



CITY OF DUBLIN, OH

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

## DUBLIN PLANNING AND ZONING COMMISSION

### MEETING MINUTES

NOVEMBER 12, 2009

#### AGENDA

1. **Post Preserve Park** **6760 Royal Plume Drive**  
**09-090AFDP** **Amended Final Development Plan**  
**(Approved 7 – 0)**
  
2. **Perimeter Center PCD, WD Partners** **7007 Discovery Boulevard**  
**09-091Z/PDP/FDP** **Rezoning/Preliminary Development Plan**  
**Final Development Plan**  
**(Rezoning/Preliminary Development Plan - Approved 7 – 0)**  
**(Final Development Plan - Approved 7 – 0)**
  
3. **Ohio Health Campus** **7450 Hospital Drive**  
**09-092AFDP** **Amended Final Development Plan**  
**(Text Modification - Approved 6 – 0)**  
**(Amended Final Development Plan – Approved 6 – 0)**
  
4. **Perimeter Center PCD, Subarea I, Crown Dealership** **6350 Perimeter Loop Road**  
**09-094AFDP** **Amended Final Development Plan**  
**(Approved 7 – 0)**
  
5. **Architectural Review Board** **Administrative Request**  
**07-096ADM** **Zoning Code Amendment**  
**(Tabled 7 – 0)**
  
6. **Annual Items of Interest List** **Administrative Request**  
**09-080ADM**  
**(Approved 7 – 0)**

Chair Chris Amorose Groomes called the meeting to order at 6:30 p.m. and led the Pledge of Allegiance. Other Commission members present were: Todd Zimmerman, Warren Fishman, Kevin Walter, Richard Taylor, John Hardt, and Amy Kramb. City representatives were: Steve Langworthy, Gary Gunderman, Claudia Husak, Tammy Noble-Flading, Jennifer Rauch, Jonathan Papp, Laura Karagory, Dana McDaniel, Colleen Gilger, Alan Perkins, Charlotte Colley, and Flora Rogers. Council Member Richard Gerber was also present.

#### Administrative Business

##### Motion and Vote

Mr. Taylor made the motion to approve the September 17, 2009 minutes, amending as requested by Ms. Amorose Groomes, Page 31, first paragraph, last sentence: She said there are single-

family homes ~~behind~~ *across* this lot, directly on Avery-Muirfield Drive who will see out their bedroom windows at night an 8-foot, 4-inch stall internally illuminated sign without any buffering. Mr. 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**

Mr. Taylor made the motion to approve the October 8, 2009 minutes as presented. Mr. 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.)

Mr. Walter asked if it should be noted in the October 13, 2009 Special Meeting minutes that they were not taped. Jennifer Readler explained that meetings are not required to be taped, only that there is a written record of the proceedings.

#### **Motion and Vote**

Mr. Taylor made the motion to approve the October 13, 2009 Special Meeting minutes. Mr. 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**

Mr. Taylor made a motion to accept the documents into the record as presented. 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. (Approved 7 – 0.)

#### **Communications**

##### **Administrative Report**

Claudia Husak said that the Newsletter included the upcoming meeting dates for the Bridge Street Corridor Speaker Series and that there was a public charrette scheduled Wednesday, December 2. She said that December 10 would be the last Commission meeting this year. She said a few Administrative Approvals were included in the packets and some information about the IGS landscaping. Ms. Husak said not many applications were submitted for October, so it looked as though the caseload would be light a little longer.

Mr. Langworthy asked how many Commissioners would be able to attend the charrette. Mr. Taylor, Ms. Kramb, Mr. Fishman, Mr. Walter and Mr. Zimmerman indicated that they would come to the December 2 charrette. There were no reports given for City Council, the Architectural Review Board, or Board of Zoning Appeals.

Ms. Amorose Groomes asked if any Commissioner wanted to pull any of the cases, which were consent. Mr. Zimmerman pulled Case 1, and Mr. Hardt pulled Case 2, and Ms. Kramb had comments regarding Case 5. Ms. Amorose Groomes announced the amended agenda order: Cases 3, 4, 1, 2, 5, and 6. [The minutes reflect the order of the published agenda.]

**1. Post Preserve Park  
09-090AFDP**

**6760 Royal Plume Drive  
Amended Final Development Plan**

Chair Chris Amorose Groomes introduced this application involving playground equipment, picnic tables, bike racks, and landscaping for the 9.2-acre park located north of Royal Plume Drive, west of the intersection of Wynwright Drive in the Post Preserve subdivision. She swore in those intending to address the Commission in regards to this case including Laura Karagory, Parks and Open Space, representing the City, and City representatives.

Todd Zimmerman and Amy Kramb pulled this consent item and agreed to forego the presentation. Mr. Zimmerman noted that only one trash receptacle was shown for the entire park, and asked if an additional trash bin could be located closer to the playground equipment by the bikepath. Ms. Karagory agreed.

Ms. Kramb asked to see the seating wall detail. Ms. Rauch said it was indicated on the Sheet L-4 of the small set of plans. She said the wall is located around the periphery of the playground area acting as a barrier between the playground and the pond, as requested by the neighborhood residents.

