



CITY OF DUBLIN

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

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

DUBLIN PLANNING AND ZONING COMMISSION

MEETING MINUTES

JANUARY 21, 2010

AGENDA

1. **Architectural Review Board** **Administrative Request**
07-096ADM **Zoning Code Amendment**
(Approved 7 – 0)

2. **Infiniti of Dublin** **3890 Tuller Road**
08-009CDDS **Corridor Development District Sign Review**
(Postponed without discussion)

3. **Shoppes at River Ridge – Montgomery Inn** **4565 W. Dublin-Granville Rd.**
09-104CDD **Corridor Development District**
(Approved 5 – 2)

4. **Shoppes at River Ridge – Montgomery Inn** **4565 W. Dublin-Granville Rd.**
09-113CDDS **Corridor Development District Sign**
(Approved 7 – 0)

5. **Oscars** **84 & 72 North High Street and 20 North Street**
09-105Z **Rezoning**
(Rezoning Approved 7 – 0)
(Motion #2 Approved 7 – 0)

6. **Perimeter Center PCD, MAG Volvo Expansion** **6325 Perimeter Loop**
09-108Z/PDP/FDP **Rezoning/Preliminary Development Plan**
Final Development Plan
(Rezoning/Preliminary Development Plan Approved 7 – 0)
(Final Development Plan Approved 7 – 0)

7. **Oakland Nursery – Exterior Modification** **4261 West Dublin-Granville Road**
09-102CDD/CU **Corridor Development District/Conditional Use**
(Corridor Development District Tabled 7 – 0)
(Conditional Use Tabled 7 – 0)

8. **Belvedere – Belvedere Neighborhood Park** **8055 Summerhouse Drive East**
09-112FDP **Final Development Plan**
(Approved 7 – 0)

9. **Metro Center – Crowne Plaza Hotel** **600 Metro Place North**
09-076AFDP **Amended Final Development Plan**
(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, Claudia Husak, Gary Gunderman, Jennifer Rauch, Rachel Ray, Laura Karagory, Kristin Yorko, Jennifer Readler, Alan Perkins, Carson Combs, and Flora Rogers.

Administrative Business

Motion and Vote

Mr. Taylor made the motion to approve the December 10, 2009 minutes as presented. Mr. Fishman seconded the motion. The vote was as follows: Mr. Hardt, yes; Ms. Kramb, yes; Mr. Walter, yes; Ms. Amorose Groomes, yes; Mr. Zimmerman, yes; Mr. Fishman, yes; and Mr. Taylor, yes. (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: Mr. Fishman, yes; Ms. Amorose Groomes, 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 there are two items of correspondence had been placed on the dais for the Belvedere Park and for the Oakland Nursery cases. There was one administrative approval item in the report and City Council on January 11 approved the rules and regulations for the Planning and Zoning Commission. She said that there were a few minor changes based on how long people were allowed to speak at a meeting and also to the Ex Parte discussion keeping it the way it was. Ms. Husak said that these will need to be accepted as the new Rules and Regulations once they become available from the Clerk's office.

Ms. Husak said Planning will be canceling the next meeting on February 4, 2010 because there are not any cases scheduled for that agenda.

She said that Case 2 – Infiniti of Dublin had been postponed prior to the meeting.

Ms. Amorose Groomes announced the amended agenda order: Cases 1, 9, 3, 4, 5, 6, 7, and 8. [The minutes reflect the order of the published agenda.]

Ms. Amorose Groomes announced the Case Procedures.

1. Architectural Review Board 07-096ADM

Administrative Request Zoning Code Amendment

Ms. Amorose Groomes said the first case on the agenda is a City application to amend the Zoning Code Sections related to the Architectural Review Board.

Gary Gunderman stated this application was last discussed in November 2009 and three issues were brought up at that meeting. He said these items have been addressed and include amending the previous language to now list the permitted uses on appendix G, adding language to ensure

better planting specifications for landscape material within the District, and clarifying the Code requirements regarding property maintenance.

Ms. Amorose Groomes asked if there was anyone who would like to speak with regard to this application. [There was none]

Motion and Vote

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

2. Infiniti of Dublin 08-009CDDS 3890 Tuller Road Corridor Development District Sign Review

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

3. Shoppes at River Ridge – Montgomery Inn 09-104CDD 4565 W. Dublin-Granville Rd. Corridor Development District

Chair Chris Amorose Groomes introduced this request to add a breezeway to an existing restaurant and to permit an increase in the total approved building square footage for an existing shopping center. She swore in those intending to address the Commission regarding this case, including the applicant, Evan Andrews, Montgomery Inn, his representative, Dean Baumgartner, Ford and Associates Architects, and staff.

Richard Taylor asked if there had been an increase in the shopping center square footage beyond the originally approved 105,590 square feet.

Rachel Ray clarified that the applicant requested an additional 1,130 square feet for the Montgomery Inn restaurant, which would be subtracted from the allotted outdoor dining area, so the total building square footage for entire the shopping center would be 103,720 square feet with 1,870 square feet remaining for the outdoor dining areas throughout the center. She confirmed that this proposal would not increase the square footage beyond the 105,590 square feet originally approved in 2005.

Amy Kramb asked if this request were approved, if a patio would still be permitted for this restaurant. Ms. Ray answered that Corridor Development District and Conditional Use approval from the Planning and Zoning Commission would be required before a patio would be permitted.

Warren Fishman noted that the dining structure windows had glass inset into a black frame. He said he would like the breezeway and the front and side windows of the dining structure to be framed with grids so that they match the windows on the main building.

