



## DUBLIN PLANNING AND ZONING COMMISSION

### MEETING MINUTES

APRIL 2, 2009

CITY OF DUBLIN, OH

Land Use and  
Long Range Planning  
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#### Agenda

##### Media Relations Training - (Postponed)

1. Planning Presentation – Planning and Zoning Responsibilities
2. Planning Presentation – Signs in the City of Dublin

Chair Todd Zimmerman called the meeting to order at 6:30 p.m. Other Board members present were: Warren Fishman, Richard Taylor, Flite Freimann, Amy Kramb, Kevin Walter, and Chris Amorose Groomes. Mr. Zimmerman led the Pledge of Allegiance. City representatives were Steve Langworthy, Claudia Husak, Gary Gunderman, Tammy Noble-Flading, Rachel Swisher, Velma Coen, Dave Marshall, David Stromberg, Jennifer Readler and Flora Rogers.

#### Administrative Business

##### Motion and Vote

Mr. Zimmerman made a motion, seconded by Mr. Fishman to adjourn to Executive Session for the purpose of discussing the election of chair and vice chair. The vote was as follows: Ms. Kramb, yes; Mr. Taylor, yes; Mr. Walter, yes; Mr. Freimann, yes; Ms. Amorose Groomes, yes; Mr. Fishman, yes; and Mr. Zimmerman. (Approved 7 – 0.)

##### Motion and Vote

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

##### Motion and Vote

Mr. Freimann made a motion, seconded by Mr. Fishman that Chris Amorose Groomes be elected as Chair for the coming year (April 2009 – March 2010). The vote was as follows: Ms. Kramb, yes; Mr. Walter, yes; Mr. Taylor, yes; Ms. Amorose Groomes, yes; Mr. Zimmerman, yes; Mr. Freimann, yes, and Mr. Fishman, yes. (Approved 7 – 0.)

##### Motion and Vote

Ms. Amorose Groomes made a motion, seconded by Mr. Taylor to elect Flite Freimann as Vice Chair for the coming year. The vote was as follows: Ms. Kramb, yes; Mr. Walter, yes; Mr. Fishman, yes; Mr. Zimmerman, yes; Mr. Freimann, yes; Mr. Taylor, yes; and Ms. Amorose Groomes, yes. (Approved 7 – 0.)

Mr. Zimmerman thanked Planning for its assistance during the past year.

Ms. Amorose Groomes assumed the role of the Chair for the meeting.

### **Motion and Vote**

Chair Amorose Groomes made a motion to approve the March 5, 2009 minutes as presented, and Mr. Freimann seconded the motion. The vote was as follows: Ms. Kramb, yes; Mr. Taylor, yes; Mr. Fishman, yes; Mr. Walter, yes; Mr. Freimann, yes; Mr. Zimmerman, yes; and Ms. Amorose Groomes, yes. (Approved 7 – 0.)

Chair Amorose Groomes requested and received unanimous acceptance of the documents into the record.

### **Communications**

Claudia Husak announced that photographs of the Commissioners would be taken by David Stromberg throughout the meeting.

Ms. Husak reported that there was one Administrative Approval included in their meeting packets. She thanked the Commissioners that chose to receive their packets by email, saving paper and time.

### **1. Training Presentation – Planning and Zoning Responsibilities**

Steve Langworthy presented an overview of the planning and zoning responsibilities in the City and the relationship of the various boards and commissions. He said the various authorities begin with City Council as the appointing body for all boards and commissions. He described the functions of the Planning and Zoning Commission (PZC), the Board of Zoning Appeals (BZA), and the Architectural Review Board (ARB). He noted that each has an individual assigned as a liaison. The Planning liaison for PZC is Claudia Husak, Tammy Noble-Flading for the BZA, and Eugenia Martin for the ARB. He said the liaison's responsibility is to coordinate all functions of the relevant body, such as making sure meeting agendas and notices are done properly, reports are done on time, and packets are prepared. He said in addition, support is received from Engineering, Building Standards, and Parks and Open Space, and other departments as needed regarding applications received by Planning.

He explained that Planning consisted of five teams; the Long Range Planning, Design Development, Current Planning, Zoning Compliance and Code Enforcement.

Mr. Langworthy said the objective of the Long Range Planning team was to deal with the longer term aspects of the Community Plan. He said that Gary Gunderman leads the Design Development Team. He said their job is to help applicants prior to beginning their design process. Mr. Langworthy said applicants are encouraged to come in before they begin to draw a site plan so Planning can learn their objectives and what the City's needs are for a particular site. He explained that the Design Development Team's responsibilities occur before an application is formally submitted, bringing in the various entities to address any issues that may develop.

He said the team also coordinates with the Long Range Planning and Current Planning teams. Mr. Langworthy said that in some instances case managers are assigned before applications are submitted so that they can become more familiar with the project during its earlier stages.