Mr. Zimmerman noted that one swing seat was ADA accessible. Ms. Karagory said this was one of the City's standards to include one accessible swing in each park. She added it could be used by anybody.

Ms. Amorose Groomes invited public comments in regards to this case. [There was none.]

Ms. Karagory agreed to the two conditions listed below.

**Motion and Vote**

Richard Taylor made the motion to approve this Amended Final Development Plan application because it complies with the review criteria, with two conditions:

- 1) All proposed park amenities remain out of the drainage easement, subject to Engineering approval; and
- 2) A trash receptacle be added in proximity to the playground.

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

**2. Perimeter Center PCD, WD Partners  
09-091Z/PDP/FDP**

**7007 Discovery Boulevard  
Rezoning/Preliminary Development Plan  
Final Development Plan**

Chair Chris Amorose Groomes introduced this application, which involves the creation of a new subarea with expanded uses for the Perimeter Center Planned Commerce District, to include research, light manufacturing, packaging, and assembly, and other similar uses on a site located on the southwest corner of the intersection of Post Road and Discovery Boulevard. She said the application consists of two components, the rezoning/preliminary development plan, and the

final development plan. She said two motions will be required, and the rezoning/preliminary development plan will go to City Council for their final decision. She said the Commission is the final authority on the final development plan. Ms. Amorose Groomes swore in those intending to speak in regards to this case, including the applicants' representatives, Aaron Underhill and Ben W. Hale, Smith & Hale, and City representatives.

John Hardt, who pulled this consent item for a question, said that a full presentation was not necessary.

Richard Taylor requested that the graphic he requested be presented.

Claudia Husak presented the requested graphic, a subarea map that showed where the dividing line is between Subareas B-1 and C for the parcel to be rezoned. She said while the development standards are similar, the lists of uses are somewhat different for the two subareas. Ms. Husak presented a list of permitted uses in Subareas B-1 and C, which are the existing subareas, and the proposed uses for a newly created Subarea C-1, which was in line with the existing Subarea C with a few minor clarifications that are part of this rezoning request for the manufacturing uses. She also presented photographs showing the expanse of the building.

Ms. Husak pointed out that this was a combined preliminary development plan and a final development plan, and explained that the final development plan would be accepting the existing site conditions as they are today as the final development plan, as opposed to the development text as the preliminary development plan. She confirmed that there were no new development, site modifications, or expansions planned.

Ms. Husak said that Planning's analysis has concluded that for the Rezoning/Preliminary Development Plan, the standards are met with one proposed condition limiting the loading activities particularly on Holt Drive to the hours of 7 a.m. and 7 p.m.

Ms. Husak said that for the Final Development Plan, Planning is recommending approval with no conditions.

Mr. Hardt said he had no problem with the overall intent, but he asked if with the creation of a new subarea by the proposed text, the Commission is by default removing acreage from other subareas. He asked if a process had taken place to verify that it does not have any unintended consequences for the other subareas that are not being affected or intended to be affected tonight, and in particular, lot area calculations had been verified.

Ms. Husak said lot coverage calculations are based on parcels, so this being a different subarea would not have any negative impacts on those types of calculations. She said the only thing she could figure out was that there is a summary on the first page of the text which was not included in the packets since it was not being changed; talks about how many acres are within the subareas and includes a description for each. She suggested that this might be a chance to clean up the first two pages of the text to rectify the acreage, eliminate the description of Subarea B-1 and include a description of Subarea C-1. She suggested a condition could be made that would clarify the text in the first couple of pages with that information.

Mr. Walter commented that there was an original subarea map and no graphical representation of this new subarea had been provided. He suggested it be conditioned to be included for clarification.

Ms. Husak said she had discovered through this process that the text had been amended and changed a lot, but the whole document had not been updated. She said it was difficult to clean up the whole text without a rezoning, but updating the subarea map, at least reflecting this new subarea is something they should do.

Mr. Walter asked if a reference should be made to the renaming of Wilcox Road to Holt Road, or was that handled when the road was renamed and all documents related to that road. Ms. Husak said it would have been done by ordinance at the City Council level.

Ms. Amorose Groomes asked if the Commission accepts the final development plan as what is on the ground, could that pose problems for future Commissions and potential changes that could be made to the site. Ms. Husak said not necessarily, because any kind of changes to the site would come back to a Commission for approval of an amended final development plan, and they do have the development text and final development plan to guide any future decisions.

Mr. Taylor asked if Subarea B-1 was changed from Subarea C. Ms. Husak said it was actually changed from existing Subarea B, not C. Mr. Taylor said the uses in Subarea C-1 are slightly more intense than the B-1 use, and properties directly across the street are all zoned R-1. He said it did not appear to be any interference there because there were no houses directly across the street. Mr. Taylor asked if it was known what property where the houses on Post Road were was removed which were directly across from this to the north. He asked if the property was privately held. Ms. Husak said she did not know.

Mr. Taylor asked if Planning had concerns about the slightly more intense uses in this half of the building being up against R-1. Ms. Husak said they did not have concerns because there was a large mound on that side of Post Road with evergreen landscaping. She said it was well screened from Post Road and the building setback was 100 feet.

