

The Vice Chair briefly explained the rules and procedures of the Planning and Zoning Commission. He said all of this evening's cases are eligible for the Consent Agenda. At the request of the Commission members and the public, he pulled all but one case from the Consent Agenda. He said the cases would be heard in the following order: 2, 5, 3, 1, and 4 but would be recorded in the minutes in the order they were listed on the agenda.

**1. Public Nuisance Regulations – Code Amendment
16-036ADM**

Administrative Request

The Chair, Victoria Newell, said the following application is an amendment to the Zoning Code to remove and combine various sections of Code Enforcement into a comprehensive Public Nuisance Regulations Section. She said this is a request for a review and recommendation of approval to City Council for proposed amendments to the Zoning Code under the provisions of Zoning Code Sections 153.232 and 153.234.

Logan Stang said this case was brought forward in August of last year. At the meeting, he said the Commission expressed interest in revising the outdated home occupation section as well as maintenance requirements for vacant properties. He reported that the comments regarding both topics have been incorporated into this code amendment as well as a new set of regulations pertaining to residential trash can screening within Historic Dublin, which was presented to the ARB for feedback. He reported they determined that the current residential trash can screening language is difficult for a lot of properties to adhere to so the Code Enforcement Team is currently reviewing properties throughout the City to see which properties are complying. He indicated that due to the site constraints of a lot of properties in Historic Dublin, allowing alternative materials from landscaping is something worth pursuing because a lot of the properties are tight or they have frontages on two public streets. He said the remainder of the code amendment is identical to the proposal from August.

Victoria Newell inquired about the Home Occupancy section, Item D, whereas "the space devoted for use of the home occupation must be within the main dwelling basement or attached garage". Mr. Stang said prior to this, there was a square footage maximum of 300 square feet. Ms. Newell suggested the verbiage be modified as the current language states "main dwelling basement" and does not allow for both. She said she was also concerned about the "attached garage" term. She suggested a conditional permit be implemented so the garages converted to home office space are done appropriately. Mr. Stang noted there are residential appearance standards and in many PUDs there are architectural standards and in all cases, building permits are required.

Vince Papsidero suggested some options be reported back to Council as well as clearer expectations in the Code requirements to be added. He indicated processes may also need to be reviewed.

Mr. Stang said the proposed modifications to the Zoning Code for the Public Nuisance Regulations are appropriate and provides a cohesive listing for Code Enforcement and the public to utilize. He stated Planning recommends that the Planning and Zoning Commission recommend approval of this amendment to City Council.

Motion and Vote

Mr. Brown motioned, Ms. Mitchell seconded, to recommend approval to City Council for the Administrative Request for a Code Amendment. The vote was as follows: Ms. De Rosa, yes; Ms. Newell, yes; Mr. Stidhem, yes; Mr. Miller, yes; Ms. Mitchell, yes; and Mr. Brown, yes. (Approval Recommended 6 – 0)

**2. Perimeter Center, Subarea C1 – The Spot Athletics
16-102CU**

**7007 Discovery Boulevard
Conditional Use**

The Vice Chair, Chris Brown, said the following application is for a 21,000-square-foot fitness use within an existing building in Subarea C1 of Perimeter Center. He said the site is on the west side of Discovery Boulevard, at the intersection with Post Road. He noted this is a request for a review and approval of a Conditional Use under the provisions of Zoning Code Section 153.236.

Mr. Brown swore in anyone interested in addressing the Commission regarding this case.

Lori Burchett said there is potential for an accessory use of massage services, which is also permitted in the development text.

Claudia Husak said Planning recommends approval of the Conditional Use with a parking alteration from 84 to 20 spaces for the fitness and personal service uses with no conditions.

Motion and Vote

Mr. Stidhem motioned, Ms. Mitchell seconded, to approve the Conditional Use with a parking alteration and no conditions. The vote was as follows: Ms. De Rosa, yes; Mr. Brown, yes; Mr. Miller, yes; Ms. Mitchell, yes; and Mr. Stidhem, yes. (Approved 5 – 0)

**3. Summit View Road Rezoning
16-100Z**

**Summit View Road
Standard District Rezoning**

The Vice Chair, Chris Brown, said the following application is for a Rezoning of a 0.68-acre parcel from R-1, Restricted Suburban Residential District to SO, Suburban Office and Institutional District. He said the site is on the north side of Summit View Road, at the intersection with Sawmill Road. He said this is a request for a review and recommendation of approval to City Council for a Standard District Rezoning under the provisions of Zoning Code Sections 153.232 and 153.234.

