



# MEETING MINUTES

## Planning & Zoning Commission

Thursday, December 8, 2022

### CALL TO ORDER

Ms. Call, Chair, called the meeting to order at 6:30 p.m. and welcomed everyone to the December 8, 2022 Planning and Zoning Commission meeting. She stated that the meeting also can be accessed at the City's website. Public comments on the cases were welcome from meeting attendees and from those viewing at the City's website.

### PLEDGE OF ALLEGIANCE

Ms. Call led the Pledge of Allegiance.

### ROLL CALL

Commission members present: Rebecca Call, Lance Schneier, Kathy Harter, Mark Supelak, Jamey Chinnock, Kim Way, Warren Fishman

Staff members present: Sara Holt, Thaddeus Boggs, Chris Will, Michael Hendershot, Tina Wawszkiewicz

### ACCEPTANCE OF DOCUMENTS

Mr. Way moved, Ms. Harter seconded acceptance of the documents into the record.

Vote: Ms. Harter, yes; Mr. Schneier, yes; Ms. Call, yes; Mr. Way, yes; Mr. Supelak, yes; Mr. Chinnock, yes; Mr. Fishman, yes.

[Motion approved 7-0.]

Ms. Call stated that the Planning and Zoning Commission is an advisory board to City Council when rezoning and platting of property are under consideration. In such cases, City Council will receive recommendations from the Commission. In other cases, the Commission has the final decision-making responsibility. Anyone who intends to address the Commission on administrative cases must be sworn in. Ms. Call swore in meeting attendees intending to provide testimony on the cases on the agenda.

*[Mr. Supelak recused himself from the following case.]*

### NEW CASES

#### 1. Dublin Village Apartments at PID: 273-009045, 22-163CP, Concept Plan

Redevelopment of an existing 229-space surface parking lot and the construction of new six-story corridor building with 301 multi-family units, ±12,200-SF of ground-floor commercial space, and a 453-space parking structure internal to the building on a ±3.85 acre site.

## **Staff Presentation**

### Background/Overview

Mr. Will stated that this development is proposed within the Bridge Street District. Development within this district follows a 3-step approval process with an optional Informal Review preceding that process. This case is a Concept Plan, which outlines the character and nature of the proposed development, looking at building mass, open space location and street network. A determination by the Commission is required for this case type. This case was previously before the Commission on May 5, 2022 for an Informal Review. The ±3.85 acre site is located southeast of the Village Parkway and Tuller Road intersection, and is within Dublin Village, an approximately 400,000-SF commercial and retail center, developed in the late 1980s, located south of Interstate 270 and west of Sawmill Road. Dublin Village (then Dublin Village Center) was approved by Planning and Zoning Commission (PZC) in 1987 as a Corridor Development District application. The site encompasses multiple surface parking lots, which support adjacent large-format commercial tenant spaces including the AMC Theater; however, due in part to commercial vacancy, the surplus of parking in the development render lots largely underutilized. A north-south high voltage, overhead electric line with 1 60-foot easement bisects the site. In 2009, Dublin created a hybrid form-based development code for the Bridge Street District (BSD). Dublin City Council approved an area rezoning to BSD zoning districts in early 2012. The BSD Code also establishes Neighborhood Districts where special attention to location and character of buildings, streets, and open spaces is important to establish a coordinated mix of uses that fulfills the objectives identified in the BSD Special Area Plan within the Community Plan. Each neighborhood anticipates the conceptual layout of critical elements including street connections, open spaces, and gateways. This site is zoned BSD-SCN, Sawmill Center Neighborhood District. The BSD Code also provides a hierarchy of requirements for establishing a grid street network. The Street Network Map, which is part of the Thoroughfare Plan, provides an organizing framework for development within the District. On May 5, 2022, the Commission reviewed and provided non-binding feedback for an Informal Review of the proposed development. The applicant proposed two, 7-story podium apartment buildings with 278 units and two, 3-story single-family, attached townhomes with 14 units. The applicant proposed the extension of both John Shields Parkway and McCune Avenue. The applicant proposed modification of the existing surface parking lots. The Commission had concerns about the proposed building massing and height. They indicated their need to see a long-term vision for the site. The applicant has provided a framework plan for reference purposes only, which shows the applicant's long-term vision for redevelopment of the Dublin Village Center area.