Mr. Baumgartner suggested only modifying the windows on the east side of the structure facing the parking lot to match the main restaurant building, because there is a knee wall on the building and because those windows appear to be more of a continuation of the main restaurant building. He agreed to install mullions and French doors on the dining structure. He requested that the

windows on the north and west sides of the dining structure remain as they are because they are operable, full-height window units.

Mr. Fishman agreed that would be acceptable to him. Mr. Taylor said that grids on the five windows would be more consistent with the building while leaving the two other sides alone would be more consistent with the Commission's earlier discussion about the railing around the structure and maintaining a full view of the Scioto River corridor.

Mr. Baumgartner said he understood that they could use snap-in mullions. Mr. Fishman said that there needed to be a matching frame around the windows. Mr. Andrews said he understood.

John Hardt said he was not sure that modifying the windows on one side of the structure would result in a better appearance. He said he was not opposed to the idea, he just did not think it was necessary.

Todd Zimmerman stated that he thought this had been a patio from the beginning, and that was the reason he did not want to connect the two buildings together with the proposed breezeway. He said that architecturally, he had always thought that the building should be oriented entirely different, flipped around 180 degrees with a patio on the south side of the building adjacent to the steps. He said that was one reason he would not vote for the connection.

Kevin Walter recalled that when the dining structure was reviewed in 2008, the Commission asked the applicant what would be done with the building during the four months of the year when the weather would not allow its use. He said that at the time, Mr. Andrews had explained how it would only be used during part of the year.

Mr. Fishman pointed out that this was originally presented as an outdoor patio, then a covered patio, then an enclosed gazebo-like structure, and now an attached extension of the building. He said he would not vote for this unless the windows were modified to make the structure feel more like an extension of the main building.

Mr. Walter agreed with Mr. Hardt that the intent of the building was to make it look like it progressed over time, and the windows on the dining structure look like patio windows.

Richard Taylor said he was reluctantly in favor of this with the window modifications as proposed by Mr. Fishman.

Mr. Hardt said he was okay with the architecture, but his concerns last month were procedural, and that has not changed.

Ms. Amorose Groomes asked if a development agreement had been accomplished that would preserve all of the conditions of approval that the Commission placed on the Conditional Use approval of the patio structure.

Jennifer Readler said that a development agreement had been drafted that incorporated the same conditions of approval. Mr. Hardt confirmed that the development agreement would run with the land if other tenants occupied the building.

proposed signs. He said he could reduce the sign size to 36 square feet, if necessary, but he could not fit the letters on a 30-square-foot sign and they cannot modify the west sign at this point.

Amy Kramb thought that the proposal should limit the two signs to 80 square feet. She said if the other sign needed to be modified so that it is smaller and more legible, she thought there could be two signs that looked like the proposed sign, within the area permitted by Code.

Kevin Walter said he supported the 80-square-foot limit, no matter what size each of the two signs were. However, he said the sign on the west side was unreadable, and the fonts were different. He suggested that the sign letters on the east and west sides be coordinated to make the west sign more legible.

John Hardt and Todd Zimmerman said they were fine with two signs, but that the total 80-square-foot sign area limit should remain.

Warren Fishman asked what size and how many signs were permitted in the shopping center. He was concerned with setting a precedent for allowing multiple signs for tenants in this shopping center.

Ms. Ray explained that the tenants in this shopping center are permitted one wall sign, the size of which equaling one square foot per linear foot of the tenant frontage, up to 80 square feet.

Mr. Taylor said this building should have two signs and he was in favor of keeping the maximum size at 80 square feet, but would like to add a condition that the sign on the east side not exceed 38 square feet.

Ms. Ray suggested that if the applicant wanted to use the same sign design on both sides of the building, then the Commission may want to consider adding a condition that the applicant could make that modification subject to Planning approval without having to make an additional trip to the Planning and Zoning Commission.

Steve Langworthy clarified that Planning would like to make it a condition that regardless of how the details are done, that the applicant does not have to come back for another approval, as long as these signs are consistent and under 80 square feet. He requested that a second condition be added, because otherwise, if the west elevation sign is changed, the applicant would have to come back to the Commission. He said it was a procedural issue.

Ms. Kramb agreed that if the applicant wanted a sign for the west elevation that looked like the proposed sign, he would not have to come back before the Commission for approval.

Ms. Amorose Groomes requested language for a second condition that would achieve that end.

Ms. Husak suggested Condition 2, That either sign design presented as part of the application be permitted on either elevation or use what is shown on the east elevation on both sides of the building.

Mr. Andrews confirmed that if he removed the Montgomery Inn text from the current west side sign and took the letters he has, painted them white, and adhered them to that sign, all he would need was approval from Planning.

Ms. Amorose Groomes verified that no one in the audience wished to speak regarding this application.

Motion and Vote

Mr. Zimmerman made a motion to approve this Corridor Development District sign application because it is consistent with signs approved for other shopping centers in Dublin, it complies with the applicable review criteria and existing development standards within the area with two conditions:

- 1) That the total area for the two signs be limited to a maximum of 80 square feet; and
- 2) That either sign design presented as part of the application be permitted on either elevation, or that the design proposed for the east elevation may be used on both the east and west sides of the building, subject to Planning approval.

Mr. Andrews agreed to the above conditions.

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

5. Oscars 84 & 72 North High Street and 20 North Street 09-105Z Rezoning

Ms. Amorose Groomes said this application involves a rezoning of 0.67 acres on three parcels from CB, Central Business District to HB, Historic Business District for a site located at the northeast corner of North High Street and North Street.