Logan Stang presented an aerial view of the site and noted the property is approximately two-thirds of an acre in size and is currently undeveloped. He added the surrounding properties are not currently serviced by public utilities and there are no plans to extend utilities in this area in the five-year CIP.

Mr. Stang restated the applicant is proposing to rezone this property from R-1, Restricted Suburban Residential to SO, Suburban Office and Institutional. He stated the current zoning only permits single-family dwellings while the proposed zoning classification permits a number of professional and administrative uses such as general office, medical office, and legal services. He said the Suburban Office district also outlines a number of conditional uses such as beauty or barber shops and animal services. Upon approval of this rezoning, he stated any future development proposals would be subject to the requirements of the City's Zoning Code and applicants would file directly for building permits. He clarified Standard Districts do not require additional zoning approval like the PUD process.

Mr. Stang presented the Community Plan – Future Land Use Map. He noted The Community Plan identifies a Future Land Use designation of Neighborhood Office/Institutional for the entire northwest corner of Sawmill & Summit View Roads. He said this classification is identified for areas adjacent to residential where land transitions or buffers are necessary. Furthermore, he said development intensity would be low due to greater setbacks and extensive landscaping and would usually not exceed 9,500 square feet per acre. He stated the proposed zoning classification permits uses that correspond with this future land use designation.

Mr. Stang presented the Community Plan – Thoroughfare Plan. He said Summit View Road is designated as a “Collector” with a planned right-of-way of 60 feet. He said Sawmill Road is designated a “Major Arterial” with a planned right-of-way of 160 feet; however, since Sawmill Road lies within the City of Columbus’ jurisdiction any improvements or right-of-way dedication would have to meet Columbus’ thoroughfare plan, which only calls for 120 feet of right-of-way. Based on a recent survey, he pointed out that Sawmill Road currently contains 80 feet of right-of-way leaving a 40-foot deficit from the planned width, which means the applicant would be required to dedicate approximately 20 feet of right-of-way to the City of Dublin before development could occur on this parcel.

Mr. Stang presented the Community Plan – Summit View/Sawmill Area Plan. He highlighted that these area plans contain conceptual design recommendations for areas of interest throughout the City with the intent of guiding future development.

Mr. Stang noted the Summit View/Sawmill Plan has a few recommendations that pertain to this site; the first being a recommended setback of 100 feet for office development. Second, he said is sensitive placement of office development within existing trees and natural features. And the third, he said is the use of a green corridor as an amenity for office and residential development and to buffer the office development from adjacent residential uses. He noted that these recommendations are based on a larger scale commercial development as shown in the plan, which was the projected course of development for the neighborhood commercial component. He said the large development would remove a number of site constraints that exist for developing this single property; however, the proposed rezoning meets the intent of the neighborhood commercial component along that entire northwest corner.

Mr. Stang said the proposed rezoning meets the future land use designation of the Community Plan, the Thoroughfare Plan, and the special area plan; therefore, Planning recommends that the Planning and Zoning Commission recommend approval of this application to City Council.

Phil Hartmann indicated this is the first straight zoning that this Commission has seen; it is not a planned district so there will not be conditions and it does not lend itself to debate.

The Vice Chair invited the applicant to present his case.

Akhil Patel, 6516 Ballantrae Place, said he and his wife own Ari Investments LLC, which purchased this corner lot and the adjoining lot on Summit View Road with the intent of rezoning the corner lot and adding an office building there for his law practice. He said the new office building would be an asset as the lot is currently vacant. He stated they have already made substantial improvements to the adjoining lot that contains a house. He said the house was very rundown and they replaced the gravel drive with a concrete driveway.

The Vice Chair invited public comment.

Ira Maurer, 8421 Glenree Place, Dublin, said he has resided there for 25 years. He said development would contribute to traffic issues. Through discussions of the Community Plan over the years, he said they concluded to maintain the neighborhood. He said this has been a more rural area and he enjoys the wildlife. He indicated he is concerned with development that will come with lit up parking lots and noise from trucks. He said he welcomes development in the area but wanted everyone to be mindful of the neighbors as they have been there for a long time, raised their kids there, love to be there, and he built his own house there. He asked everyone to take into consideration, quality of life for these residents, especially when the Community Plan states maintaining the feel of neighborhoods in Dublin.