Mr. Taylor asked if the CD facility existed in the building before WD Partners owned it. Mr. Walter said he had visited the building since WD Partners occupied it, and the comment was accurate as to what the use potential is. He said that they significantly remodeled the interior of the building and it is commercial office. He pointed out that it would be exceedingly expensive to do anything other than commercial offices there.

Mr. Taylor asked if there was a time when there was light manufacturing going on in the building. Mr. Walter confirmed that there was, but not on the northern end of the building. He said it was in the southern end of the northern building and there was distribution on the full part of the southern building.

Mr. Taylor suggested if WD Partners ends up proposing some kind of light manufacturing, as is allowed by the C-1 designation, Planning should look at it more closely to make sure that it is not something that might somehow impact the residences across the street.

Todd Zimmerman pointed out that the landscaping around both buildings had matured quite well.

Amy Kramb asked why the text stated that the location and design of the signs would be administratively approved. Ms. Husak explained that the sign was included in the final development plan, so if there were any changes to the face or anything like that, it would be administratively approved, as is done now under the PUD process. She said the sign design had been included in the packets. Ms. Kramb referred to the text saying there should be no more than one ground sign permitted on any one lot, except there could be two because of two rights-of-way, on Discovery Place and Holt Road. She asked if there would be an issue coming back if other tenants were added there would be sign issues due to the way the text was written.

Ms. Amorose Groomes asked what, per Code could they do height wise on a sign along Post Road, adjacent to single-family homes.

Ms. Kramb referred to Page 7 of the Perimeter Center Development Text where it discussed signs and stated that when there is frontage on two public rights-of-way there could be two ground signs. She said the text on Page 6, said the maximum height could be eight feet above the top of the adjacent street curb. She expressed concerns about there being more tenants wanting more signs, where they would be located, and that if the sign issue were addressed now, it would avoid problems later.

Aaron Underhill, Smith and Hale, representing the applicant, said that WD Partners had no immediate plans to install any additional signage. He said he did not care if that language were removed. Mr. Underhill said they would follow standard procedures and would not ask for any special treatment for the site. Ms. Amorose Groomes suggested a condition to address this issue.

Steve Langworthy asked if the condition meant any change to the sign, or was it change in location. Ms. Kramb said as the proposed development text is written, the design and location of signs may be administratively approved. She said it was her understanding that the proposed text supplements the Perimeter Loop text, which has all the details. She said she liked the Perimeter Loop text better and that this seemed to override it by saying they could get administratively approved.

Ms. Husak suggested that if Section XI. *Signs* was stricken, it would be where the Commission wanted to be. Ms. Amorose Groomes agreed.

Mr. Walter pointed out that there was still the quantity of signs in the approved development text. Ms. Amorose Groomes said it would be according to Code regarding the amount of frontage. Mr. Walter said if the primary concern was Post Road, in essence, a sign could be there, and if it was a concern, there could be a condition eliminating a sign on Post Road.

Ms. Amorose Groomes said she would hate to put a hardship on a tenant, and if they leased that end of the building, they would have to have some opportunity for signage for that tenant. She said the charge to the Commission would be to make the sign very legible, readable, and be sensitive to the neighborhood and items like that as well.

Ms. Husak confirmed that in addition to the condition in the Planning Report, the following two conditions should be added:

- 2) That the existing Perimeter Center Development text be modified to include a description of the new Subarea C-1, a new Subarea map, and the deletion of references to Subarea B-1; and
- 3) That the proposed development text for Subarea C-1 be modified to delete Section XI. *Signs*.

Mr. Taylor asked if procedurally, the Commission could vote on the Final Development Plan before the Rezoning/Preliminary Development Plan was approved by City Council. Jennifer Readler said the Final Development Plan would not be effective unless the rezoning was approved by City Council.

Ms. Amorose Groomes invited public comment, and hearing none, asked if the applicant's representative agreed to the three conditions. Ben W. Hale, Smith and Hale, on behalf of the applicant, agreed to the conditions.

**Motion #1 and Vote – Rezoning/Preliminary Development Plan**

Mr. Taylor made the motion to recommend approval to City Council of this Rezoning/Preliminary Development Plan because it complies with the applicable review criteria of the Dublin Zoning Code and the existing development standards within the area with three conditions:

- 1) That the development text be modified to limit loading activities and idling to the hours of 7 a.m. and 7 p.m.;
- 2) That the existing Perimeter Center development text be modified to include a description of the new Subarea C-1, a new Subarea map, and a deletion of references to Subarea B-1; and
- 3) That the proposed development text for Subarea C-1 be modified to delete Section XI. *Signs*.

Mr. Hardt seconded the motion.

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

**Motion #2 and Vote – Final Development Plan**

Mr. Walter made the motion to approve this Final Development Plan because it complies with the preliminary development plan, the final development plan criteria and the existing development standards within the area. Mr. Zimmerman seconded.

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

**3. Ohio Health Campus  
09-092AFDP**

**7450 Hospital Drive  
Amended Final Development Plan**

Chair Chris Amorose Groomes introduced this consent item and said a presentation was not necessary. She invited public comments in regards to this case. [There were none.]

John Hardt recused himself from this case due to a conflict of interest.

**Motion #1 and Vote – Text Modification**

Mr. Taylor made the motion to approve the Text Modification as submitted. Mr. Walter seconded the motion.