Flite Freimann asked what percentage of applicants took advantage of the opportunity of the pre-design stage before they put pen to paper. He also asked how people knew that Planning is willing to help them before they hire an architect.

Gary Gunderman estimated that 70 percent of the applicants have taken advantage of the process. However, he said, more importantly, 90 to 95 percent of the larger more complex projects come through Design Development. He explained that in other instances applicants may require action by the BZA or ARB, or they may not go any further than Design Development because their project was not favorably received. He said this service is advertised well largely because many of the design professionals, architects, and engineers that Planning has dealt with previously know to contact them. He said secondly, other departments, such as Economic Development help spread the word. He added that the improved City website helps provide information about the process.

Mr. Langworthy said the last thing that the Design Development Team does is get the applicant to the application phase; letting them know the requirements and submission dates.

Claudia Husak explained that the Current Planning Team works with applicants as they come from the Design Development Team, guiding them through the process, explaining their timelines and helping fill out applications. She said they also do application intake, review plans, and make recommendations and coordinate necessary approvals with the other boards and the Commission. She said that the team works with Review Services who are involved in the process and later on work with Building Standards as part of the building permit process. Ms. Husak then provided a brief overview of the application review process after an application is submitted.

Kevin Walter asked how the opinion for a recommendation was derived for each application. Ms. Husak said that Planning reviews each application as a team and consults with other departments. She said that the Case Manager is responsible for communicating with the applicant in regard to any issues or problems with the application and how that could affect the recommendation. Ms. Husak said if the applicant does not come to an agreement with Planning or issues are not resolved in a timely manner, the Pre-Agenda meeting is used to determine whether the application can go forward, or whether the applicant has had a chance to revise the plans. At that point a preliminary recommendation is determined.

Mr. Walter asked if the case manager started with the presumption that something will be approved, and it was up to the balance of staff to dispute that, or did it start with a neutral, and a case was built and the case manager made the recommendation. Ms. Husak said in a straightforward case, the case manager will make the recommendation and come with it prepared at the first meeting. However, she said in other instances, it was more of a collaborative effort to come to a recommendation.

Mr. Walter asked if the final decision for a recommendation rests with the Director. Mr. Langworthy said only when the case manager and the rest of the Planners are unable to reach a consensus on the recommendation and there a decision is needed, he will get involved, but that happens on a small percentage of cases.

Mr. Walter asked if all recommendations that came to the Commission had his imprint on them. Mr. Langworthy said he reviews everything before it comes to the Commission. Ms. Amorose

Groomes asked if Mr. Langworthy was always in agreement with whatever recommendation came before the Commission. Mr. Langworthy said he would not overrule a case manager unless he had a substantial reason for doing so, which was extremely rare.

Mr. Walter asked if contentious issues were typically reviewed by the Law Director before Planning issued a negative recommendation. Mr. Langworthy said that legal issues were brought to the Law Director, but most issues are worked out long before it gets to that point.

Ms. Kramb asked about Planning's follow up after Commission meetings, and what was done to make sure that all the case managers are aware of the Commissioners' comments. Ms. Husak said it was the responsibility of the liaison to work with the case managers to review their recommendations and what issues needed to be resolved. She said there are things that Planning recognizes that the Commission consistently wants to see and the applicants are advised of those.

Mr. Fishman noted that on several cases the Commission has given an applicant direction by saying what they definitely want to see and the applicant comes back without making those changes. He said the Planning Report said it was recommended, so it was frustrating because the Commission had said in several cases, that unless this is changed, they are not in favor.

Mr. Langworthy asked that it be kept in mind that the Commission and Planning are two separate entities; the Commission is the decision-making body with criteria by which they make decisions, and Planning is the professional staff with their own opinion of the criteria by which decisions are made. He noted that recommendations of Planning are based on its opinions related to the review criteria. Mr. Langworthy stressed that these are only opinions and that different decisions on the review criteria can be reached by the Commission. He said a common one was architecture. Planning is often having a hard time providing an applicant with input regarding architecture because the topic is very subjective.

Mr. Langworthy said that Planning can advise an applicant that if they show a particular design or building, they may receive a negative vote, but the applicant is free to proceed and ask for a vote if that is their choice. He said if density, for example, is within that permitted by the Code, Planning's professional recommendation is based on whether it meets the Code, and if the Code says five units per acre, and it meets that density, Planning cannot say it has to be disapproved. However, the Commission can within its authority, use the review standards in the way they feel is appropriate. He noted again that the Commission need not follow Planning's recommendation.

Ms. Amorose Groomes said she thought Mr. Langworthy's point was that Planning was looking at it from a legal perspective, and not an aesthetic perspective necessarily, and so their opinions are primarily legal in nature.

Mr. Fishman said he understood, but he also realized that Planning should be having discussions with the applicant and not wasting their time having to come back when the Commission said that they wanted something. Mr. Langworthy said that Planning certainly does that, but applicants do not always follow their advice.