### Concept Plan Proposal

The applicant is proposing the redevelopment of an existing 229-space surface parking lot located southeast of the intersection of Village Parkway and Tuller Road and the construction of a new six-story corridor building with 301 multi-family units, ±13,200 SF of ground-floor commercial space, and a 453-space parking structure internal to the building on a ±3.85 acre site. The development would facilitate the extension of John Shields Parkway and the construction of a new north-south street. The Code provides standards for maximum block sizes with the intent that block configurations encourage and support the principles of walkable urbanism. Per Code, the maximum block size within the BSD-SCN is 500 feet in length and 1,750 feet in perimeter. The proposal meets the perimeter block requirement; however, the west (513 feet) and east (572 feet) block faces exceed the maximum length permitted. The Code would prescribe breaking this block into two blocks, so that all sides would not exceed the 500 feet maximum. The Code's intent with the

block sizes is to create walkable block sizes. Lots and blocks also guide the general location and spacing of future streets and inform the Street Network Map. The applicant is proposing the extension of John Shields Parkway and a new north-south neighborhood street between Tuller Road and the proposed extension of John Shields Parkway as required by the Street Network Map. The applicant is also illustrating a potential future condition of the realigned Village Parkway and Tuller Road intersection and extension of Village Parkway across I-270 to Emerald Parkway. The east-west McCune Avenue extension is not included in the Concept Plan. The proposed parking structure is shown with three access points, two from the new north-south street and one from an entry drive directly from Village Parkway. Both Village Parkway and John Shields Parkway are classified principal frontage streets. Vehicular access is not permitted from a principal frontage. Access to the block should occur from streets that are not designated as principal frontage streets. The applicant is proposing one six-story Corridor Building. Responding to the change in grade across the site, the building is six stories fronting Village Parkway and 5 stories fronting the proposed north-south street to the east of the building. The Code requires building compatibility to ensure new development features are harmonious with existing development. It permits Corridor Buildings from three to six stories. The Corridor building is not a compatible building to the single-family attached development type, which is approved for the Towns on the Parkway. In regard to the architecture, the applicant is proposing a modern application of traditional Dublin materials of brick, stone and glass. The facades are broken up with stoops, storefronts, balconies. The building is divided into a base, middle and top, which helps create a nice architectural pattern. Per Code, this development would require a minimum of 399 parking spaces and would allow a maximum of 652 spaces, with which this proposal is consistent. The required open space is approximately 60,000 square feet, but the Code also has quality requirements. The applicant is proposing to meet the open space requirement through the use of the existing plaza in front of the AMC Theater and the use of the trail along the south side of the John Shields Parkway extension; however, the latter is not an open space type that the Code permits. The conceptual images show potential private patios and walkways to storefronts. Walkways are not typically counted as public open space. Additionally, the applicant is proposing a residential amenity deck elevated above the third floor, including a pool and other amenities for guests and residents. The Concept Plan was reviewed against the Code criteria, and although the residential use aligns with the Code, the lots and blocks and street types, as well as building type and character, do not align. Therefore, staff is recommending disapproval of the Concept Plan.

### **Commission Questions**

Mr. Schneier requested clarification of the City's plans with regard to the extension of John Shields Parkway.

Ms. Wawzkiewicz stated that the City has studied the John Shields extension since the beginning of the Bridge Street District street network. One of the more recent iterations was with the Sawmill Road Corridor Study. That study showed John Shields Parkway intersecting Snouffer Road on Sawmill Road, which is a variation from the current Bridge Street District street network map. No funding is currently programmed for that section. The City looks for developments to partner on improvements in this area.

Mr. Way inquired if the realignment of the Village Parkway curve would be part of this project.

Ms. Wawzkiewicz responded that staff has not advanced to that level of detail; however, she believes it would remain in its current curved alignment with this project proposal but could be realigned with the future potential bridge crossing over I-270. This is not currently programmed in the CIP with a proposed timeline, but staff is advancing the preliminary design phase.

Mr. Way inquired if Village Parkway is intended to be widened as part of that reconfiguration. He sees two different curb lines in the drawings. He is attempting to identify public space versus private development space.

Mr. Hendershot stated that the applicant's drawings do not reflect any City information. The project is not advanced to the level of detail to understand what the width of Village Parkway may be.

Mr. Way inquired about the proposed public drive on the east side. The drawings show diagonal parking. Is it consistent with City standards to have parallel parking on one side and diagonal parking on the other?

Mr. Hendershot responded that it is not. Staff has indicated to the applicant that the expectation is to have parallel parking on both sides of the street, which would be consistent with the Bridge Street District's Streetscape Character Guidelines and consistent with the rest of the development within that District.

Ms. Harter inquired if the anticipated studies would include the amount of time needed to get from this area to I-270.

Mr. Hendershot responded that is an element the study would consider. The funding mechanism is also part of the discussion.

Ms. Call requested clarification of the type of applications that trigger the requirement to conduct a traffic impact study (TIS).