The vote was as follows: Ms. Krumb, yes; Ms. Amorose Groomes, yes; Mr. Fishman, yes; Mr. Zimmerman, yes; Mr. Walter, yes; and Mr. Taylor, yes. (Approved 6 – 0.)

**Motion #2 and Vote – Amended Final Development Plan**

Mr. Taylor made the motion to approve the Amended Final Development Plan because it complies with the preliminary development plan and the final development plan criteria with three conditions:

- 1) An updated master sign plan be submitted to the City of Dublin prior to the approval of sign permits.
- 2) The back light used for the wall sign for the Urgent Care, emphasizing “Open” or “Closed” be white to coordinate with the tenant’s name; and
- 3) That any other tenants not be permitted signs on the exterior of the building unless specifically approved by the Planning and Zoning Commission.

Paul Ghidotti, Daimler Group, representing the applicant, Ohio Health Corporation, agreed to the three conditions.

Mr. Zimmerman seconded the motion. The vote was as follows: Mr. Fishman, yes; Mr. Walter, yes; Ms. Krumb, yes; Ms. Amorose Groomes, yes; Mr. Zimmerman, yes; and Mr. Taylor, yes. (Approved 6 – 0.)

**4. Perimeter Center PCD, Subarea I, Crown Dealership 6350 Perimeter Loop Road  
09-094AFDP Amended Final Development Plan**

Chair Chris Amorose Groomes introduced this application for modifications to an existing ground sign for the Crown Jeep, Chrysler, and Dodge car dealership located on the southwest corner with the intersection of Perimeter Loop Road and Mercedes Drive. She swore in those intending to address the Commission regarding this case, including Marc Wigler, Crown Chrysler, Jeep, Inc. representing Hawkins Family Partnership and City representatives. She said a presentation was not needed on this consent item.

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

Marc Wigler, 5192 Preston Court, Powell, Ohio agreed on behalf of the applicant, to the condition.

**Motion and Vote**

Richard Taylor made the motion to approve this Amended Final Development Plan application because it complies with the preliminary development plan and final development plan criteria with one condition:

- 1) Any sign modifications not meeting the minor modification provisions of Section 153.0053 (G) be subject to review and approval of the Planning and Zoning Commission.

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

**5. Architectural Review Board  
07-096ADM**

**Administrative Request  
Zoning Code Amendment**

Chair Chris Amorose Groomes introduced this City application for an Administrative Request to amend several Code sections dealing with the operations of the Architectural Review District. She explained that this was a Legislative item and the Commission is to make recommendations to City Council for a final decision.

Gary Gunderman presented this rewrite of the entire section that deals with the Architectural Review Board (ARB) and the procedures and policies currently used. He said all the changes and additions were approved and referred to City Council by the ARB and the Commission. He pointed out two minor amendments were made by City Council in the front of the Code where they requested reference be made to the City Charter. He said at City Council, the Administrative Approval Section, Page 11, Paragraph 4, received much discussion, and as a result, the whole item was referred back to the ARB and the Commission for reconsideration. He said City Council's discussion was about whether the Administrative Approval section was appropriate for the ARB, or whether there was a better procedure.

Mr. Gunderman said ARB determined that they still preferred the basic procedure as outlined in the original Code however; they did review the particulars of that section, and chose to delete two items originally in the first draft. He said the section was drafted around the procedure that the Commission has in the PUD Administrative Approval section of the Code. He said that typically ARB items are on a shorter timeframe, and they are more likely to run across issues at the Building Permit stage, whereas with PUD cases they may present themselves sooner, at the Final Development Plan stage for example. He said the ARB more frequently deals with individual property owners and businesses, and sometimes there is not the same level of professionals dealing with projects, and that was a factor mentioned at City Council and the ARB as being a reason why they were concerned about getting anything that would lengthen the process. Mr. Gunderman said that the ARB recommended that the rest of the drafted Code remain as proposed.

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

Amy Kramb referred to Section 153.173B3(C), addressing New Construction - Permitted Uses on Ohio Historic Inventory Properties. She expressed concern that the only criteria for being listed on the Inventory was that something was 50 years old, or older. Mr. Gunderman suggested that Appendix G lists the particular properties that have been determined to be covered with these regulations. He said this would have referred to a substantially longer list.

Ms. Kramb pointed out that Appendix G was not attached. She said by saying Permitted Uses on Ohio Historic Inventory (OHI) properties, anyone could fill out an OHI form on a property if it was 50 years old or older for a variety of reasons such as being state mandated, for federal funds, or just that the neighborhood historian wants to do it. She clarified that her concern was that it was going to subject certain property owners to doing more than they really would have to do, just because their house had been recorded on the OHI form. She said the form could be completed by someone other than the owner of a property. She said it opened up a group of properties covered elsewhere and did not add anything or cover anything additional than Appendix G. She said it would open up many properties to a potential hardship that they really did not need to do.

Mr. Gunderman said this topic was discussed at the first ARB meeting. He suggested if the Commission wanted to change this section; it would be useful to take it back to the ARB. Mr. Langworthy said the ARB had looked at it in terms of properties that did have some historical significance that are not on the National Register that should be reviewed as long as they are in the Appendix. He said the difference may be how the Appendix is treated. He explained that the ARB's Annual Items of Interest List included updating the Appendix.

