She said the site had been cleared for the development of the units and the area proposed for the patios is not large. She said they would not extend further than probably the grading area, and they are required to stay out of the Tree Preservation Zone.

Kirk Denyes, Truberry Homes, said they were trying to provide more options and diversity for their customers. Mr. Denyes agreed to the condition listed below.

Motion and Vote

Mr. Taylor made the motion to approve this Amended Final Development Plan application because it complies with the review criteria and ensures the high quality standards of the development with one condition:

- 1) That the applicant submit a final staking plan clearly articulating all as built conditions, with a note that any configuration of decks, patios, and the low stonewalls are permitted in the outdoor amenity areas with all necessary measurements delineated.

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

**5. Delta Energy
09-088CU**

**5555 Perimeter Drive
Conditional Use**

Chair Chris Amorose Groomes introduced this conditional use application that involves the development of a maximum of 35,000 square feet of office use for a 5.45-acre parcel zoned LI, Limited Industrial District, located on the south side of Perimeter Drive at the intersection with Emerald Parkway. She swore in those intending to speak in regards to this case including the applicant and City representatives.

Claudia Husak presented this request for review and approval of a conditional use within this Limited Industrial District. She said while conditional uses are often desirable; they are usually a little more intensely affecting the surrounding area that what the permitted uses normally would.

She said that the Commission's review responsibilities are to insure that the location of the use meets the development standards and the criteria as outlined in the Zoning Code, and there are ten requirements that have to be met as listed in the Planning Report. Ms. Husak said following approval of a conditional use, the Building Permit process begins.

Ms. Husak presented the proposed site plan that initially proposes to construct approximately 25,000 square feet of office space with parking located throughout the site with an access from Commerce Parkway. She explained that the Community Plan classifies this site as *Parks and Open Space* and part of the original Coffman Park Area Plan. She said the City owns this parcel because it was residual land from the Perimeter Drive construction. Ms. Husak said since approval of the Community Plan, City Council has discussed options for this parcel and has elected to sell the property for development. She said with a maximum of 35,000 square feet of office, that it would yield a density of 6,400 square feet on the site, which is approximately half of what would be shown on Dublin's standard office classification.

Ms. Husak said this proposal fits with anticipated office uses for the property on the south side of Emerald Parkway along I-270 and farther west along Perimeter Drive in the Perimeter Center PCD. Ms. Husak said that Planning is recommending approval of this conditional use application with five conditions as listed in the Planning Report:

- 1) That the open space areas be designed and maintained in a manner that will coordinate with future park design and the landscaping along the Perimeter Drive be modified to better match the intent of the Coffman Park Area Plan, subject to approval by Planning;
- 2) That evergreen trees be added and the spacing be tightened for the Vehicular Use Area perimeter screening along the south side of the parking lot, adjacent to the dumpster;
- 3) That the applicant work with Planning to field locate the proposed bikepath along the western property to preserve as many existing trees as possible;
- 4) That a pedestrian connection from the building to the public way be provided; and
- 5) That the applicant continue working with the City Engineer to satisfy requirements for traffic impact study and installation of any necessary site generated improvements.

Ms. Amorose Groomes swore in those who arrived after the previous swearing in who intended to speak in regard to this case.

Frank White and Nelson Yoder, M+A Architects, 6161 Riverside Drive were present representing the applicant, Sherri Tackett, owner of Delta Energy.

Ms. Amorose Groomes invited public comment. (There was none.)

Amy Kramb expressed excitement about the architecture because it was different. She commented that her biggest concern was the view from Coffman Park. She asked if the mounding would be along Perimeter Drive, north of the pond.

Ms. Husak said discussions with the applicant and the Parks Director suggested incorporating the Coffman Park Plan landscaping scheme, which would be more informalized plantings and potentially some mounding. She said there was some importance of the building being seen from Perimeter Drive. She said there was mounding proposed along the parking lot and trees as required by Code.

Ms. Kramb said her concern was with visitors to the park seeing the parking lot pavement. She said she was fine with seeing the building.

Kevin Walter commented that the architecture was very interesting and something different. He recalled an issue after the approval of previous LEED certified building regarding the type and maintenance of the lawn. He said the contention of that applicant was that a manicured lawn actually traded carbon offsets from a maintained lawn, which negatively affects the LEED credits. He said he was a little concerned about what was going to happen with the lawn and as they go through the process of certification will they have come back to the Commission and say that maintained lawn is not conducive to LEED certification.