Mr. Hendershot responded that two TIS were performed with the original Bridge Street District rezoning. Any deviations from the assumptions of those two studies would trigger the need for further traffic impact analysis.

Mr. Way stated that John Shields Parkway to the west has parking on both sides, but the drawings do not show on-street parking on the roadway section to the east.

Mr. Hendershot responded that this is the Concept Plan stage, but staff has communicated to the applicant that the City's expectation is to have on-street parking on both sides of all streets, consistent with the BSD standards. This site is unique due to the existing AMC Theater development to the south, which is not part of this application. There are some constraints in fitting in the John Shields Parkway extension, so staff will be working with the applicant to assess the opportunities for providing on-street parking, or if not, what alignment would allow for that in the future.

Mr. Chinnock inquired how the former 50 parking spaces committed to the AMC Theater would factor into this development.

Mr. Will responded that at the Concept Plan stage, they are not looking deeply at the parking, or at how a shared parking arrangement might work with the existing tenant spaces. With the Preliminary Development Plan, parking details would be needed. Any reciprocal easements or arrangements would be a private matter between the applicant and AMC.

Mr. Chinnock stated that it is challenging for the Commission to approve this plan without understanding how the parking would be addressed.

Mr. Will responded that the applicant has indicated that some of the existing 2,500 parking spaces within Dublin Village Center might absorb some of the need, but no parking plan or arrangement has been proposed or reviewed.

Ms. Call inquired about the distance along the pedestrian pathway between the principal residential entrance and the AMC proposed open space.

Mr. Will responded that the Code would require it to be within 660 feet of the primary entrance, but he does not know the exact measurement.

Mr. Way stated that in their master plan, the applicant did not show the proposed John Shields Parkway realignment with Snouffer Road at Sawmill Road. Is the applicant aware of that alignment change?

Ms. Wawskiewicz responded that staff has discussed it with the applicant team, and they are taking a broader look at the connections from the perspective of this site and also other areas within their control. There has been no definitive direction from either the City or the development team on the exact alignment to the east from this site to Sawmill Road.

Mr. Way stated that the Snouffer connection makes sense, but it really does re-route it to the east. Ms. Wawskiewicz responded that it does. It would be challenging but would provide a nice access to Sawmill Road.

Mr. Way noted that the plan before us tonight might not be the one that evolves.

### **Applicant Presentation**

Aaron Underhill, Underhill & Hodge, 8000 Walton Parkway, New Albany stated that others are with him tonight to assist in presenting the case, including Michael Fite, Matt Stavroff and Kevin McCauley. Their intent is to begin transforming Dublin Village Center into something that has been envisioned for some time. He is hopeful that understanding can be reached regarding some of the ways in which the project does not meet Code. They have taken the feedback the Commission provided at their May review and worked on creating a very different plan. They have reduced the building height and provided retail and restaurant uses along the major streets to create the desired vibrancy. The previous plan had two parking garages in a podium configuration, and in some instances, three sides were exposed on the perimeter. The revised plan provides one parking garage underneath the building with one partially below-grade level of parking and one above grade level. The garage is exposed on only side. They have also provided a conceptual master plan to provide context to the proposal. Mr. Fite will review that plan for the Commission. They have received positive feedback from staff in working with them over the past 7 months, so they were surprised that the staff report for this meeting recommended disapproval, although he understands from the aspect of meeting Code. It is very difficult to create a project here that completely meets Code. When the property was purchased in 2009 by the Stavroffs, the nation was just emerging from a recession, and Dublin Village Center had very high vacancy rates. There was also a specific PUD zoning in place. During that time, the visioning of the Bridge Street District was occurring, and in 2012, the Vision was adopted and the Bridge Street zoning code was created. The property owners have struggled to find a project that would meet the intent of the Bridge Street Code. The blanket rezoning of this property immediately created a large number of legal nonconformities, which tied the property owner's ability to enlarge or alter uses. It is essential to have leasing arrangements that allow the property owner to redevelop at some point. A few years ago, the lease with AMC Theater was renegotiated with certain parking requirements. The Stavroff team has been creative in providing a parking plan that will accommodate the AMC lease parking requirements while still creating a viable and vibrant development here. The large power line running north/south through this property is an impediment to the site and has driven some of the decision-making.