Ms. Kramb said the Ohio Historic Inventory was very different from being eligible for the National Register of Historic Places. Mr. Langworthy explained that it would not be the entire list, but the City list on Appendix G. Ms. Kramb reiterated that according to this, it was anything on the OHI. Mr. Langworthy asked if it should be eliminated or be more specific.

Ms. Amorose Groomes suggested "...as listed in Appendix G" could be added to solve the problem.

Kevin Walter asked why properties were placed on Appendix G. Mr. Langworthy said it was determined by the ARB. He agreed that the list might end up too large by the time the Appendix is updated.

Ms. Kramb said that if the list of properties potentially eligible for the National Register is created, though not actually listed, and it includes how the City made the determination to add it, she wanted to make sure that there is an actual Secretary of the Interior Standard Historian or Architectural Historian approving or agreeing with the list. Mr. Gunderman said if they embarked on amending Appendix G, the City's consulting historian would review it.

Ms. Kramb said she did not see Appendix G attached and did not know how it was created. She said it was Code and it should be specific.

Mr. Langworthy said all that the ARB will be doing is creating the list to put into an ordinance and then the ordinance would be brought to the Commission because it was an amendment to the Zoning Code, and then to City Council for adoption. Ms. Kramb said she was okay, if "...as listed in Appendix G" were added to Section (C). Ms. Amorose Groomes agreed it should be added.

Ms. Kramb said the grammatical changes and typos she found in the draft were on Page 15(C)(1): deleting the word *the* between *existing* and *building structure*, Page 17(C): *The Board*

*shall consider the proposal in terms of the following criteria, and Page 18 – Demolition (A):  
The application may be approved ~~for approval~~ when the applicant is able to demonstrate...*

Kevin Walter suggested that (C), the OHI property portion, be stricken even if it had to go back to ARB because it seemed redundant to have to look to another appendix just to find out that it was just the things on the Appendix. He said it adds unnecessary complexity to say that it is on the Ohio Historical Inventory List. Ms. Amorose Groomes agreed that they should just be listed in Appendix G.

John Hardt asked for ARB's rationale regarding the two paragraphs they struck from Page 12 of the draft. Mr. Gunderman said the first was an issue a Board member felt was confusing, and it occurred to him while in that discussion that it was not likely a topic that came to the ARB in any event. He said there was a consensus that leaving that out would make it simpler. He said that on the second item, ARB determined that the ten percent number as applied to small dimensions could be dealt with frequently in Historic Dublin, therefore it could be significant. He said for that reason, ARB was legitimately saying that they did not want to deviate that much without a review.

Todd Zimmerman recalled that a long time ago the Commission discussed that the trees along the streets in the District were girdled with grates on top. He asked if the ARB had authority over that when it was redone. Mr. Gunderman said the street trees were in the rights-of-way and did not fall under the ARB responsibilities.

Mr. Gunderman said that landscaping was mentioned by City Council. He said it came up often and the ARB does not deal with residential landscaping, as they do on commercial projects in the District. He said when at the Building Permit stage, when plant material or screening is not available, substitutions are reviewed by Planning and it is common to have landscaping plan modifications. He said these minor issues come up occasionally.

Warren Fishman indicated he had no comments to add.

Mr. Taylor agreed that Section 153.173B3(C) was redundant.

Mr. Langworthy asked for further clarification. Ms. Amorose Groomes explained that the Commission was looking to strike on Page 7 of 23, Item 3, Line C – Permitted Uses on the Ohio Historic Inventory Properties. She said if Appendix G was revamped, updated and reviewed with respect to the properties they are interested in maintaining, that the requirement has been placed in there twice. She said they are blanketing every structure on the Ohio Historic Inventory Properties List and then singling out another list, a subset of that first list of Items of Importance.

Mr. Langworthy said he did not think that was right. He said that Appendix G was simply a list of properties. Ms. Kramb said that the intention was that this Code was going to regulate what is listed on Appendix G. Mr. Langworthy reiterated that Appendix G would just be a list of those properties and will not have a process saying that ARB shall review them. Ms. Amorose Groomes questioned why ARB should have the further burden if properties needing to be addressed are going to be on Appendix G. Mr. Langworthy explained that they would not be

addressed just simply because they are on the Appendix. He said the Appendix itself does not do anything.

Mr. Taylor asked if it would help to say instead of *Properties on the OHI, Properties on Appendix G*. Mr. Langworthy said he thought that was what they were asking.

Ms. Krumb said she thought a reference to a list of what properties they were talking about was necessary. She said if that was the intention, it should say as shown in Appendix G. Mr. Walter suggested the words *Ohio Historic Inventory Properties* be deleted and replaced with *Properties Listed on Appendix G*. Claudia Husak said the Code read *Permitted Uses*, so if Appendix G has no permitted uses the entire sentence needs to be stricken, and then say something like ...*and for those properties on Appendix G*. Mr. Langworthy confirmed that they wanted to eliminate all references to the OHI properties and go strictly with *Appendix G*.