Jennifer Rauch presented this standard rezoning application and explained the review procedures. She stated the rezoning would determine the specific zoning regulations that govern the development of this site and provide the Commission the opportunity to review the proposed zoning classification and its appropriateness given the location within the Historic District. She said as the site is located within the Historic District, the applicant has gained approval of the site development details from the Architectural Review Board. She stated a recommendation from the Commission to City Council would be required.

Ms. Rauch said the three parcels totaling 0.67 acres are located at the northeast corner of North High Street and North Street and consists of 84 and 72 North High and 20 North Street. She said the properties to the south are zoned CB, Central Business District and the properties to the north, east and west are zoned SO, Suburban Office District. She stated the City's overarching goal is to rezone properties in the Historic District into the more appropriate zoning classifications which are HR, Historic Residential District, and HB, Historic Business District, which is consistent with the proposal

Ms. Rauch stated in November 2009 the Architectural Review Board approved site modifications which included a building addition and modifications to the existing patio area. She said the approved modifications required compliance with the Zoning Code and the approval of multiple variances. She said the Board of Zoning Appeals approved four variances in December 2009.

Ms. Rauch said based on Planning Analysis, the Future Land Use map and the Area Plan are met for this proposal and Planning recommends the Planning and Zoning Commission recommend approval to City Council.

Ms. Amorose Groomes asked if there was anyone who would like to speak with regard to this application. [There was none]

Mr. Taylor said the rezoning was appropriate and the only issue he wanted to get on the record was his concern with the parking situation. He said he was disappointed the Board of Zoning Appeals approved a parking variance so quickly when this property has previously received a substantial parking variance. He expressed concern about the 1,800-square-foot addition without additional parking. He said the District is about to reach a critical mass with parking and when tenants open up in the new building on the corner of Bridge and High it is going to come to a head. He said he wanted City Council to hear from the Commission that the parking issue needs to be dealt with in a more substantial way than wayfinding and shared parking agreements.

Ms. Kramb expressed her concern about the loss of the patio as a public area over the past few years and that it was never replaced. She said this agreement needs to be remembered and the applicant is not following that open facility condition and it should be fixed.

Mr. Fishman agreed and said the patio is still to operate like park. He said the original condition when Mr. Eggspuehler asked to use this as a patio, but to provide a sign stating it was open to the public. He said over time the sign has become overgrown and no one feels comfortable using this space as a City park because it looks like his patio. He said this is a gross violation of the condition and should be made to be a City park again.

Ms. Amorose Groomes agreed and said it is problematic because it was intended to be community space and it needs to be resolved.

Ms. Rauch said with the original approval of the variance which under that area became open to the public Mr. Eggspuehler agreed it was to open to the public in lieu of the required interior landscaping. She stated as part of the recent variance approval the applicant was provided relief from the interior landscaping requirements and thus eliminating the need for the park to remain open to the public.

Mr. Walter said he did not believe the interior landscape requirements and the provision of the open patio were connected in the 1987 variance. He said they can get relief to the interior landscaping but the patio needs to be open.

Ms. Amorose Groomes asked that the site be brought into compliance. Mr. Langworthy said conditions cannot be attached to the rezoning, but Planning would include this discussion within the memo provided to City Council.

Carolyn Temple, 20 North Street, Dublin OH 43017, was present, representing the applicant.

Motion and Vote #1

Mr. Taylor made a motion to recommend approval to City Council for this Rezoning application because it meets the Future Land Use designation and the City's long-term goal of ensuring properties within the Historic District are within the zoning classification consistent with the

Ms. Husak said that the car display is unique to the site and designed in a finger-like arrangement in the western portion of the site, to the north, and to the south. She said the proposal includes the new building addition that is intended to house the Volvo franchise, the service area for Volvo and expanded administrative offices. She said it is a 46,800-square-foot building addition. She said this is a four-story building that will be located at the southeastern end of the existing building and will continue to use the existing architectural design with pod areas made out of glass protruding from the front of the building.

Ms. Husak said the building includes a lower level for services and there is a single executive residential suite proposed on the fourth floor of the building for the owner to reside in while in Ohio. She said there will be a formal landscape and entrance area located at the southeastern corner and there is a carwash facility proposed just to the north of the building expansion, which currently operates on the MAG site but interior to the building. She said the renovations and expansions now require the carwash to be located on the exterior but it is only open to cars being serviced at MAG.

Ms. Husak said all the sales activities are located on the main level of the building. She said the building is obviously unique and the height will increase with the addition of the building. She said the development text for MAG has requirements for striking and noteworthy architecture, and this particular design scheme is unique to the City. She said the additional height meets the development text as it existed prior to the rezoning and will continue with this new development text.

Ms. Husak said the 1998 development text referred a lot of the development details and deviations from Code to the development plan. She said Planning asked the applicant to rewrite the development text to reflect the current standards and requirements. She said Planning has worked diligently with the applicant to accomplish the task.

Ms. Husak said lighting will be the same as it is on the site today with matching fixtures, pole heights and lamps. She said there are some deficiencies in the landscape plan as it was submitted for interior landscaping and additional trees. She said there is an intention of the BMW and Mini dealership, currently located on Post Road, to this area.

Ms. Husak said it is important to note that some of the screening is allowed to be deferred for three years if nothing were to occur to the east of the site. She said requirements were waived in the existing text for signs on the site and Planning worked with the applicant to develop standards which would govern the signs in the future, but will allow the existing signs to remain. She said there are several different sign types outlined in development text which are the campus development location signs, one on the highway to the south and the other two at the site entrances, there are also the brand signs on the site as well as directional signs to navigate the site for customers.