One of the issues raised in the staff report is that the east and west block lengths exceed 500 feet, one by 13 feet and the other by 72 feet. This is a difficult site due to the existing conditions, i.e. Tuller Road on the north and John Shields Parkway are the only routes between the AMC Theater

and the existing buildings to the east. It is a difficult engineering feat to provide that extension in a manner that meets City standards. This situation has defined the block length on those two sides. Additionally, due to certain barriers, such as the power line and existing buildings, they are not extending McCune Avenue, which results in longer lengths than Code permits. The Code recognizes that where existing barriers limit extension of the street networks, blocks shall be created to match the requirements where possible; however, barriers such as exist here would allow for an exemption or waiver. The AMC Theater was not supportive of the first plan, which provided two parking garages with shared parking in the northernmost building. The distance was too great for their patrons to walk. The revised plan eliminates that walk and will accommodate their parking needs through some use of the southern part of the parking garage and primarily in other places on the property. As discussed in the previous meeting, the intent is to extend a Village Parkway bridge over I-270 for the purpose of relieving some of the Sawmill Road traffic. However, creating intersection conflict points at Tuller Road, John Shields Parkway, and potentially McCune Avenue would cause traffic congestion. In regard to staff's point about the incompatible building type, he would point out that p. 46 of the Bridge Street Corridor Study references Dublin Village Center, indicating that "high density is essential to providing enough people and activities within walking distance to keep the district vibrant and full of choices, 18 hours/day, 7 days/week. High density also plays a key role in creating sufficient development to fund structured parking, another essential ingredient to compact and make it a walkable district. Density and walkability are foundations of the market opportunity in this district, and without them, the market will only support lower value, auto-oriented development patterns that exist in the area today." Obviously, the first building constructed will need to be very dense, bigger and taller. They have reduced the building height from 7 to 6 stories.

Michael Fite, F2 Companies, 1515 Lakeshore Drive, Columbus described the master concept plan for the overall Dublin Village Center area, comprising 50 acres not just 3 acres. He is dismayed about the negative staff recommendation but will attempt to provide explanation. They have implemented four public right-of-ways out of the five infrastructures indicated by the Bridge Street Plan. McCune Avenue was not implemented due to existing site conditions and AMC Theater objections. He described the proposed open space plan, building massing and street network concepts. This first building, an apartment building, is actually two buildings hinged by a community center and amenity deck. They sit on top of a 2-level parking garage, which will provide some parking for the theater. The AMC Theater has seen the plans and has no objections. The first two levels of the building are comprised of townhomes on Village Parkway, in front of the garage. Above the townhomes are 3 levels of flats, and the top level provides loft units. The first two levels of the John Shields Parkway elevation will provide retail, office and commercial, with four levels of residential units above. [Described conceptual views of the proposed plan.]

### **Commission Questions**

Mr. Way stated that he was unclear about the right-of-way for Village Parkway, depending on how that is realigned. Is the applicant considering that future condition?

Mr. Underhill responded that they are aware and would provide the appropriate right-of-way.

Mr. Way stated that the potential extension/realignment of John Shields Parkway informs development projects in this area. Was the applicant aware of that potential realignment?

Kevin McCauley, Stavroff & Development, 6689 Dublin Center Drive, Dublin stated that they were aware and provided a couple of options to engineering for how they could navigate that road to meet Snouffer Road. They would be working with the City on the next phase of John Shields Parkway; at this point, it is shown as a straight line to avoid confusion regarding options.

Mr. Schneier stated that much of the proposal seems to be a result of the parking arrangement with AMC Theater. The impact of a private arrangement on a public application is a problem. At one point, there was a statement that the theater wanted contiguous parking. If John Shields Parkway were extended, the theater patrons would have to cross that roadway extension.

Mr. Fite responded that they would have to cross it, but it is not dissimilar from the service road they now cross. He described the proposed shared parking within the parking garage. There are two levels in the parking garage; on the east side of the building, people enter the garage at the second level, which is public parking. The first level would be private parking for the apartment residents and would be accessed from Village Parkway. The Theater also will have surface parking.

Mr. Schneier stated that the agreement with AMC indicates the parking needs to be contiguous. Would the second level in the parking garage provide contiguous parking?

Matt Stavroff, Stavroff Company, 6689 Dublin Center Drive, Dublin stated AMC Theater has rights to 450 parking spaces. They have two lots. The apartment building would be located on the southern half of one of those lots. Currently, between this lot and the small theater lot to the southeast, they have 351 parking spaces, although the agreement gives them 450 spaces. At this point, the Theater has no objection to the proposed project because it will provide them contiguous, front door parking spaces. However, if this project does not proceed, he does not think anything will develop on the lot until the Theater is no longer in business.

Ms. Call stated that private agreements are not within the Commission's purview. She asked Mr. Boggs to comment.

Mr. Boggs stated that it is correct that private agreements are not within the purview of the Commission; however, it is appropriate for the Commission to be aware and look at the proposal through that lens, rather than trying to reconfigure the agreement that they have.

Mr. Chinnock inquired if there is public parking in the auto plaza off Village Parkway.