Ms. Amorose Groomes said she fully expected Planning to say to the applicant, "these are the kinds of things you are going to hear from the Commission; this is what the Code says, and you

are meeting that requirement, however, meeting the requirement does not guarantee approval.” Mr. Langworthy confirmed that these types of discussions take place.

Mr. Freimann asked if there could be three possible kinds of recommendations: one that recommends disapproval, one that determines whether criteria are met, and a final recommendation. He pointed out that to him a positive recommendation carries with it a notion that Planning thinks it is a good idea. He asked if there could be the option to say “meets the criteria.” Mr. Langworthy said that Planning was not permitted to be a discretionary decision maker – and that this function was reserved for the appointed body, in this case the Commission.

Mr. Langworthy used density as an example of where the two are used together. He said if Planning felt that the density overloaded the roads with excessive traffic, even at that allowed density; they would bring that to the applicant’s and Commission’s attention. He said then, Planning’s professional opinion would likely be – even though the density was permitted – that it would not be acceptable because it would create excessive traffic. Therefore, in Planning’s professional judgment, a lower density should be imposed that would allow the roads to accommodate the traffic.

Mr. Walter said he agreed with Mr. Freimann that the contention of “recommends approval” implies Planning thinks that it is a good thing. He said it was sometimes difficult for the Commissioners because they were not in the applicant meetings, and were not knowledgeable of all the communication, and so sometimes they wonder “how can Planning recommend this?” Mr. Langworthy replied that sometimes the Planning Reports may contain phases that are intended to indicate to the Commission that the applicant had been advised of what the Commission desires, but chose to go forward.

Ms. Readler said there is a provision for Planning Reports in the Commission’s rules and the purpose for the Report is to give the Commission guidance and a frame of reference for their decision, and Planning’s recommendation is not the only purpose behind the Report.

Mr. Taylor agreed with Mr. Freimann and Mr. Walter. He said he thought if Planning believed in the project, they would say they recommended it. He said if it technically meets the criteria, then maybe the Commission would be getting more information and more likely to understand the intent if it did say something like “meets the criteria.” Mr. Langworthy said the review standards require judgment and it is not always a clear decision. He said in these instances Planning will recommend conditions to the approvals that will try to ameliorate issues that they feel might be a problem.

Mr. Fishman said it distressed him when Planning recommends something because they are the experts. He said that, for example, Reports written by previous staff would describe a situation on Brand Road, and there was nothing found in writing that said there had to be a 200-foot setback, except it had been the custom that if you go down Brand Road, they have large setbacks and the staff did not recommend it, and the Commission turned it down. He said that was the kind of guidance for which the Commission was looking. Mr. Fishman said just because they met the law, it may not meet what Dublin looks like. He said if Dublin did not go by the Code in the 1970s, when the Code was weak, but by what was best for Dublin, and that was what he would like to see in the Report.

Mr. Langworthy said that Planning was trying to get to the point where they did not have to make those judgments and that was reflected in the time and effort put into the Community Plan, for example. He said now Dublin has the Community Plan to rely on to impose those requirements, and the criteria usually require consistency with the Community Plan.

Ms. Amorose Groomes said she thought the consensus for what this body would like to see and have affirmation in is that really our standards are not meeting the Code. She said in all situations, the Commission would like something exceedingly better than what the minimum of the Code requires. She said what she heard was that the Commission would like to have confidence that Planning has gotten more from these applicants than just what their bare minimum requirements are. She said then, if Planning got them to do “x plus 1” then the Commission would have the opportunity to make the end result “x plus 2.”

Mr. Langworthy said many times there is a considerable difference when projects are first proposed to what the Commission ends up seeing. He said that this is why they have this kind of involved process.

Mr. Fishman said the first thing he would like to see in a Report is if Planning recommends it; and if so the Commission wants plus 1 or plus 2. He said if everything just met Code in Dublin, Dublin would not look like Dublin. He said the Commission is interested in things in the Community Plan; the green space, low density, the things that make Dublin beautiful.

Mr. Walter said the Commissioners were saying that they were not satisfied with the information they were receiving in the form in which they were receiving it. He said Planning could do what they wanted with that feedback, but to help reduce some of the miscommunications that they have; it would be helpful if they found a different way of presenting the recommendations.

Mr. Zimmerman asked if the densities listed in the Community Plan read: “up to...”

Mr. Langworthy said it depended. He said if it said “five units per acre”, then it could be interpreted as “up to five.” He said that was why he said if a reason could be found to limit density, it should be stated as part of the approval.

Mr. Zimmerman recalled from years back, that to meet five units per acre, it had to be beefed up because it needed to look good. He quoted Mr. Fishman, “it had to look, wow!”

Mr. Fishman said he would like to look at the Report and know that Planning thought it was really great, and he could not do that anymore. He said he used to read a Report and know that when Planning recommended approval, their expertise said it was a great project for Dublin. He said they hardly ever give exactly five units per acre; it was up to five units per acre.