Ms. Husak explained that two motions will be required for this application, one for the rezoning with the preliminary development plan and one for the final development plan. She said that Planning has evaluated both proposals using the review criteria and is recommending that the Commission recommend approval to City Council of the rezoning with preliminary development plan with the following four conditions:

- 1) An additional 10 feet of right-of-way along Perimeter Drive is required to be dedicated to the City;
- 2) If additional building square footage is constructed that is not accounted for in the traffic analysis a traffic impact study must be provided, as directed by the City Engineer;
- 3) The development text be modified to eliminate the option of a wall sign for the Volvo brand and permit a brand ground sign adjacent to the Volvo entrance to match the existing brand signs on the MAG campus; and
- 4) The existing Perimeter Center development text be updated to remove references and requirements for the MAG dealership.

Ms. Husak said that Planning has determined that the proposal meets the Final Development Plan review criteria and recommends approval of that part of the application with the following five conditions:

- 1) The plans be revised to account for an additional 337 square feet of landscape area and three trees to meet the interior landscape requirement;
- 2) Four additional trees will need to be planted along the SR161/US33 frontage to meet the planting requirements specified within the development text;
- 3) The directional Sign S be removed from the pole and ground-mounted to be consistent with the existing directional signs;
- 4) The Volvo wall sign indicated on the final development plans be removed and a brand ground sign be permitted adjacent to the Volvo entrance to coordinate with the existing brand signs on the MAG campus; and
- 5) A stormwater easement will need to be provided, subject to approval by Engineering.

Ben Hale, 37 West Broad Street, Smith and Hale, representing the applicant, said the campus identification signs are internally illuminated, not externally as indicated in the text. He said the reason this building grew was because of the need for additional office space when Volvo moved to this location. He said the existing office space is on the north end of the building which is going to be converted to a showroom. Mr. Hale said the owner wants to stay on the top floor where a small apartment is located; the primary part of the building is actually three stories. He said the owner is trying to match the existing architecture of the existing building. He said BMW will need to leave the Post Road location and the preference is to move to the east of the site.

John Oney, Architecture Alliance, said Mr. Brentlinger, the owner, has been involved in the design of the campus and the crescent shape of the building is being kept. He said the lower level is identical to what is happening with the service reception area and there will be a private elevator which would go up to the penthouse suite. He said the showroom level matches the designs to make it ADA accessible. Mr. Oney said there is hope to connect to BMW with either a pedestrian walkway or a sky bridge. He said the third level will be the corporate office which will house sixteen brands, located above the showrooms. He said the penthouse level will have a suite for Mr. Brentlinger to access and there will be a green roof garden feature in the back. He said they would like to create a screen which would not disturb the view with a building.

Mr. Oney showed a video animation of the proposed addition and how it relates to the existing building and the overall MAG campus.

Ms. Amorose Groomes asked if there were any comments from the public concerning this application. There were none.

Ms. Kramb said she does not have a problem with the architecture but does have concerns about the development text. She asked if it was mentioned that the references needed to be removed from the Perimeter Center text. Ms. Husak said it is Condition 4 for the preliminary development plan.

Ms. Kramb said the Perimeter Center Development has a lot more text about lighting for MAG than the proposed text. She said another concern is the residential area above the business. Ms. Husak said that Planning has received many inquiries from owners wanting suites within their business so they have a place to stay while in Ohio. She said the Code does not address this issue. Ms. Kramb said this is not a little apartment, it is large residential area.

Mr. Walter said he is concerned the architecture of the carwash is uninspired and very close to the road. He said there are mixed window treatments which are interesting, but the materials of metal are not repeated. Mr. Oney said it is EIFS and the scoring of the material is on the back of the building. He said they tried to blend it in and add a strong landscaping screen to the street side, as well as add more glass.

Mr. Walter asked if there is anything within the text which would preclude changing the material on the existing sign on the expressway side of the building. He said the stone is out of place with the rest of the building. Ms. Husak said they could change the material, the text requires it to be a ground sign.

Ms. Kramb said there is a provision in the text that signs do not have to come back to the Commission for approval. Ms. Husak said as long as the requirements are met for the development text. Ms. Kramb said it is in reference to a sign permitting process which is not referenced anywhere else and is not explained. She said it states signs maybe changed without further a due by the Planning Commission provided the new panels conform with this text with the sign permitting process.

Aaron Underhill, Smith and Hale, said the intent is the make sure that if the brands change the panels can be updated to reflect the change without having to come back to the Commission. He said if the language needs to be changed, it will be changed.

Ms. Kramb said to change the language needs to reflect brand signs specifically. Ms. Husak said it says sign panels that identify automobile manufacturers on ground signs. Ms. Kramb said that the categories of signs should be listed.

Mr. Walter said another concern is that the addition removes a service parking area that is currently there. He said the need for adequate parking on this site is not addressed; the carwash is going to further eliminate parking. He asked if it is a possibility to have overflow parking in the J-1 area. Ms. Husak said the parking meets the Code requirements and actually exceeds them. She said J-1 could still be used for parking and would require approval by the Commission for conditional use and a final development plan.

Mr. Walter asked where the trees for the landscape package will be located. Ms. Husak said they are along the SR161 frontage.

Mr. Walter said he is not in support to adding the trees because they might impede the view, the intent is to mirror the rest of the building, but it might end up being the center of the building. He said he would rather not have those trees there.