Mr. Fite responded that it is an auto court to drive through; there will be no parking spaces.

Mr. Chinnock inquired if the center link of the building, the community center, which has access to the public courtyard, would be open to the public.

Mr. Fite responded that the area is only for the residents; it is not open to the public.

Ms. Call inquired if there is a pedestrian thoroughway through the center of the building.

Mr. Fite responded that there is. Pedestrians can cross through the building in a mid-building pedestrianway in the garage. The pedestrianway is not through the glassed community center.

Dan Pease, Director of Design, MA Design, 775 Yard Street, Suite 325, Columbus stated that pedestrians would walk up under a covered porch into the core area. An exterior stair will deliver them to the second floor of the garage. There will be a pedestrianway through that garage.

Mr. Way inquired the height of the loft units on the Village Parkway frontage.

Mr. Pease responded that the sixth floor is 18 feet in height.

Mr. Way stated that the Code limit is 14 feet. Anything above that would make it a 7-story building.

Mr. Fite responded that their intent was to ask for a height variance.

Mr. Fishman stated that with the proposed units, there is potential for 686 residents, most of whom will have cars. When the theater is busy, there may be insufficient parking spaces. At some point, the in-house agreement between the property owner and AMC Theater would expire.

Mr. Stavroff responded that it is a reciprocal easement agreement; it runs in perpetuity. Certain conditions within the agreement could cease, however, if the AMC Theater were no longer a theater.

Mr. Fishman stated that parking garages for theaters and ball games can be difficult to exit.

Mr. Stavroff stated that his observations are correct; however, a theater expert has looked at the plan and they are comfortable with what is proposed.

Mr. Fite stated that there is also a parking garage consultant on their team, who is working on all the details. This is only the first of what will eventually be other parking garages on the site.

Mr. McCauley stated that a drawing included in the meeting packet shows that there is ample parking throughout the Center for the retail shops.

Mr. Underhill stated that the Theater patrons have ample unrestricted surfacing parking opportunities, as well.

Ms. Harter inquired if the applicant has discussed the project with area residents.

Mr. McCauley responded that they have spoken with their Center tenants, with the Pulte and Casto management and with the hotel owner, but not the residents further away.

Ms. Harter stated that at the previous meeting, there was a suggestion the residences could be condominiums rather than apartments. Was that idea not considered?

Mr. Stavroff stated that he was not comfortable with that model; he is very comfortable with the model they have presented.

Mr. Boggs stated that in terms of the zoning and land use context – multi-family is the umbrella. The property owner can decide whether he prefers apartment or condominium development.

Mr. Underhill stated that rental multi-family supports surrounding retail much better.

Mr. Way inquired about the change in the townhomes since the first review.

Mr. Fite responded that although they are attached to the garage now, they would still stand out in a prominent manner.

Ms. Harter inquired if the apartment balconies are large enough for a table and chairs.

Mr. Fite responded that the space is 10-12 feet in width, so there would be room for a small table/chairs.

### **Commission Discussion**

Mr. Chinnock stated that he likes the architecture and articulation, but the scale of the building is an issue. He understands that the master plan indicates that usable greenspace will be provided on the site, but it is difficult to consider one of the projects, which has none, with the promise that it will be provided later.

Mr. Schneier stated that the applicant has provided modifications that now include retail. The overall greenspace provided is an improvement. The parking has informed the way this site is being developed. He does not equate a public utility easement with a private agreement. A public utility has right of eminent domain. The Commission should take that into account. However,

private agreements should not influence what the Commission is asked to approve. Absent that parking agreement, this would be a development more appropriate for the location in scale, etc. He does not think that walking through an attractive passageway, up some stairs and through a parking garage is what the City considers a pedestrian path. It is unfortunate that the pedestrian path, two buildings and a cross street have been eliminated due to that parking agreement. The Commission has shown flexibility in the past with the Code, but it is difficult to say that this is the right building at this location and at that size and scale. If the buildings cannot be separated, he is not supportive.

### **Public Comments**

Scott Haring, 3280 Lily Mar Ct., Dublin stated that his property is accessed from the Martin Road corridor south of this development. If 229 parking spaces are mandated for the shopping center and 450 parking spaces are required for the new residents, it would seem the site is several hundred parking spaces short. The block distance should be no issue. A precedent was set in the first year of the Bridge Street development. The presenting planner at that earlier meeting stated that even with a blank slate, the City could not uphold the block requirement. If even the City cannot meet the City's Code, maybe it is too tight. For 10 years, the City has stated that the intent of the Bridge Street Corridor is a dense urban, walkable downtown area. If that is the intent, this is consistent. He is a little nervous when he hears a Commissioner say, let's not get hung up on the Code and the rules, as that is all he has, as a citizen – the hope that the rules are being upheld.