Ms. Amorose Groomes clarified that Mr. Walter was concerned about having a no-mow area. Mr. Walter said if a no-mow area were proposed, he would like to see where it is going to be located.

Mr. Walter questioned the need for the additional 35 parking spaces on the south side of the building. Mr. Yoder said his intention was to design the building to meet Code requirements and meet the requirements of Delta Energy. He said that as they work through the final review process with staff, they would scale that down as much as they can. He said one requirement for a LEED point is to not exceed the local zoning requirements. Mr. Yoder said they would work through that process with staff to cut back as much pavement as they can.

Mr. Walter said he would like to see them go below Code on parking. He said the Commission has allowed that before by having parking prepared, should they need it. Mr. Yoder said he understood. He explained that they would have a parking maximum, similar to what Mr. Walter was asking, instead of a parking minimum. He said they also want to eliminate as much asphalt as possible.

Mr. Walter asked how many parking spaces they were considering. Mr. Yoder said they were considering parking, just for Delta Energy to be between 90 and 100 spaces. He said the additional office space would have the required additional spaces. He said that it was their intent to limit parking for LEED and not to have more asphalt than is required.

Richard Taylor said it was a very attractive building in a secure location next to the Justice Center. He asked why the two ground signs shown were not near the entrance to the parking lot. He asked if they had considered a sign to directing visitors from Commerce Parkway. Mr. Yoder said a simple wayfinding sign per Code would not have a Delta logo on it but could have their name and address for the direction to enter. Mr. Taylor confirmed that there would be a sign there that indicates where the entrance to the parking was located.

Ms. Amorose Groomes asked if Commerce Parkway was considered a frontage too, so essentially they would have a sign permitted on every side. Ms. Husak explained that it was considered frontage, but the Code only speaks to fronting on two sides.

Warren Fishman asked solar panels would be integrated since this is a LEED building. Mr. Yoder said they would not pursue solar panels. He said that Delta Energy was a natural gas company.

Todd Zimmerman expressed his concern that drivers on the Emerald Parkway bridge might be looking down and see the mechanicals. He suggested that the roof design might need to have a little different pitch to correct that. He said he hoped that was something they would consider. Frank White confirmed that Mr. Zimmerman was talking about the screening. He said they were modeling the entire building so they would be able to do line sight studies to address that issue. He said they were going with smaller rooftop units since one 12-foot tall one would not work.

Mr. Walter suggested it might be interesting on the smaller building to do something like a rooftop garden since they are trying to get that kind of image. He said that would be a great spot for it. Mr. Zimmerman said this was a great location, and it fit well to the site. He said the pool fascinated him.

John Hardt complimented them on the very nice building. He said the architecture was certainly unique for the area and was obviously of high quality. Mr. Hardt said that especially since this is a single-occupant use building, if the owner determines that they need fewer parking spaces than is required by Code, he would support a reduction in the pavement on the site. He asked if there was an opportunity as this goes forward to refine the parking lot layout a little to align with some of the more prominent circulation routes within the lot.

Ms. Amorose Groomes said she knew this was a straight zoning, but she asked that along the frontage, adjacent to the park, that the signage would be sensitive to the fact that it was across the street from a City park.

Motion and Vote

Mr. Taylor made the motion to approve this Conditional Use application because it complies with the review criteria and appropriately fits within the context of the Emerald Parkway and Perimeter Drive office corridors with five conditions:

- 1) That the open space areas be designed and maintained in a manner that will coordinate with future park design and the landscaping along the Perimeter Drive be modified to better match the intent of the Coffman Park Area Plan, subject to approval by Planning;
- 2) That evergreen trees be added and the spacing be tightened for the Vehicular Use Area perimeter screening along the south side of the parking lot, adjacent to the dumpster;
- 3) That the applicant work with Planning to field locate the proposed bikepath along the western property to preserve as many existing trees as possible;
- 4) That a pedestrian connection from the building to the public way be provided; and
- 5) That the applicant continue working with the City Engineer to satisfy requirements for traffic impact study and installation of any necessary site generated improvements.

Mr. White and Mr. Yoder on behalf of the applicant, Sherri Tackett agreed to the above conditions.

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

Ms. Amorose Groomes adjourned the meeting at 8:42 p.m.

As approved by the Planning and Zoning Commission.