Mr. Hardt said a building of this style is dependent of the detailing. He said the garage door on the west elevation of the carwash is not the same as the others. He said getting the materials to match the existing building are important. Mr. Hardt said he does not have a problem with the carwash. He said the presence of the residence is okay, he does not like that the apartment creates an increase in size by a full story. Mr. Hale said the building does not exceed the approved height. He said the applicant is not asking for the site to be rezoned as residential, just for one residential unit.

Mr. Oney said the glass and showroom feeling on the first floor will carry up to the second floor. He said the height will be 47 feet 10 inches, the allowable in the text is 65 feet. He said they tried to compress everything as much as they could.

Mr. Zimmerman said if someone is building a business and wants to reside there they should have the ability to do so. He said the carwash blends with the building and the landscaping is going to cover it up.

Mr. Fishman asked if the signs will remain the same and if the only change will be the brand name. He asked if any logos will be changed without approval by the Commission. He said there is going to be congestion having 16 dealerships using one carwash. Ms. Husak said the development text says the carwash is not permitted to be used by the public. Mr. Hale said the carwash is only for cars which are being serviced at this dealership and only employees can take the cars through.

Mr. Fishman asked if the text states that an apartment will be allowed at this location. Ms. Husak said yes.

Mr. Hardt asked if the applicant wants the ability to change the sign panels of the existing signs without coming back for approval. He clarified that the applicant is not asking to add more signs or change the design of the signs. Mr. Underhill said that is correct. He said this would apply to the signs at the entryway, the brand signs identify the individual manufacturers.

Mr. Walter said number seven on page two, says the dealership is not charging for the carwash, but there can still be public access. He said that the phrase needs to be clearly worded.

Mr. Taylor asked what happens to the balance of J-1 and D when it is absorbed into the new subarea. Ms. Husak said both stay within the Perimeter Center. Mr. Taylor asked if J-1 is smaller. Ms. Husak confirmed.

Mr. Taylor said it does not feel like a four-story building and it has been interesting how this has evolved and he recalls discussions the Commission had about the potential BMW building moving to J-1. He said he appreciates how BMW integrates with this building. He said J-1 was supposed to hold construction parking and asked where the overflow parking is going to be placed when this addition is under construction. Mr. Oney said this expansion will have very minimal disruption to the existing site.

Mr. Taylor said to make sure this gets addressed immediately if parking is needed. He said the building will not look like it was added onto it will look like it was designed this way.

Ms. Amorose Groomes said she is disappointed the landscape installation has been deferred for up to three years; that is three growing years. She said she would like to see the landscape package go in during construction. She said she would like to see the lighting text amended, it is important and would not be a hardship on anyone to continue the same language from the lighting text into this rezoning. Ms. Amorose Groomes said she would like to encourage the applicant to look across the street where cars can be stored. She said the carwash is located in a tight corner, and asked whether there is anywhere else it can go. She said the first thing people will see entering from Venture Drive is a carwash, and there are gorgeous buildings but the first thing seen is a carwash. She said the applicant has done a great job with the architecture, and ask that the applicant take a look at moving the carwash as the site develops.

Mr. Fishman said he is also concerned about the landscaping not being finished.

Mr. Hale said BMW needs to be under construction within a year. He said if permission is obtained to move to the Volvo location the landscaping would have to be removed. He said if BMW has not been started within a year the applicant will put in the landscaping. He said if it must put it in now they will, but would like a year.

Mr. Hardt said if that timeframe holds, approval for the building will need to be obtained before the landscaping being referenced today is planted. Ms. Amorose Groomes said if the applicant puts the landscaping in and asks for relief the Commission will give relief at that time.

Ms. Amorose Groomes said the lighting text will be updated to reflect the original text. Mr. Hale said the lighting will be in compliance.

Ms. Husak said conditions have been drafted and will address everything discussed. She said that the Commission is requesting modification of the development text to include lighting from the existing Perimeter Center text for this Subarea, to restrict the use of the carwash to employees only, to permit internally illuminated campus identification signs, A and B which is what the applicant asked for and have it clarified for administrative approval for sign faces for the brand and campus identification signs only and eliminate language allowing landscaping to be deferred.

Ms. Amorose Groomes asked if there is anywhere else on the property the carwash can be placed. She asked if there is an opportunity to include it in the BMW construction. Mr. Oney said the carwash will have to go in with this phase and not the next. He said in the conceptual plan and when BMW is brought on they are planning to have the Perimeter Loop entrance, as it loops around. He said the carwash could move 20 feet closer. He said the area being proposed for the carwash is more of a service entrance; traffic is trying to be downplayed in this area.

Ms. Amorose Groomes asked where the loading and unloading would occur. She said the current carwash location is where semis unload cars.

Mr. Walter asked if the Land Rover building is going to be maintained. Mr. Oney said yes. Mr. Walter asked what if the Land Rover brand goes away. Mr. Hale said the Land Rover building

stays, if the brand does go away the building would be altered to become more compliant with what is there. Mr. Walter said that would give time to alter the parking, if Land Rover left. Ms. Amorose Groomes asked if there were any comments.