Randy Roth, 8987 Grandee Cliffs Drive, Dublin stated that he is vice president of the East Dublin Civic Association, and he was asked to speak on behalf of the association this evening. He believes this proposed project is premature. He has been involved with the Community Plan steering committee and the Transportation Task Force, and earlier studies, engineers, traffic consultants and modelers all believed Snouffer Road should be extended west. That traffic improvement would improve what could occur in this area. If that were to be paired with building a bridge extension from Emerald Parkway to the south – that would result in a major corridor where a building with retail could be viable. Their civic association is skeptical about retail being able to go in at this level and succeed along John Shields Parkway. Having successful retail on the bottom level of a multifamily development, such as this, is crucial to the longevity, success and safety of that neighborhood. They are supportive of this type of concept, but it seems that the roads must be built first, then see what becomes possible. In the planning process, they had hoped that the way the applications would begin with the Bridge Street District would be first, from Riverside Drive; then build back from there; and then build forward from Sawmill Road. The problem for this property is that it does not have Sawmill Road frontage, but with the new road, new frontage will be created. A building of this scale would be compatible on that new frontage, but it is very incompatible with what currently is across the street in Tuller Flats, Sycamore Ridge, etc. Retail could work best along that major north-south artery that will be built. Finally, security is an issue at some of the nearby communities, such as the new Anderson development. He hopes that part of the planning process involves security. Building massive buildings with concealed corridors and no security plan can be dangerous situations. In regard to the greenspace, we can look at what has happened with the Sycamore Ridge greenspace – it is a dead grassy space. He would suggest that a recommendation be provided to City Council that the City consider buying some additional land from Mr. Stavroff to build active park spaces. Having active parks will make the area safer. Having small isolated blocks of grass will not make the community safer, build neighborhood or be consistent with the vision for pedestrian activity. He does not see any visionary aspect to this plan, as is typical with development projects in Dublin. Finally, he is concerned about the aging of these

buildings. When he recently visited the Sycamore Ridge development, he was impressed with how well the interior has aged and the amount of activity on its streets, although within the area barrack-style units, the buildings are aging and there is no activity. In summary, because the proposed building would be more appropriate on the new corridor that will be constructed, he would suggest that they place it there.

Diane Cartalona, 3390 Martin Road, Dublin stated that she would like to reiterate Mr. Haring's concern about the Commissioner's previous comment about not paying any attention to Code. They would appreciate some clarification or reassurance that he did not mean what was said.

Mr. Schneier stated that he did mean what he said but only in the full context. He said that, as a Socratic exercise, if the Code were discarded, how would the Commission deal with the matter. His point was that, even if the Commission were not bound by the Code, this project does not work the way it is designed. He apologizes regarding the miscommunication with respect to his comment. For the record, he has no objection to the proposed amount of parking.

**Commission Discussion continued:**

Mr. Fishman stated that too much is proposed for a parcel of this size. The building is massive. The applicant has worked very hard on the plan; however, the City also worked very hard on developing the Code for this district. For two years, and often two meetings/week, people met to develop the Code. Even though the Code allowed for some flexibility, the consultants involved emphasized the importance of not approving anything too large. Developers, however, try to develop to the full maximum the Code might permit. The aging aspect is very important, so, for example, thin brick versus full brick would make a difference in how the building will look 20-30 years from now. That is only one issue. With a building this massive on such a small piece of property and the concerns regarding the evolving road network and possible future intersection – there are many problems. The proposed building is out of character here, but it could look appropriate on a much larger site with attractive greenspace surrounding it. Mr. Roth's point about usable spaces is important. The City wants active spaces where people gather. The consultants working with the City on this Code emphasized the need for pocket parks with ample greenspace. Otherwise, the District would have crime issues with people traversing through tunnels. In contrast, spaces that are open and active have less crime issues. The greenspaces must ebb and flow, not be small disconnected pieces. There is no room here for greenspace throughout the property. He is supportive of staff's recommendation. It will take a large amount of work to make this a project that will be an asset, a place that people will really enjoy. The proposed residential building is much too large. It will be essential to propose a building that will fit the space better. This is not the right proposal for this part of Bridge Park.

Ms. Call clarified that the Concept Plan is conceptual only; details are not provided until later in the development approval process.

Ms. Harter stated that although something needs to develop on the site, it must be the right plan. Many questions need to be considered with this proposal. Sawmill Road is very different from Riverside Drive. Safe navigation on the site and the proposed height are issues.