Ms. Readler said the density discussion was obviously one thing. She cautioned in this discussion that if City Council adopts the Zoning Code, we all have to implement those requirements. She said the review criteria differ with each type of application. Ms. Readler said that we have to be very careful. She said that whatever criteria was for the specific application was where the Commission got their authority. She said, for example, in straight zoning districts, the Commission was extremely limited in what they can do. Ms. Readler said there would be a

lot more latitude in a preliminary development plan. She said blanket statements cannot be made about what we can require.

Mr. Fishman said he understood that in a straight zoning, the Commission's hands were tied in most cases, but most of their cases are not straight zoning. He said if it was up to five units per acre, and if the architecture "knocks your socks off" and it looks great, then that is fine.

Ms. Amorose Groomes said the outcome of this discussion would be that it would be helpful to hear a little of the history of what was originally proposed versus where Planning ended up with the application and it might fill in some of the gaps. She said maybe a little history could be added. She further said that just the history of where it began and where it is now would be helpful so that the Commission can cast a vision for where they would like to see it go. She said current staff was not expected to be who was there before. She said that the snapshot would be helpful because the Commission would know Planning's laborious effort that went into the project. She said if they had a history the Commission could see that it was better than what they began with and they would have a better understanding of Planning's position.

Mr. Langworthy said it would be helpful if during a meeting, the Commission would be clear about what elements with which they may disagree. He said as the Commission brings these forward to Planning more is learned about the Commission's preferences.

Mr. Fishman said he did not want to be misunderstood. He said he really did not care where the application came from. He said he wanted to see where it was now and he wanted to have confidence that it is a great project for Dublin when Planning recommends it.

Mr. Langworthy noted that last area to be covered was the Zoning Compliance Team. This team was formed from Code Enforcement to provide a systematic way to inspect a site to make sure that the zoning requirements are met. He said the team's responsibilities are to inspect a property as it is being constructed to make sure that it is in compliance with the approved plans prior to the end when it is more expensive to get things fixed. He said an example was Cardinal Health where a series of interim inspections were done leading up to the final occupancy. Mr. Langworthy said an occupancy inspection is done before final occupancy is approved. He said the team is also responsible for ongoing compliance. He pointed out that there were many planned development texts, variances and other different types of approvals, so not just one Code but many are used.

Mr. Langworthy said that the Zoning Compliance team's job is to gain voluntary compliance, which means that their responsibility was not enforcement, but to provide information about the requirements for changing owners and managers. He said ultimately, if compliance cannot be achieved, then it is taken to Code Enforcement as a violation. Mr. Langworthy provided the Commissioners with the phone number of the Code Violation Hotline to report violations.

Mr. Walter asked for an update on the Jerome High School mound issue. Mr. Langworthy said that Brian Martin had been to the site recently and reported that the final grading to blend the end of the mound into the existing had been completed. He said that there will be a report provided with next meeting packet. Mr. Walter asked if the mound height was appropriate. Mr. Langworthy said that he believed that it was, but that the report and Brian Martin's inspection should clarify it.

## **2. Training Presentation – Signs in the City of Dublin**

Claudia Husak explained that as requested by the Commission, her presentation would provide an overview and discussion of the sign requirements and the Commission's responsibilities in reviewing signs. She provided a presentation that highlighted signs and their regulations in four major categories – the Zoning Code, the Planned Development texts, the Corridor Development District, and the Historic District. She said based on previous discussions, shopping center signs were used to provide some context to the differences. She presented photographs of existing compliant and non-conforming signs, as well as some illegal signs. Ms. Husak discussed some of the conflicts between the different sign regulations and some of next steps that might be part of the Zoning Code Update.

Kevin Walter said some of the pictures of signs he provided for the presentation were not about the legality, but directed at what he saw as potential deficiencies in the Code. He said he took the picture of the Mr. Tire blue awning. He said it clearly looked like the sign did not go with the building; there was no continuity. Mr. Walter said the graphic elements of the building, the color of the sign, the placement, size and all these elements should be considered.

Ms. Amorose Groomes recalled a discussion regarding the mounting of signs and asked if bricks would be considered a color. Ms. Husak said when letters are pin-mounted to a brick sign structure then the brick would not be considered a color. She said there is definitely some inconsistencies within the Code because the sign structure language would include the brick while the color language talks only about the sign face.

Ms. Amorose Groomes asked about material. Ms. Husak said material was not discussed at all in the Code.

Ms. Husak pointed out that lighting was not addressed in the Code and the Commission had indicated a preference generally for exterior illumination of signs, except where internal illumination was appropriate.

Mr. Walter said that Dublin Plaza on Bridge Street was an example of everything that was wrong with the Code. He said when looking at this site in particular, he thought it screamed for a Code review to say how big the font can be and how much of the sign it can take up. He said pointed out that the Tan Pro sign used very large letters, Hallmark had a logo with ribbons on their sign, and every color was as bright as possible, but all the signs met Code.