Mr. Taylor referred to Page 18, and said he remained concerned that there are not enough teeth in this. He said because this says if a property is deteriorated to a certain point, it is eligible for demolition, typically for outbuildings and garages, the owner has the option to allow it to deteriorate to the point where it becomes eligible for demolition by A(3). He said he was not sure what a “willful” negative demolition was. He asked if someone buys a property, and the building has an outbuilding and they do nothing to it and allow it to exist as it did, was that willful neglect.

Jennifer Readler said that “willful” is going to indicate some sort of knowledge and intent to disregard the upkeep of it, and so they would have to look at it on an actual bases. She said there is a standard that defines “willful” in case law, so there is a frame of reference for it.

Mr. Taylor said in some cases, it could be difficult to define and administer when someone purchases a property with a deteriorating part of it already. He said he would rather see something that made it incumbent upon an owner that they must maintain it so that it does not become demolished by neglect; that they have a responsibility to maintain it, and not allow it to deteriorate.

Ms. Readler pointed out that Dublin has a Property Maintenance Code, which would apply if someone bought a property and any structure was deteriorating. She said with the criteria of the Property Maintenance Code, a Code Enforcement action, separate from this could take place.

Mr. Taylor said the problem was that because they are unique historic properties, once a historic structure is gone, it is gone. He said he would rather see something that made it incumbent upon a property owner to make sure that they do maintain a property. He reiterated that there were not enough teeth in this, beyond the Property Maintenance Code to indicate that.

Mr. Langworthy asked if it would work on Page 21, Section 153.178, if the references to “willful neglect” were eliminated and it just said Property within the Architectural Review District shall be provided basic reasonable care, maintenance and upkeep appropriate...., making it a more positive statement and back on the property owner. Mr. Walter said that “*by willful neglect*” should be replaced with “*no person shall fail.*”

Ms. Amorose Groomes said she did not see standards specific with urban areas for landscaping preparation. She said in many of these areas, if they wanted the landscape to be successful, there would have to be some special preparation of the areas for survivability. She said she would like

to know how many times the boxwood was planted on High Street in the Historic District. She said it seemed that they were replaced every two to three years because they were incapable of surviving given the media in which that they are planted. She said the landscape would never reach maturity, which was really the most beautiful thing they saw about Greenville, South Carolina. She said the storefronts and all those things were nice, but had it not been for the landscape planters, the mature trees and all of those things along Main Street, it really would have been pretty vanilla. She said that the City is not providing a suitable media for urban plantings to be successful.

Mr. Gunderman asked if Ms. Amorose Groomes felt that is specialized to Historic Dublin. Ms. Amorose Groomes said it was specialized to urban areas, and that is the only one the City has now. Mr. Hardt agreed, but said that was better covered in the Landscape Code.

Ms. Amorose Groomes said aside from embarking on changing the Landscape Code, she would like to at least get it in here for now until there was the opportunity to get to the Landscape Code. She said if the Bridge Street Corridor Study goes through and some of those things get started before there is an opportunity to change the Code, we would miss that opportunity. She said her comment applied to Page 14, Item 8, Page 12, (B) (ii and iv), as well as others. She said if landscaping is planted without providing for survivability, it is going to die and become a Code Enforcement issue that could be avoided if there was something referencing the quality of the media in which the plantings would be planted.

Mr. Gunderman said he did not think staff would have difficulty requiring that if it were elsewhere in the Code. He said in terms of not having it in the first section on Page 14 that an addition to this Code may be helpful. Mr. Langworthy agreed and said he thought it would be more effective in Paragraph 8.

Ms. Amorose Groomes said there should be some sort of policy.

Mr. Walter said Section 8 mentioned landscaping, but it really was discussing hardscape. He suggested it said something like, "That the planting beds be sensitive to the overall health of the plant in respect to the urban environment."

Ms. Amorose Groomes said she would like to see it say something like: That the plant bed preparation would be such that it would be likely that a plant could reach maturity in its present location. Mr. Walter and Mr. Langworthy agreed.

Mr. Langworthy said this was a standard as opposed to a requirement and if some intent language was in the standard, it could be used to rewrite the landscape section to make it more specific to this. He suggested something saying that landscape preparation will respect the nature of the urban environment and the survivability and diversity of plant species. Ms. Amorose Groomes said she would like to see more teeth than that, but it was certainly a step in the right direction. She reiterated that as the landscaping is now, nothing will reach maturity and the City will never get to where they want to be if they do not change the way it is done now.

Mr. Langworthy agreed to work on it and bring it back to the Commission and to report to the ARB what the changes were.

Ms. Amorose Groomes said the Commission would look for it at the next meeting. She requested that purple be added to the color palette.

### **Motion and Vote**

Mr. Walter made the motion to table this Zoning Code Amendment to further review the recommendations and incorporate urban landscape guidelines.

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

### **6. Annual Items of Interest List 09-080ADM**

### **Administrative Request**

Chair Chris Amorose Groomes explained that the Commission's Annual Items of Interest List submitted for City Council had been returned. She said in reviewing what happened at City Council, there were some erroneous statements made about how the Commission had created the list. Ms. Amorose Groomes requested that it briefly be explained what exactly it was that was wanted from the Commission.