Motion #1 and Vote

Mr. Taylor made a motion to recommend approval to City Council of this Rezoning/Preliminary Development Plan because it allows the orderly development and continued a high-quality design of an existing business, meets the development pattern within the area and all applicable review criteria, with eight conditions:

- 1) An additional 10 feet of right-of-way along Perimeter Drive is required to be dedicated to the City;
- 2) If additional building square footage is constructed that is not accounted for in the traffic analysis a traffic impact study must be provided, as directed by the City Engineer;
- 3) The development text be modified to eliminate the option of a wall sign for the Volvo brand and permit a brand ground sign adjacent to the Volvo entrance to match the existing brand signs on the MAG campus; and
- 4) The existing Perimeter Center development text be updated to remove references and requirements for the MAG dealership;
- 5) That the development text be modified to include regarding lighting from the existing Perimeter Center text for Subarea J;
- 6) That the development text be modified to restrict the use of the car wash to employees only;
- 7) That the development text be modified to permit internally illuminated campus identification signs (A & B) and clarified regarding administrative approval for sign faces for the brand and campus identification signs only; and
- 8) That the development text be modified to eliminate language allowing landscape screening to be deferred.

Ben Hale, Jr., representing the applicant agreed to the above conditions.

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

Motion #2 and Vote

Mr. Taylor made a motion to approve this Final Development Plan application because it complies with the development text, preliminary development plan, the applicable review criteria and existing development standards within the area with six conditions:

- 1) The plans be revised to account for an additional 337 square feet of landscape area and three trees to meet the interior landscape requirement;
- 2) Four additional trees will need to be planted along the SR161/US33 frontage to meet the planting requirements specified within the development text;
- 3) The directional Sign S be removed from the pole and ground-mounted to be consistent with the existing directional signs;
- 4) The Volvo wall sign indicated on the final development plans be removed and a brand ground sign be permitted adjacent to the Volvo entrance to coordinate with the existing brand signs on the MAG campus; and

- 5) That the plan be modified to require that the landscape screening along the eastern property line be installed with the building construction; and
- 6) A stormwater easement will need to be provided, subject to approval by Engineering.

Ben Hale, Jr., representing the applicant agreed to the above conditions.

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

**7. Oakland Nursery – Exterior Modification 4261 West Dublin-Granville Road
09-102CDD/CU Corridor Development District/Conditional Use**

Chair Chris Amorose Groomes introduced these two applications involving the addition of an arbor and an outdoor service use for plant storage and display. She said that two separate motions will be required. She swore in the applicant's representative, Michael A. Warner, Oakland Nursery, and those wishing to speak in regard to this case, including City representatives.

Claudia Husak said the Corridor Development District application requests a wood lattice arbor to be placed over an approximately 500-square-foot display area. She said that Planning recommends approval of the Corridor Development District application with three conditions:

- 1) That the paver design and color complement the building and arbor, subject to approval by Planning;
- 2) That the plans be revised to remove the "patio" label; and
- 3) That a stormwater management plan for the paver area that complies with the Stormwater Code is submitted as part of the application for a Certificate of Zoning Plan Approval should the paver area not be reduced to less than 500 square feet.

Ms. Husak explained that the Conditional Use application is for the existing outdoor storage area to bring the grandfathered site into compliance. She said there are no other nurseries located within the City, so the issue of outdoor plant display is unique and to this site. She said the intention is to get a designation of where a plant display can be and what the size limitations would be. Ms. Husak said Planning is recommending approval for the display of the plant material with the following conditions:

- 1) That the display area proposed for the parking lot be reduced to exclude the ten parking spaces located closest to Dublin Granville Road;
- 2) That the display area proposed for the parking lot be limited to seasonal operation from March through June and September through December; and
- 3) That the outdoor display area located within the parking lot be sectioned off with wood barriers or an equivalent, subject to approval by Planning.

Conditional Use Discussion

Richard Taylor asked that a view of the surrounding area and La Scala restaurant be shown. He said his concern was that there were two entrances for this property, but there is only a shared drive at La Scala.

Ms. Amorose Groomes noted that the attorney for CF Ventures, the property owners of La Scala had sent correspondence. She said to look at plant material where drive lanes are coming through does not make sense in regard to safety. Ms. Amorose Groomes said she would like to see the storage area moved to the west side of the parking lot area and that the drive lanes be eliminated there and for an entire block for outdoor storage of green goods. She suggested that one or two parking spaces be eliminated so that you could turn and come back out. She asked for comments on relocating the storage area to the end, omitting the drive lanes in that area, alleviating any site problems for La Scala, and maintaining the two Tommy's Center entrances.

Amy Krumb said that the outdoor display area should permanently be defined next to the building and not part of a striped parking lot with concrete barriers for part of the year.

Kevin Walter agreed that the area be should be moved and made permanent with curbs. He was not in favor of restriping or eliminating the stripes. He said it should look as nice as the rest of the sales area, and not be an afterthought.

Ms. Amorose Groomes pointed out that to make it a permanent sales pad is not going to put a hardship on the applicant for parking that might not be otherwise needed.

Mr. Warner said if they move the display, it would be in front of their entrance which the owner does not want to do.

Ms. Amorose Groomes said that she did not see support to have drive aisles running through the middle of sales pads, even on a seasonal basis. She said it would be very unsightly to barricade it off sufficiently so that it would become safe because it would have to be a fence or something that a child could not walk under or over. She suggested looking at something that would eliminate drive aisles going through it.

Mr. Walter asked what had been discussed with Ms. Warner about blocking the area off.

Mr. Langworthy said they met on site and he raised the same concern about maintaining drive aisles through the storage area not being appropriate. He said he suggested barricading it off to make ensure safety so vehicles would not be able to drive through. He said it needed to be something other than plant materials as part of the storage. He said the intent was that the drive aisle be closed off and not available for vehicular access, but they did not discuss details of how to accomplish that.