Mr. Freimann asked if a much more stringent Sign Code is adopted to cover standard zoning and Kroger was then sold to Giant Eagle, could they keep the existing size of the free-standing sign along Bridge Street and put Giant Eagle on it instead. Ms. Husak replied that they could change the face of this sign which had actually been done. She said that Kroger had come to the City to talk about a ground sign that would be more of a "Dublin" ground sign, a lower to the ground monument-type sign. However, that would require a variance because of the existing wall signs and it was very unlikely today that the Board of Zoning Appeals would find a practical difficulty and grant them a variance. Ms. Husak said that this is why the sign will remain because rather than having no sign along Bridge Street, Kroger will keep what they have. She said that was a problem with signs that did not currently meet the Code.

Mr. Freimann confirmed that variances ran with the land. Ms. Amorose Groomes said that a great lesson for the Commission to learn about variances was that they live on forever. Mr. Langworthy said of the variances applications seen by the BZA, maybe two out of ten are recommended by Planning. Mr. Zimmerman pointed out that a variance could have a time limit as was done with Trader Joe's secondary sign. Ms. Readler agreed.

Ms. Husak said another aspect of a standard zoning district was size. She said usually, one square foot for each linear foot of tenant width is permitted; therefore, the Tan Pro sign could probably be a lot bigger; they just used the space up with their font. She said it was the same with the secondary image on the Hallmark Sign. She said the way secondary images are regulated in the Zoning Code is that they can be 20 percent of the permitted size of the sign. Ms. Husak said Hallmark, most likely can have a much bigger sign, so 20 percent of a much bigger sign maybe the ribbon, so it is not 20 percent of the sign you have, but you could have, so there is a bigger logo area and a smaller sign. She said that the BP sign was an example where text was given away for the logo.

Richard Taylor noted that the buildings for Kroger and the billiard shop on Sawmill Road were designed with a specific sign location. He said the sign panel on Kroger, architecturally speaking was the stucco area above the brick and that currently does not meet Code because it is too high off the ground.

Ms. Husak said architecture is occasionally in conflict with the Code or with the text requirements because a lot of times, taller buildings are wanted. She said that there are logical locations for signs, but the Code does not allow them to be there.

Mr. Taylor said in the case of the Kroger and also the buildings on Sawmill, those buildings were designed, he assumed at a time when that higher sign would have been permitted and it would be an appropriate place for the sign.

Mr. Walter said what was interesting about the Kroger sign was that the upper stack did not exist a few years ago. He said it was part of the remodeling.

Mr. Taylor said there was an issue with the billiard shop because the sign really, architecturally needed to go up into that higher spot and would look odd at a lower location.

Ms. Husak said that within the Corridor Development District (CDD) the review for the Commission is regardless of whether or not it is a standard zoning district or a planned district, so there is a kind of two-fold review in these instances. She said the regulations for signs in the CDD are in the Zoning Code, but the language is not very specific and only talks about the signs having to be consistent with the Zoning Code. She said that a lot of detail is up to interpretation and the discretion of the Commission. Ms. Husak said there is a lot to look at or consider when the Commission looks at those signs. She said every sign in the CDD has to be reviewed by the Commission, including changes to the sign face.

Ms. Husak said in shopping centers, it has been the policy that if a shopping center were to decide to come forward to the Commission with a sign plan, that if the Commission approves it, any kind of tenants that have to switch out their signs, as long as they meet the sign plan that was approved by the Commission, that it is an administrative review at that time. She said there was

a staff review for compliance with either the sign plan or with any kind of approval that the Commission has made and the sign permit is issued for those. She said there is a double cost involved with signs in the CDD.

Ms. Husak said the shopping centers, Village Square and the Trader Joe's Center both have sign plans and they were approved early on when the CDD language was changed to include Commission review. Ms. Husak explained the details and differences of each of the sign plans.

Mr. Walter asked how sign colors were specified.

Ms. Husak said a Pantone number is typically used, but Trader Joe's submitted paint color chips that were not Pantone. She said that when they come in with the sign permit those colors are listed and then Zoning Compliance back-checks the colors used with the ones specified on the permit.

Mr. Walter pointed out that there was a difference between the Coldwater Creek and The Wine Loft signs within the Shoppes at River Ridge development. He said driving down the road, The Wine Loft sign sticks out in comparison to the others using the white where other tenants have gold. Mr. Walter said there was a white shadow behind the white lettering which made it stand out, but he understood that it is a font and fonts are not regulated.

Ms. Husak replied that in this instance the colors of the font were also not regulated. She said Planning encouraged tenants in this shopping center to use the gold, but there was nothing as part of the approval process of the sign plan that specified a font color.

Ms. Amorose Groomes said she was more in favor of internally illuminated signs than the numerous gooseneck fixtures she saw on some of the examples. Mr. Taylor said he thought that gooseneck fixtures were widely accepted as kind of a pseudo-historical thing.