Mr. Way stated that placing buildings within the street network is the dilemma with this site. Although Big Sandy and other big box retail currently exist adjacent to the site, at some point,

those buildings will redevelop. The City would want them to be redeveloped in a manner consistent with the master plan for the rest of Dublin Center. Approving a building of this size and massing would set a precedent for continuing that to the east, as the site continues to develop. From a planning standpoint, the applicant's plan is on track for the rest of the Center. This site needs to reflect that master plan, as well. Extending McCune Avenue would tie the front of the Big Sandy site to Village Parkway. Whether it should be a street or a pedestrian way is unclear, but having that east-west linkage is fundamental to the success of the master plan. Not recognizing that on this site is missing an important opportunity. That east-west linkage would scale down the massing of the building and would be consistent with the Code's requirements regarding blocks and massing.

Ms. Call stated that the Code is the vision in words. Adhering strictly to Code in all cases would negate the need for a Planning and Zoning Commission. However, the Commission looks at every application, the associated give and take and its complementary nature. We evaluate it against the vision and determine if the application meets the vision. While the beautiful architecture meets the vision, the open space and mid-block pedestrian connections and open space do not. There are many elements, such as the balconies and hidden garages that are right, but the plan currently misses the vision. The Commission wants to see this site be developed, but it must be with a plan that meets the vision. She inquired if the applicant team needed further clarification from the Commission.

Mr. McCauley stated that they have provided some ideas for how the open spaces might be achieved on the site, but those details have not yet been developed. Mr. Schneier asked earlier if this building would be different if the AMC Theater were not here. Although Mr. Stavroff responded that it would be different, it does not mean it would be two buildings. Their original plan attempted to meet Code and proposed two buildings and the extension of McCune Avenue. However, there were also two very inefficient and expensive garages. A single garage is much more efficient. If the Theater were not there, they likely would have proposed a single floor garage for the building residents, but the building block of 500 feet would remain the same. The mid-block connection is the only item that does not meet Code. They are meeting Code in regard to the height and massing, and the Code permits a mid-building pedestrianway in place of a mid-block pedestrianway.

Mr. Underhill stated that they understand the next iteration of the plan would need to be changed to be approved; however, the process requires approval of the Concept Plan to proceed to the next step.

Ms. Call summarized the issues with the Concept Plan: pedestrian throughways, mid-block corridors; access on the principal frontage; intensity and density of the building; open space; compatibility with the surrounding area and the adjacent property entrance. There were too many of those significant items for the Commission to approve the Concept Plan.

Mr. Boggs stated that the applicant has the option to request the Concept Plan be tabled to permit them to revise it further or to have the vote proceed on the Concept Plan.

Mr. Underhill inquired if there is anything that would prevent them filing another application with no waiting period.

Mr. Boggs responded that they could do so; there would be no waiting period. It would require them to pay another Concept Plan application fee, however.

Mr. Underhill stated that they would request the vote to proceed.

Mr. Fishman moved, Mr. Way seconded approval of the Concept Plan.

Vote: Mr. Way, no; Mr. Fishman, no; Mr. Chinnock, no; Ms. Harter, no; Mr. Schneier, no; Ms. Call, no.

[Motion failed 0-6.]

[Brief break. Mr. Supelak returned to the meeting.]

## **DISCUSSION ITEMS**

### **2. Neighborhood Design Standards**

Introduction to the proposed Guidelines developed to address the Neighborhood Design Standards for single-family developments within the City.

#### **Staff Presentation**

Ms. Holt presented the topic for the Commission's discussion prior to making a recommendation for consideration. The item of concern is the PUD intent legislation in the Code states various goals, including: develop an opportunity for mixed land uses; respect unique characters of a site; protect natural and cultural resources; provide imaginative architectural design; and design the proper relationships between land and structures. The Commission and City Council have noted that the City is not receiving the desired creative results for single-family, residential PUDs. Applicants are relying on the minimum residential appearance standards, which are intended for standard zoning, not negotiated planned unit developments. There is a need to establish future expectations for residential PUDs and provide greater specifics about how to meet the broad intent language. Work sessions were held with the board and commissions and City Council liaisons in January 2022 to determine the goals for this project. The goals identified were:

1. To ensure a better PUD product, as intended by Code;
2. To maintain flexibility of direction and avoid being prescriptive;
3. To capture different scales of concern regarding both the neighborhood and individual lots.
4. Must work for the benefit of staff and applicants.
5. Allow new ideas for infill projects.