Ms. Krumb said she thought it should be made permanent.

Mr. Taylor said this is a unique location and in the sense that nurseries often have product in front of the store, this is SR 161 and they have talked about it as the gateway to Dublin for years. He said what he saw now, a striped and pave parking lot that has balled trees on it; it would not cut it for him aesthetically. Mr. Taylor said he was concerned about having the sales area in the front parking lot. He did not want to set precedence, and he wondered about Lowe's and others doing the same thing.

Ms. Amorose Groomes pointed out that the clear difference in this application versus those was that this is Oakland Nursery's primary business.

Kevin Walter said it should not be in the parking lot, it should be in the sales area.

Mr. Taylor said he thought it would be resolved if it were designated as a sales area.

Mr. Walter said that the other Oakland Nursery location had a sales area in front that was fully integrated into the store and looked like it belonged there.

Todd Zimmerman pointed out that for eight months a year, there would be plant material displayed.

Mr. Zimmerman asked if Mr. Warner had the authority to make the changes discussed at the meeting. Mr. Warner said he was not sure.

Mr. Warner asked for a tabling of the Corridor Development District portion of the application.

Ms. Amorose Groomes said what the Commission was looking for was a storage area that would be farther west. Mr. Warner said he understood.

Mr. Walter explained that Mr. Warner needed to communicate back that if they came back with something other than what had been discussed by the Commission, they were likely not to get the Commission support. Mr. Warner said he would communicate that to the owner.

John Hardt said he would like to see a contiguous, well-detailed and permanent sales area. However, he sensed some resistance to a permanent area in lieu of a seasonal one.

Mr. Hardt said for the record, that he came to the meeting comfortable with this proposal, but his comfort level had nothing to do with any informal parking agreement with La Scala. He said the 152 parking spaces was sufficient for the Oakland Nursery. He commented that any agreements informal or otherwise with the neighbors are irrelevant. Mr. Hardt said the reason he thought it was important was because if there is a resistance to having a permanent outdoor display it is because of a concern about losing parking spaces on something other than a seasonal basis, then they would probably lose his support. He said Mr. Warner was telling him that they thought they needed those spaces.

Mr. Warner said he was not aware of a parking agreement between Oakland Nursery and La Scala.

Ms. Amorose Groomes asked Mr. Warner if he would like to table this application until the decision makers can come to discuss the matter. She said she was certain they could come to a resolution. Mr. Warner said that a tabling seemed very reasonable.

Mr. Hardt said when the application returns, he wanted to know if 152 parking spaces are enough for the business.

Warren Fishman said the permanent area should also look good when it is empty.

Motion #1 and Vote

Mr. Walter made the motion to table this Conditional Use application. Mr. Taylor seconded the motion.

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

Corridor Development District

Mr. Hardt said he was not prepared to review the arbor until he received additional detail on how the ends of the boards at the top of the arbor are treated, how it is connecting to the ground, and other details. He said there was not enough information to review it.

Mr. Taylor agreed that more details were necessary to review this application, because in the three-dimensional image visually, it looked like the vertical posts are thin. He said that not necessarily construction details were necessary. He needs more detail on how it sits on the ground.

Mr. Warner explained that it was going to sit into the ground with bricks underneath of it.

Mr. Taylor said he would not find that acceptable since it is on the front of the building on SR 161. He said more substantial detail is needed that is more visually developed.

Mr. Walter said that he was concerned that the arbor base was not massive enough. He said it needed to look more substantial.

Mr. Hardt pointed out that the Planning Report discusses the area underneath the arbor as 500 square feet, more or less, and that a condition recommends that if it is larger, more engineering details are needed.

Ms. Husak said it was 500 square feet, but it needed to be 499 square feet. Mr. Warner said that they were prepared to do that and also to use 6-inch by 6-inch posts.

Mr. Taylor commented that he expected to see something more like that seen at the Home and Garden Show.

Ms. Amorose Groomes concluded that there was plenty of support for an arbor in front of the building, but that more detail was needed.

Ms. Amorose Groomes suggested a tabling to permit additional information to be submitted.

Mr. Warner, after having the February 4th meeting deadlines explained to him, asked to have the application heard at the February 18th meeting.

Ms. Husak explained that the requested information and drawings would need to be submitted by Thursday, January 28, for the February 18 meeting, but if the Commission would waive the 15-day Rule for the submission of new information, another date could be arranged.

Motion #2 and Vote

Mr. Fishman made the motion to table the Corridor Development District application to the February 18, 2010 meeting and waive the 15-Day Rule. Mr. Taylor seconded the motion.

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

**8. Belvedere – Belvedere Neighborhood Park 8055 Summerhouse Drive East
09-112FDP Final Development Plan**

Kevin Walter identified he was a Belvedere resident, but he was not on any neighborhood board and had no contact with any resident regarding this application and therefore he did not believe a conflict of interest existed.

Chris Amorose Groomes introduced this Final Development Plan application for review and approval of the construction of a playground, gazebo, and associated site improvements for a Belvedere neighborhood park. She swore in those intending to address the Commission in regards to this case including the applicant's representative, Laura Karagory, City of Dublin Parks and Open Space, and other City representatives.