Mr. Walter said in this center he found it difficult to look at the signs because they are all different. He said the Acorn sign was different with muted colors and the pin letters did not quite work. Ms. Husak explained the difficulty in this center is that the architecture was not designed for signs, and there are so many tenants that have problems because they have no wall on which to place their signs. She said the Bliss sign was one of those. She said it could very well have been a longer rectangular shaped sign, but there was no room for it so they made it more of a square to fit it where it needed to go on their building. Mr. Walter said even though this center was in a CDD and there are review capabilities, they should think more about not necessarily the sign itself, but architecturally, where would signs fit.

Ms. Amorose Groomes asked if there was anything they could do about the quantity of the fixtures. Mr. Zimmerman said if the Sign Code is changed or tweaked, you could say 'x' amount of fixtures per lineal foot. Mr. Fishman said he agreed with Ms. Amorose Groomes that the number of gooseneck fixtures was obnoxious. Ms. Amorose Groomes said in her opinion that was why it was hard to read the signs. She said at noon, shadows are cast straight down and it is difficult to read the signs.

Mr. Walter said the Speedway sign in the CDD had signs within a sign. He said it had a Marlboro Box, the gas price, and Speedway within it. Ms. Husak said that Planning had also

looked at the Speedway sign. She said changeable copy is only permitted for gas station signs, but advertising cigarettes and using changeable copy is not permitted.

Ms. Husak said Planned Development District regulations are unique, varied, and whatever the needs and tastes are at that time, but most of them do regulate size, number, and location. She said design in a Planned District is probably the most important one that is addressed and is very detailed. She said size is usually less than what Code would allow. She said sign design, font, color, and material are usually included in the development texts.

Ms. Husak explained that the development text gets approved by the Commission as part of the preliminary development plan that usually addresses signs. She said sometimes there is a sign plan as part of the development text and sometimes the development text actually says that the signs will be shown to the Commission as part of the final development plan, and they are all approved then.

Ms. Husak said the Zoning Code allows administrative approval of minor modifications to signs and they are reported to the Commission. She said the process includes staff review for compliance and issuance of a sign permit.

Ms. Husak said there are quite a few shopping centers in Dublin that have different sign regulations. She said Perimeter Square and Avery Square were approved around the same time in the late 80s, and how many signs a tenant can have does not differ. She said a tenant can actually have three signs in either shopping center, which is more than Code would allow. She said color is restricted and there are no restrictions on the font except for at Perimeter Square which can only be gold. Ms. Husak said both centers are allowed things outside of the Code for their major tenants. She said Giant Eagle (Big Bear) got a bigger, taller sign and Kroger got a bigger, taller sign. Ms. Husak said the Kroger Center has four tenants that can have signs taller than 15 feet. She said again, architecturally, there are pieces of that shopping center that are very tall that give some mass, and having a sign at 15 feet there would not work, because that is pretty much where the sign band is located.

Mr. Walter said the Giant Eagle signs were great, cohesive, and fit architecturally. However, the Kroger Center signs at Blockbuster and Radio Shack with cutouts against the stone were really difficult to see and the Tuesday Morning sign's placement was awkward. He said he did not think they spent enough time thinking about signs and worried more about the site layout, traffic flow, and all the other stuff. Mr. Walter said it might be helpful if the Commission had a matrix indicating the number of wall, ground, and blade signs and color allowed, and checkmarks or numbers to indicate how that fits with other regulations.

Ms. Husak said it was helpful, especially in a planned district, when the text sets up some general parameters, and then as part of the final development plan, when the Commission sees the architecture, they see it all come together. She suggested it might be a good thing to address signs in a more standard way in texts so that they all look the same and make it administratively a lot easier too.

Mr. Walter added, not necessarily the signs all the same, but the way in which they review is similar. He said it was confusing as to what district signs they are in, what could be done, if were logos allowed or not, and all that.

Ms. Amorose Groomes said that would be easier for enforcement. Ms. Husak said she thought that it was a great idea.

Mr. Taylor said he thought there was a larger issue too. He said if they began to think a little more in terms of how do we make it an interesting building and how do we make it a place that people want to be and make it less about trying to get the signs in the foreground, then people are going to come to the place and enjoy being there and they are not going to look at every store as a destination and every store is not going to see themselves as having to shout. He said ground signs are great, they draw people into the center, get them to enjoy the place, and find the shops. He said the Commission is going to have this issue over and over again as long as they are always providing a sign panel area and everybody's competing for the visual attention of the people in the center.

Mr. Walter said there were lots of reasons why Dublin Village Center was not successful. He said we need to be sensitive to those areas of the City that are bounded by something like that. Mr. Fishman said the Sign Code got blamed a lot for Dublin Village Center's demise, but it was much more complicated than just the signs.