The goals were confirmed via email in February 2022 and were incorporated into draft Neighborhood Design Guidelines. The draft guidelines were shared with the Community Development Committee (CDC) on September 28, 2022, and the Committee members provided feedback. A status update was provided to the CDC on November 28, 2022, and the Committee confirmed the project direction. The draft guidelines are provided to the Commission for consideration tonight. There are three levels of focus: public realm macro, public realm micro and private realm. The guidelines state that open space will serve as a framework for the neighborhood. The guidelines will function much like the conservation design ordinance. [Reviewed the framework of the guidelines.] Some Code amendments will be necessary, and four are proposed including:

1. Stormwater ponds counting toward required open space;
2. Greater than 45% maximum lot coverage permitted;
3. Flexibility in street tree placement, size, rhythms permitted;
4. Direction for how easements/setbacks can be used as open space in a project.

Staff requests the Commission's feedback on the draft Neighborhood Design Guidelines. Following input from the Commission, staff and the consultant will revise the guidelines, and the final draft will be provided at a January Commission meeting for review and recommendation to

City Council, along with the associated Code amendments. The following questions are provided to facilitate the Commission's discussion tonight:

1. Do the proposed design guidelines address the concerns raised about the quality desired for single-family residential development?
2. Does PZC support the recommendations within the public realm macro, specifically how open space is determined?
3. Does PZC support the recommendations within the public realm micro, specifically related to streetscape character, garage placement and design, and how lot layouts define the semi-private spaces?
4. Does PZC support the recommendations within the private realm, specifically the individual lot requirements recommendations (setbacks, buildable area, private open space, and AC locations)?
5. Are there additional design solutions or recommendations that should be included and addressed?
6. Does the Commission support the proposed Code amendments listed above?
7. Any other Commission considerations?

### **Public Comments**

No public comments were received.

### **Commission Discussion**

Commissioners suggested that perhaps there was a more efficient way in which individual members could provide their feedback on the draft than in a public meeting. Ms. Call indicated that the Commission could provide overarching opinions tonight on the questions that have been provided, even though, subsequently, more feedback could be provided to staff.

Question #1: The Commission indicated that the guidelines do address the concerns regarding the desired quality of single-family residential developments.

Question #2: Commissioners expressed concerns with stormwater ponds being included as open space, although dry detention basins could be included. Percentages and stipulations should be included. Additionally, the connections from the open spaces/trails in a PUD should be identified.

Question #3: Commissioners provided the following comments:

- Indicated that every lot should not look the same.
- Streetscapes do not need to be linear. Varying street tree species could be used, avoiding the look of a linear monolithic environment. The City's current street tree standard has resulted in attractive streets, so a standard rule is needed, or an approved equal.
- Developers have indicated many homebuyers are not interested in having outdoor space on their lots, but the City's experience indicates otherwise; sufficient outdoor space for private outdoor living should be provided on every lot.
- Address alleyways in a manner that consumes less land, as opposed to a 60-foot swath of alleyway. Direction should be provided that alleys may be used but only in accordance with specific guidelines and stipulations. Dimensional direction that if a cluster housing is created around open space, there must be either no more than a certain number of units or must be a minimum number of feet from the public access.
- Consider if there might be some opportunities for front-loaded garages.

Question #4: A suggestion was made to require a developer to add a landscaping element to a PUD that would create some consistency within the development. Suggestion to look at variances that have been requested in the past and consider those within the guidelines, if applicable.

Questions #5: The guidelines should require that the PUD application analysis define the developable land area and a graphic of the PUD be provided that shows the building envelope of each lot (regardless of the house product selected), as well as the sidewalk, streetscape and open space. In addition to tree stands/open space, when pertinent, the Commission would like to see other layers of the analysis, such as soil studies, if conducted, and invasive vegetation versus native species.

Commissioners will email further input to the staff for inclusion, as appropriate, in the revised guidelines. The revised Neighborhood Design Guidelines will be provided at a January 2023 Commission meeting for consideration.

#### **APPROVAL OF MEETING DATES 2023 – 2024**

Mr. Supelak moved, Mr. Way seconded approval of the proposed meeting dates for 2023-2024.

Vote: Mr. Schneier, yes; Mr. Fishman, yes; Mr. Chinnock, yes; Ms. Harter, yes; Mr. Supelak, yes; Mr. Schneier, yes; Ms. Call, yes.

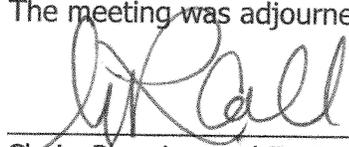
[Motion approved 7-0.]

#### **COMMUNICATIONS**

- The next regular meeting of PZC is scheduled for 6:30 pm, Thursday, January 5, 2023.

#### **ADJOURNMENT**

The meeting was adjourned at 10:21 p.m.

  
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Chair, Planning and Zoning Commission

  
\_\_\_\_\_  
Assistant Clerk of Council