Charlotte Colley said that it was her understanding that City Council asked that staff work with the Boards and Commissions to develop items of interest lists; work plans for the year to fill their regular agendas. She explained that it really was a year long trial to see what happened. She said no specific number of items wanted on the list was given, because it was not known what the Boards and Commissions would provide. She believed that Council read the Commission and Board minutes, reviewed the lists, and decided that given the caseloads facing the Planning and Zoning Commission, Board of Zoning Appeals, Architectural Review Board, it might be best if each entity reviewed their lists again to prioritize and narrow them down based on the items they felt were most important to complete first and then report back to the Community Development Committee with their recommendation for approval.

Ms. Amorose Groomes that she understood that Council member Amy Salay inquired why the Planning and Zoning Commission had supplied a list with seven items. She quoted Ms. Salay's comment from the City Council Proceedings: *It is my understanding that the Planning Commission couldn't really come to consensus as a Commission, so each member submitted an item. She said for the other Boards, that was not the case.*

Ms. Colley explained that she had not attended the Commission meetings when the compiling of the list took place, but had read the minutes. She said other Board and Commission Items of Interest lists did not have names submitted next to each one of their items. She said it was unclear from the minutes whether the whole Commission had consensus around all seven items, or whether it could not decide, so everyone submitted one item, and that was what she thought was the point of confusion with Council. She said if everyone consented, she saw no issue, but it still left Council's request to narrow and prioritize the list.

Ms. Amorose Groomes requested that a formal correction be sent to City Council that the Commission was never asked to provide a prioritized list, and that there was not a lack of consensus among the Commissioners. She said that the Commission believed they were

receiving direction that they were not being asked to provide Council with a consensus list. Ms. Colley agreed that the formal correction would be done when the Commission's recommendation was forwarded to the Community Development Committee.

Ms. Amorose Groomes insisted that it be communicated to City Council that it was not a lack of consensus on the Commission's part; that it was a differently interpreted direction. She said it was understood that City Council wanted the best and brightest idea out of each of the Commissioners, so they took that charge, and each submitted those ideas for City Council to select. She said that the Commission was fully cognizant that not all seven items would be undertaken. She said they wanted to provide options so that City Council could help determine what was important to the City and that they could appropriately represent their constituents.

Ms. Colley reiterated that City Council felt there were too many options to consider and that they should be narrowed down to get a better focus. Ms. Amorose Groomes confirmed that Ms. Colley would formally state to City Council that there was not an inability for Commission consensus. She suggested that the list be reduced to three items.

Richard Taylor requested that his item be stricken since everything was covered in the Bridge Street Corridor Study.

Todd Zimmerman said it would be okay to remove his item regarding yearly site visits from the list, if they were already listed as something that they want done, but several other Commissioners voiced their opinion that it should not be removed.

Ms. Amorose Groomes suggested that since new Commissioner, John Hardt did not have an opportunity to add to the list, that he should be given an opportunity to do so tonight. Mr. Hardt said he was at a disadvantage in that the only information he had about each idea was the paragraph written, however from the record, he saw there had been a lot of discussion to date. He said he was not prepared to add anything tonight, but agreed that Mr. Taylor's idea should be removed from the list.

Mr. Hardt asked if Mr. Fishman's desire to explore alternative transportation methods had been addressed. Mr. Fishman suggested that it be removed from the list since City Council had recently organized a Bicycle Advisory Task Force, of which he was a member. He said zip cars would be a problem integrated with a rapid transit system or rail which was far from happening. Claudia Husak pointed out that the Multi-Modal team was working on other forms of transportation, not just bicycles, so they are eventually going to collaborate with the Bicycle Advisory Task Force to include them in their alternative transportation method analyses and recommendations.

Ms. Kramb said that the planning and engineering thought she had overlapped with Mr. Walter's database of everything happening, and she suggested they could easily be tied together. She said it was a communication thing between all the different departments and all the things going on that she was trying to get to with her item.

Kevin Walter expressed concern that at the City Council meeting, they asked if clarification should be provided to the Commission, and Council member Gerber said he thought it would be appropriate to sit down with the Commission instead of going back and forth. He said he did not

understand one specific element, as it states in the Planning Report that it was noted by Council that these items were expected to be those that the Commission would actually work on themselves with staff assistance. He said he did not get that reflection when he listened to the recording of the City Council discussion, but he heard Council indicate that would be part of a meeting that there would be support by staff to produce materials which the Commission would be able to review and then move forward them. He said the two items went together, but he had no way to influence a database being put on GIS or whether overlay planning districts are put together, He said it could be something that the Commission discusses and guides, but he specifically could not work on it by himself.

Ms. Kramb said they definitely would need City staff to generate the database.

Ms. Amorose Groomes asked if this was something that did not fit in what Council was asking for from the Commission, and that direction be provided. Ms. Colley believed that the two items, the database and Planning and Engineering integration could be something that staff could work on with the Commission to achieve. She referred to the minutes where Mr. Langworthy suggested proposing a case study to show how the integration between Planning and Engineering worked. She said in that case, staff would do a majority of the preparation and then present that information to the Commission as a learning opportunity. She said it would depend on the different items as to whether or not the Commission would be hands-on involved or just doing a review, providing their insight and input. Ms. Colley said an example might be the Indian Run item where the Commission members would have more hands-on participation.