Ms. Husak said the Shoppes at Avery was a good example of the recent trend of having buildings closer to the road. She said the Shoppes at Avery has frontage on Avery-Muirfield Drive which was not really walkable, but drivable frontage. She said when they received their zoning in 2003, they did not include signs on that side of the road and it was interiorly oriented to the parking lot. She said people did not know what was in that shopping center and in 2006, the Commission revised their sign plan to allow signs on both sides of the shopping center which was one of the very first times. Ms. Husak said Code does not allow that because they only had frontage on one street. She said the standard of having signs on both sides has been carried forward in other shopping centers. She said at Shamrock Crossing, there is no building yet or an approved final development plan, but the text allows similar treatment to that where there are plaque signs on both sides because it is on the road, and can be accessed by pedestrians out there, but also by drivers on the inside. Ms. Husak said Emerald Town Center being built at Woerner-Temple Road and Emerald Parkway has a similar treatment. She said that is becoming more of the standard.

Mr. Taylor said his point was maybe rather than let's approve the architecture of the building, and then let's look at the signs that we are going to stick on that building, let's make sure that we look at the signage and how the buildings read from the road and all that with the signage in mind, where they are going to go, and what is going to attract business.

Mr. Freimann pointed out that the Average Joe sign, as you turn from Riverside Drive onto Hard Road, is in your line of site and looked like you were driving right into Average Joe's. He said the thought that Mr. Taylor had about how the sign would look from the road, what is going to be the angle, what are going to be the vantage points, and what total package do we want at the beginning was important.

Ms. Husak said there were some interesting points on the Kroger Marketplace shopping center. She said one of the biggest hang-ups at that point in time was it is interiorly illuminated on Sawmill Road, so there is that conflict of it is in Dublin, it is on Sawmill Road, there is interior illumination, and we do not want it to look like the other side of the road. She said the approval,

in the end, allows for interior illumination of the tenant signs. She said it is a little cabinet that has a light behind it and there is film on top of that, so it ended up with three films of color on each of the signs to mute the brightness of the light that shines through the actual sign.

Ms. Amorose Groomes asked which sign was preferable, the Hoggy's or the Potbelly's sign. She and Ms. Kramb agreed that they liked the Hoggy's sign best. Ms. Amorose Groomes reiterated that she did not like gooseneck lights. She asked what the other Commissioners liked.

Ms. Kramb pointed out that the signs at Kroger Marketplace did not have old, traditional internal lights and they were very easy to read. She said they can be seen perfectly from the street during the day and at night. She said the signs were not obnoxious or annoying when she walked at the plaza.

Mr. Walter said the sign depended on the character of the building. Ms. Amorose Groomes said the two buildings had a very similar character. Mr. Walter said he liked the Potbelly's sign because he did not care about the logo on the Hoggy's, it made it harder for him to sort out what it is and the fact that it is against the stone, says to him that they did not really think about where the sign was supposed to be. Mr. Walter said Average Joe's sign is a good sign and was okay, but the placement of it and the size were questionable.

Mr. Taylor said the Average Joe's sign was much more difficult to regulate. Mr. Walter agreed, and said that Average Joe's sign would not look right if it was a placard. Ms. Amorose Groomes agreed.

Mr. Taylor pointed out that all these shopping centers, Dublin Town Center and Bi Hi Square all had one thing in common, and that is they are harkening back to an historical era and they are trying to look as though it is a series of buildings built over time and styles changed. He said with that type of architecture, there are potentially different shops with different faces that each has the character on it. He said where Starbucks is, looks different than where Jeni's Ice Cream is, and so the signage that is going to distinguish that shop becomes less important because of that. Mr. Taylor said he thought something to look at in the beginning of this is if they can get developers and architects to try and make the shops more individual in a development.

Mr. Freimann said he thought that they needed to be open to some of the newer technology, and maybe encourage some of that. He said when internally illuminated signs are discussed; he imagines the worst parts of Morse Road where at night a book could be read underneath the signs. He said with a thinner sign that is not quite as large in that little bracket, if it is smaller, and it's got some LED lights, it could really look beautiful. Mr. Freimann said internally lit, by itself as a stand alone concept is not necessarily bad. He said what has happened is that they have become so accustomed to seeing the bad that they end up by habit saying that any internally illuminated sign is bad. He said if Mr. Langworthy can bring something to the Commission that is kind of cool and uses some of the technology, is not overwhelming, and meets with the building, then he would definitely be in favor of that sort of thing.

Mr. Zimmerman recalled the reasoning behind the Hoggy's sign was the way it looked illuminated at night when it put out a whole different color. He said they put the multiple films into the sign so the exact same color would be seen during the night and day.

Mr. Fishman said the owner of Hoggy's told him that he did not like the placement of their sign and that no one could see it because of where it was. He said he did not like the Average Joe's sign because it sticks out. He said he thought a sign that jumped out caused sign pollution. He said if you get too many of those signs, you get pollution. He said Average Joe's sign is not too bad because it is the only sign that hits you like that. Mr. Fishman said he was really in favor of consistent signs. He recalled a workshop at the APA Conference he attended where the facilitator said that color is unbelievably important to achieve a look that is consistent and much less polluting.