Trina Holmberg said she is the pastor of the Church of the Redeemer across the street at 3883 Summit View Road. She stated her concern is that the area stay a neighborhood. She also said she is concerned the church will gain overflow parking from this new development.

Joanne Crockett, 3840 Summit View, said her property is immediately west of this proposal and has resided there for 38 years. She indicated she had sent questions to Mr. Stang about this property ahead of this meeting. She asked how many commercial buildings are permitted in Dublin without access to a sewer system as there is no access here. She questioned how this is to be a defined gateway as stated in the Community Plan. She said recently, 43 acres behind her property was annexed to Perry Township. She said Perry Township could build anything they want there, including a strip mall. She said that will impact her and everyone else who lives there. She asked if this property is spot zoned, if she will be entitled to the same for her property if she chooses to follow what Perry Township does.

Tara Haid, 8280 Bibury Lane, said she is opposed to this property being rezoned. She said she likes the current neighborhood feel and while she has only been a resident a few years, she had planned on living there well into the future. She reported she grew up in Dublin and selected this property specifically because it is multi-cultural, close to the park, and traffic is still manageable. She said commercial development would add to the traffic issues.

Cathy De Rosa inquired about the potential road improvements for the area. Mr. Stang said the City of Dublin would need to coordinate with the City of Columbus because the majority of Sawmill Road falls in their jurisdiction. He said Dublin has no roadway improvements planned for Summit View Road but does not know what the City of Columbus has in mind for Sawmill Road.

Ms. De Rosa asked about the lack of utilities. Mr. Stang explained a lot of properties in this area do not currently have utilities. He indicated all services for Dublin would come from Riverside, which is a considerable amount of distance to be covered in order to reach these properties in the northeast corner. He said Engineering is pushing for expanding utilities, including this area. Unfortunately, he said there is nothing as yet included in the five-year CIP. He explained the last major update to the Community Plan was 2007 for this area.

Bob Miller said the dialogue for how this was put together and the impact of the existing single-family units must have been discussed at some point and he asked staff if anyone recalled the intent for this area.

Claudia Husak said the Community Plan Special Area Plan was conceptual but Neighborhood Office/Institutional would fit well here surrounded by Mixed-Residential, Low Density housing as shown on the Future Land Use Map. She indicated the City has been approached about senior housing development in this area but a proposal did not formalize and nothing else has come forward.

Mr. Miller asked when the Perry Township change occurred. Mr. Hartmann answered litigation is pending in the court of appeals.

Ms. De Rosa inquired about green way space in standard zoning and who is responsible for maintaining it. In a standard district, Mr. Stang explained just base regulations are required.

Deb Mitchell inquired about parking requirements in standard zoning. Mr. Stang said they are the base requirements that are outlined in the zoning code.

Chris Brown indicated traffic on Sawmill Road heading north has increased due to the expansion of Liberty Township, Perry Township, Powell, and the Olentangy area.

Victoria Newell arrived moments ago and Mr. Brown asked her to contribute her thoughts.

Victoria Newell said she was concerned the Commission was being asked to rezone such a small parcel and the neighbors would have more protection with a PUD.

Ms. Husak pointed out the Future Land Use Map shows this area as Suburban Office.

Mr. Brown said the Master Plan states this should be Suburban Office considering this is on Sawmill Road and the value of the property. He asked if this rezoning was denied this evening if the applicant could bring back a proposal for a PUD and define what goes in there.

Mr. Miller asked if the Community Plan is just a recommendation tool. Vince Papsidero said it is official city development policy, more than a guideline as it is reviewed with regard to rezonings.

The Vice Chair invited the applicant back to speak to recent Commission comments.

Mr. Patel said he respects the residents and he is a resident since he owns the lot next door. He said a PUD would not be feasible as there are multiple owners and he only owns the corner. He indicated that unless a developer purchased it all from the multiple owners, it would not be feasible to bring this back for a PUD. He said the alternative is that it would be zoned residential and a house would be built on the corner of Sawmill Road and Summit View Road, which he believes is not what Dublin wants. He said with this proposal there will be deep setbacks for green space.