Mr. Taylor agreed that the Commission's level of participation might vary according to the items picked, but he also agreed with Mr. Walter that as stated in the Planning Report, that the expectation is that the Commission would be doing the work themselves, was inappropriate. Ms. Amorose Groomes further explained that they were not things that the Commission would have the authority to do.

Ms. Husak explained that it was meant to be clear that if there were items that a Commissioner was interested in exploring further, that there could be assistance from the Commission and it was not intended that staff would prepare whatever it might be and present it to the Commission. She pointed out that one of the Mayor's comments indicated that there was a concern about the Commission's workload and what time they had to undertake additional things. She said that it was true, depending on the topic, the Commission's involvement may be a lot or a little. Mr. Taylor confirmed that it was open-ended and that they agreed whatever the Commission decided to do; they would decide how the workload is distributed.

Ms. Amorose Groomes said the idea she had submitted for Historic Dublin Urban Tree Care Survival Plan might be appropriate as a Code Update and indicated she would be interested in looking at some Code Updates, particularly as they would pertain to whatever urban areas would be within the City limits. Mr. Hardt said he would support that as well, although he was less inclined to limiting it to the urban areas. He said he thought the Landscape Code citywide addresses plant survival in the municipality. Ms. Amorose Groomes pointed out that there was not a Landscape Code for the urban area, so that would be an entirely new code section versus updating the entire Landscape Code. She said it would be something appropriate to have in place before the Bridge Street Corridor Study is done and anyone thought about putting a shovel in the ground. Mr. Zimmerman agreed.

Mr. Zimmerman said he thought as-built site visits would be a benefit to all of the Commissioners.

Ms. Colley noted that each of the other items of interest lists had some type of site visit, so there was a possibility that the three Planning based Boards could collaborate on some type of group site visit or activity.

Ms. Amorose Groomes suggested that the Celebration of the Indian Run should be removed from the list because she believed that with the Bridge Street Corridor Study, the Commission will have opportunity to bring that area to light as the study comes to completion and goes into the implementation phase. Mr. Walter commented that there were other Commissioners that agreed.

Mr. Walter summarized that with respect to his item, the Commission's thought is to encourage a better understanding of projects, study areas, and overlay districts. He suggested it be changed to: *A Database of City Studies, CIP Projects, and Planning Districts*, and it would state: *To propose a way for the City to share with other departments and the public the different studies and CIP projects that are taking place at any one time.... and: The goal would be able to see the overlay studies, CIP Projects, and/or Planning Districts that are occurring for a particular area. He said it would indicate that a City department that is widening a street, which would be a CIP issue would be visible to another City department that would be visible to the Commission, that would be available to the public who wants to buy a house in the area.*

Mr. Langworthy suggested a case study approach where two or three particular geographic areas in the City are chosen, particularly where the areas were rich in projects. Mr. Walter and Ms. Kramb agreed that approach would be good.

Ms. Kramb clarified that they were not looking for a study session where staff tells the Commission what is going on in the City, but said they wanted to create something where people beyond the Commission can see what is going on in the City – a living document or better yet, something on the Web. Mr. Walter said that was why the GIS was referenced. Mr. Langworthy confirmed that it should be geographically oriented, not year oriented.

Mr. Taylor suggested something on the Web have a GIS document where a parcel could be selected so someone could find out what was happening on that parcel in different City departments. Ms. Amorose Groomes suggested it could include sanitary projects, utility easement changes, and park development.

Mr. Langworthy reported that a project had begun with the GIS department to make it possible to click on a parcel to find all the rezoning ordinances, development texts, plans, history, and minutes associated with that parcel for development activity taking place.

Ms. Amorose Groomes confirmed that there was a consensus of the Commissioners that their three items of interest in priority order were the integration item as read into the record by Mr. Walter, the Urban Landscape Code, and the Development Site Visits. She added that the Commissioners' names should be removed from each of the items.

#### **Motion and Vote**

Mr. Fishman made the motion to approve the following prioritized Annual Items of Interest List of the following three items:

- 1) A Database of City Studies, CIP Projects, & Planning Districts. Objective: Propose a way for the City to share with other departments and the public, the different studies and CIP projects that are taking place at any one time and a way to continuously provide status updates. The goal would be to be able to see the overlay studies, CIP projects, and/or planning districts that are occurring for a particular area. So, as a development application comes forward, it would be evident which different initiatives impact that parcel. Adding this study data to GIS would allow Dublin residents to see all studies/districts/plans for particular areas of the city.
- 2) Historic Dublin Urban Tree Care Survival Plan. Objective: Creating and implementing a plan that specifically addresses the plant, planting media selection and short/long term care and maintenance of trees within urban areas in the city.
- 3) Development Site Visits. Objective: Examine pre-construction and post-construction sites to compare “on the ground” to perceptions gained through the development review and approval process to strengthen each Commissioner’s perspective of a project as drawn on paper and how it actually looks once constructed.

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

Ms. Amorose Groomes adjourned the meeting at 8:24 p.m.

As approved by the Dublin Planning and Zoning Commission.