Ms. Amorose Groomes said that the Commission needs to look at this better; they have not looked at it like they ought to do.

Ms. Husak confirmed that Planning understood that the Commission did not want centers in the future named after a tenant like at Kroger Marketplace Center.

Ms. Husak explained that in the Historic District there is a little of that planned district text versus the Zoning Code, versus the *Historic District Guidelines* overlapping. She said the Commission gets to see signs in the Historic District if they are in a planned development. However, she said the ARB approves the final details of the signs and then staff reviews them for compliance and sign permit issuance. Ms. Husak said signs would be permitted on both sides of the Bri Hi development and blade signs are allowed in the Historic District, and planned developments, but not elsewhere in the City. She said there are projecting signs on the parking lot side of Town Center I and the plaque signs are consistent throughout. She said otherwise, the Historic District allows anything that is in accordance with the *Guidelines* and Zoning Code. She explained that the majority of applications the ARB sees are signs. She said there was an extensive list of fonts in the *Guidelines* that are approved, historic fonts, and the ARB spends a lot of time looking at whether or not the proposed signs are in close similarity to those fonts, if not exactly those fonts.

Mr. Fishman said that the size and color of signs in the Historic District are incredibly important, more so than the type of font.

Mr. Walter asked about the sandwich board signs he has seen in the Historic District. Mr. Langworthy said that Council has allowed them as long as they are brought in at night.

Mr. Walter pointed out that now, J. Liu, La Chatelaine, the realtor, and others have sandwich board signs and maybe that was the look they wanted because it was a walkable kind of thing. Ms. Husak said that sandwich board signs were included in the *Guidelines* since they were historically used. Mr. Fishman noted that the sandwich board signs had multiplied in the Historic District.

Ms. Husak explained that permanent window signs are allowed with store hours and acceptable credit cards listed. She said the Giant Eagle shopping center and Avery Square development texts, include restrictions that say no window signs, period. She said Code enforcement, as new tenants move in is a very difficult issue. She said the temporary window signs are allowed to be displayed for 30 days. She said each of the 30 tenants can put up a window sign for 30 days of the month, and Code Enforcement has to visit every day to figure out if the content has changed. She said the signs cannot be put back up on the windows until 30 days have passed. Ms. Husak

said it really is an enforcement nightmare as the regulation is written currently. She said visibility is another issue, if the sign definition says a sign is a sign if you can see it from a right-of-way or an adjacent property line, when is a window sign actually a sign? She said there is some ambiguity in the language as well. Ms. Husak said that was one of the most difficult things that are dealt with day to day.

Mr. Fishman asked if the Papa Murphy's sign was legal. Ms. Husak said it was illegal. Mr. Fishman confirmed that Papa Murphy's had been notified about their sign.

Mr. Freimann commented that Dublin has so many wonderful corporate citizens and people in our community who take the time and effort to come to meetings and work through the Planning staff and come to the Commission and get an approved sign. He asked if Planning could come back with a report saying that the appropriate people have gone out and talked to these folks.

Ms. Husak said that half of the illegal signs demonstrated were already either in Code enforcement or the Law Director's hands. Mr. Langworthy described the three steps taken for illegal signs are Zoning Compliance Notification, Code Enforcement, and the legal action.

Ms. Husak said each of the three Dublin Kroger stores has different sign regulations and there are fairness concerns as well. She said the CDD requires approval for minor sign face changes, so for SportsMart to change their sign face to Sports Authority; it costs a minimum of \$1,000 before the fabrication of the sign. She said there is no administrative approval at all in the CDD, unless there is a sign plan and that still has to be approved prior by the Commission.

Ms. Husak said Dublin's Zoning Code does not contain any explicit rules for multi-tenant office signs. She said those are in PUDs all over the City. She said it is one of those instances which in office buildings, each tenant can not have a wall sign because it would look cluttered, they each cannot have a ground sign either, so we are left with something that the Code does not actually explicitly permit, so it is being permitted, but without really any particular guidelines written.

Ms. Husak summarized the Commission's discussion. She said that they want to maintain sign regulations that reflect the character of the City, which they discussed about some tonight that are good examples of what we want, what looks good, and what is a Dublin-type sign. Ms. Husak said consistency is definitely the biggest issue for enforcement for approval processes, but we have to always take into account any flexibility for individual conditions, and then having consistent review procedures, obviously. She said Planning is preparing to update the Zoning Code and all of these lessons, especially the requirements for signs that work well and really reflect Dublin can be codified.

Ms. Amorose Groomes and the other Commissioners thanked Ms. Husak for her informative presentation.

Ms. Amorose Groomes adjourned the meeting at 9:13 p.m.