Jennifer Rauch said the 2.6-acre park, is located in Reserve H of Section 4 of the Belvedere subdivision, and bounded on four sides by internal streets to the neighborhood. She said the original approval of the park took place as part of the plat approval in 2003, and included an existing tot lot, a swing set, and bikepath connections leading into the park. She said the proposed site improvements include the removal of the existing swings and the construction of a new swing set, the retention of the existing tot lot, and the addition of a new five to twelve year old playground area. Ms. Rauch said the proposal also includes the extension of the bikepath connections throughout the park requiring the removal of existing asphalt, the relocation of benches in the western portion of the site, and the addition of a seating wall in the southeast portion of the new playground area. She said the playground area surface will be rubberized.

Ms. Rauch said Ms. Karagory met with the residents about the proposed park and the residents requested a portion of the park remain an open area, as it is the flattest portion of the park, and mounding exists around the periphery of the park. She said there are also two new concrete pads with picnic tables and shade structures in the northern and eastern portions of the park and additional landscaping around the proposed playground. Ms. Rauch presented the proposed playground equipment.

Ms. Rauch said Planning recommends approval, as the proposal meets the review criteria.

Amy Kramb referred to a resident's letter expressing concern about a proposed gazebo. Laura Karagory, Parks and Open Space clarified no gazebo was proposed.

Ms. Kramb noted the Planning Report indicated there is no on-street parking and asked if signs would be posted. Kristin Yorke said "No Parking" signs are posted only if specifically noted on the plat or if parking becomes a problem.

Ms. Kramb expressed concern that someone from outside the neighborhood might be unaware on-street parking is not permitted. Ms. Yorke said this type of parking should not be a problem.

Kevin Walter asked about the color of the proposed play equipment with respect to the color of the current play equipment.

Ms. Karagory said the current play equipment and benches are green with tan. She said the green color was hard to match and was weathered, which is why they choose tan for the proposed equipment. She said the tan color will coordinate with the existing structures.

Mr. Walter said he thought the tan was fine, but the green was too striking. He confirmed the existing swing set will be removed, and the tot lot and two existing green benches will remain.

Mr. Walter said he did not believe there was enough seating available although the seat wall was being added. He asked the length and height of the seating wall. Ms. Karagory said the seating wall was 50 feet long and 18 inches high, and the same seat wall used at Shannon Glen Park. She said the residents had requested the seat wall instead of benches.

Mr. Walter asked if the awning colors were coordinated with playground pieces. Ms. Karagory confirmed the awning was tan in color.

John Hardt asked about the durability of the awning material. Ms. Karagory said it was sailcloth material, which has been used on other Dublin playgrounds. She said the awnings are easily replaceable by the crew who inspects them on a regular basis. She said currently, some awnings have been in service for at least five years.

Mr. Hardt referred to the resident letter regarding the need for basketball courts and asked if basketball courts are commonly discussed when Homeowner Associations meet with Park representatives and what kind of feedback is received.

Ms. Karagory reported basketball courts were discussed at the Belvedere Homeowners meeting and one resident was interested. She said in general, basketball courts are put into neighborhood parks where there is a large land mass and all of the open play area can be accommodated as well. She said basketball courts are available at Avery Park and Hawk's Nest, which is a bigger use zone figured for basketball courts. She said in this instance it would have been a tradeoff with the open play space and the basketball court, and that it could not be done in this budget round because it was never intended.

Mr. Zimmerman asked if an ADA-style swing would be installed. Ms. Karagory confirmed.

Mr. Walter asked if the existing landscape is refreshed when there is an equipment change in the parks. Ms. Karagory said Parks staff inspects all of the parks and the mulch is stirred every spring for three years and the third year it is replaced. Mr. Walter requested there be a condition regarding refreshing the landscape and mulch.

Warren Fishman asked if the existing benches could be painted. Ms. Karagory said they could be changed to an appropriate color to match the site furnishings. Mr. Walter said he would like to see the two existing benches replaced with new ones that match the equipment.

Ms. Amorose Groomes verified that there was no one in the audience that wished to speak in regards to this case.

Motion and Vote

Mr. Walter made the motion to approve this Final Development Plan application because it is consistent with the development text, is compatible with the surrounding area, and complies with the review criteria, with the following two conditions:

- 1) The existing landscaping and mulch be refreshed with the installation of new plant material; and
- 2) The two existing benches be replaced with new benches matching the new play equipment.

Ms. Karagory agreed to the conditions listed above. Mr. Hardt seconded the condition.

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

**9. Metro Center – Crowne Plaza Hotel 600 Metro Place North
09-076AFDP Amended Final Development Plan**

Chair Chris Amorose Groomes introduced this application for review and approval of an Amended Final Development Plan for exterior modifications to replace the building materials on the eastern portion of the Crowne Plaza Hotel within the Metro Center Planned Unit Development District. She swore in those intending to address the Commission in regards to this case including the applicant's representative, Joe Di Cesare, Jr. and City representatives.

Ms. Kramb said a presentation was not needed, but asked about the material details. Ms. Rauch presented the samples and highlighted the proposed stone and hardiplank materials and colors. She said the proposed color are brown and cream, which complement the existing residential hotel building.

Ms. Amorose Groomes asked if there was anyone who would like to speak with regard to this application. [There was none.]

Ms. Amorose Groomes confirmed the applicant, Joe Di Cesare, Jr. agreed.

Motion and Vote

Mr. Taylor made a motion to approve this Amended Final Development Plan because it complies with the review criteria with the following condition:

- 1) The wood siding located on the north elevation (rear) of the conference center be repainted with the existing paint scheme of dark brown and cream and this occur with the other architectural modifications.

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

Ms. Amorose Groomes adjourned the meeting at 9:55 p.m.

As approved by the Planning and Zoning Commission.