Ms. De Rosa said she was concerned since it has been since 2007 since the City has received community input in terms of this area. She indicated the Commission does not have the most current view of this piece of property at this point. She asked if it would be appropriate to ask City Council to review the Community Plan for this area.

Mr. Papsidero said if that was the direction staff would be asked to take, given the current workload, it could not be addressed again until 2018.

Mr. Brown said when he looks at the history, the church, the park, and Sawmill Road, it is such a mixed area and there is also a lot of residential in the area. He asked how the residents would be buffered from this transitional area and money pressures stemmed from Sawmill Road as density grows; the pressure to grow north concerns him.

Ms. Newell said she experienced this similar situation many years ago while living in Indian Run Meadows and the proposal to develop Perimeter Center and the small office development between the residents and Perimeter Center came forward. She said she would prefer to follow what is in the Community Plan because she does not see this developing for residential but a PUD would be better.

Mr. Miller said he agrees in that he would prefer to follow the Community Plan but struggles with empathy for the residents. He questioned what criteria he should be following for his decision because he does not see a lot of latitude.

Mr. Hartmann said that was exactly right. He highlighted the outline in 153.026 and guided him.

Ms. Mitchell said she agreed with Mr. Brown and Ms. Newell to follow the Community Plan. She said she would like to see this developed in a way to take into account the residents and buffering. She asked if a PUD is possible.

Mr. Hartmann said that would be up to the applicant. He said from what has been filed as of today, the Commission should only consider the straight zoning from R-1 to Suburban Office before them by considering the criteria.

Mr. Brown added the Commission is not being asked to make a final decision but rather to make a recommendation to City Council.

Both Mr. Miller and Mr. Stidhem said they would recommend in favor based on the criteria but would like Council to know their reservations as part of the recommendation.

Ms. Newell said the Commission has compassion for the residents but at the same time are bound by the criteria review.

Mr. Brown concluded that if the Commission preserves residential along Sawmill Road, particularly single family, nobody with any deep pockets will want to live there and will want to sell so he would prefer to see a small professional office building on 0.6 acres when it is feasible. He said he is not opposed to this and would provide a buffer. He said we do not want an ugly eyesore at the gateway to Dublin.

Ms. De Rosa again asked, given the constraints, if an office building with parking would even be feasible. Mr. Stang indicated from a zoning perspective, there is potential for a small building but the biggest constraints right now are the utilities.

Motion and Vote

Ms. Mitchell motioned, Ms. De Rosa seconded, to recommend approval to City Council for the Standard District Rezoning. The vote was as follows: Ms. Newell, yes; Mr. Brown, yes; Mr. Miller, yes; Mr. Stidhem, yes; Ms. De Rosa, yes; and Ms. Mitchell, yes; (Approval Recommended 6 – 0)

Ms. De Rosa asked that City Council be informed of their recommendation to review the Community Plan. Mr. Brown said City Council will receive these minutes but that the citizens are welcome to make their preferences known to City Council about this area.

4. BSD – Signs Code Amendment 16-107ADM

Bridge Street District Administrative Request

The Chair, Victoria Newell, said the following application is for an amendment to Zoning Code Section 153.065(H) - Signs of the Bridge Street District Code for the BSD Indian Run Neighborhood, Sawmill Center Neighborhood, Commercial, Office, and Office Residential Districts. She said this is a request for a review and recommendation of approval to City Council regarding proposed amendments under the provisions of Zoning Code Sections 153.232 and 153.234.

Nichole Martin stated this is a request for an amendment to the Signs section of the Bridge Street District Code. She noted the request history:

- October 12, 2015: City Council requests consideration of revisions to the BSD sign regulations as applicable to existing retail sites.
- November 25, 2015: Memo to Council summarizing the existing regulations and options to address the interim BSD sign condition.
- May 16, 2016: City Council-Planning and Zoning Commission joint work session.
- October 24, 2016: Staff provided update to Council regarding Clarion's initial recommendation.
- November 29, 2016: Proposed amendments shared at public open house.

Ms. Martin presented a map of the Bridge Street District and noted the various districts and neighborhoods. She said the amendment proposed is only applicable to the following 5 districts out of 11:

BSD – Office Residential
BSD – Office
BSD – Commercial
BSD – Indian Run Neighborhood
BSD – Sawmill Center Neighborhood

Ms. Martin explained the proposed amendments would accomplish the following:

- Retain existing regulations for BSD Historic Residential, Historic Core, and Historic Transition Neighborhood Districts; and, BSD Scioto River Neighborhood, Residential, Public, and Vertical Mixed-Use Districts.
- Retain option for Master Sign Plan review and approval for all districts.
- Revise sign provisions for sites with buildings not in compliance with the BSD form-based regulations located in the BSD Indian Run Neighborhood, Sawmill Center Neighborhood, Commercial, Office, and Office Residential Districts. Sites falling within these parameters are subject to the provisions of the Standard Sign Code.
- Correct a typo under the provisions for the Historic Core and Historic Transition Neighborhood Districts to reflect the full extent of the BSD sign regulations, as existing, are applicable.

Ms. Martin said Planning recommends that the Planning and Zoning Commission recommend approval of this amendment to City Council as the proposed sign regulations are appropriate and consistent with the pre-existing development pattern.

Steve Stidhem said he works in buildings affected by this, therefore, he asked if he should abstain.

Phil Hartmann said unless there would be a direct monetary interest, he would not need to abstain.

Cathy De Rosa requested clarification for the process for an existing business. Victoria Newell said if it was brought forward as a Master Sign Plan, the Commission would review it but if it is just a Minor Project then staff would review.

Ms. Newell inquired about existing properties that have received approvals for signs. Vince Papsidero said that would remain in place unless the business changed or they brought in a new application. He reported that staff estimates that there have been 70 Minor Projects reviewed. Ms. Martin clarified there are probably 50 Minor Projects for signs in the affected districts.

Motion and Vote

Ms. Mitchell motioned, Mr. Stidhem seconded, to recommend approval to City Council for the Code Amendment. The vote was as follows: Mr. Miller, yes; Mr. Brown, yes; Ms. Newell, yes; Ms. De Rosa, yes; Mr. Stidhem, yes; and Ms. Mitchell, yes. (Approval Recommended 6 – 0)

5. BSD SRN – Bridge Park, Block C, Building C3, Fukuryu Ramen 16-109WR Bridge Park Avenue Waiver Review

The Vice Chair, Chris Brown, said the following application is for increasing the required distance between building entrances by removing two existing doors. He noted the review is for a portion of the east elevation of Building C3 within the Bridge Park development located on the north side of Bridge Park Avenue. He said this is a request for a review and approval for a Waiver under the provisions of Zoning Code Section 153.066.

Mr. Brown swore in anyone interested in addressing the Commission regarding this case.

Lori Burchett said the Waiver request is to permit additional distance between entrances on Building C3's east elevation to allow one tenant space to be approximately 124 feet apart, rather than the required 75-foot minimum. She noted there are still adequate entrances on the north and south elevations.

Steve Stidhem asked if there was a clearer graphic that showed the entire elevation as the black and white version did not convey enough detail. Ms. Burchett explained this was the only graphic provided but the elevations are not changing from the Basic Site Plan. Mr. Stidhem explained his concern was with the internal flow of the building and not the exterior.

Ms. Burchett said the grade change was significant enough to warrant this request, otherwise there would be an eight-inch drop, making accessibility an issue.

Mr. Stidhem added he was concerned how the door placement would affect the exterior appearance. Mr. Brown explained this was a workaround solution.

Bob Miller said this resolves the issue on the interior, making it more functional and appealing. He said he had a minimal concern about servicing the patio area.

Ms. Burchett said approval is recommended for the Waiver as it is consistent with all of the applicable review criteria.

Motion and Vote

Ms. De Rosa motioned, Mr. Miller seconded, to recommend approval on Building C3 to the Planning and Zoning Commission for a Waiver Review as presented. The vote was as follows: Ms. Mitchell, yes; Mr. Stidhem, yes; Mr. Brown, yes; Mr. Miller, yes; and Ms. De Rosa, yes. (Approval Recommended 5 – 0)

Communications

Claudia Husak mentioned Logan Stang got married in November 2016 and the Commissioners congratulated him.

The Chair adjourned the meeting at 7:54 pm.

As approved by the Planning and Zoning Commission on January 19, 2017.