



MEETING MINUTES

Planning & Zoning Commission

Thursday, August 17, 2023

CALL TO ORDER

~~Ms. Call, Chair, called the meeting to order at 6:30 p.m. and welcomed everyone to the August 17, 2023 Planning and Zoning Commission meeting. She stated that the meeting also could 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, Kathy Harter, Kim Way, Warren Fishman, Lance Schneier, Jamey Chinnock, Mark Supelak~~

~~Staff members present: Sarah Holt, Thaddeus Boggs, Bassem Bitar, Zachary Hounshell, Rati Singh~~

ACCEPTANCE OF DOCUMENTS/APPROVAL OF MINUTES

~~Mr. Supelak moved, Mr. Way seconded acceptance of the documents into the record.~~

~~Vote: Mr. Way, yes; Ms. Harter, yes; Ms. Call, yes; Mr. Chinnock; Mr. Fishman, yes; Mr. Schneier, yes; Mr. Supelak, 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. She indicated that there was no Consent Agenda this evening and swore in those present who intended to provide testimony on the cases.~~

CASE REVIEW

- **Case-072 – Penzone Live-Work Building at PID: 273-009121, Informal Review**

Construction of a new, two-story live-work building on the existing Penzone campus. The 2.54-acre site is zoned Bridge Street District (BSD) - Sawmill Center Neighborhood and is located south of the intersection of Village Parkway with Cooperstone Drive.

Case Presentation

Mr. Hounshell stated that this is a request for an Informal Review for the Penzone live-work dwelling unit. The Informal Review is an optional step in the Bridge Street District, and no determination will be made tonight. Feedback and suggestions on the proposed development are requested of the Commission. While the update of the City's Community Plan is currently underway, City Council adopted Interim Land Use Principles to be considered with all new development applications. Those principles do not supersede Zoning Code requirements.

The 2.54-acre site is zoned BSD-SCN, Bridge Street District Sawmill Center Neighborhood and is located south of the intersection of Village Parkway and Cooperstone Drive. The site is adjacent to the Greystone Mews neighborhood to the west, the Dublin Village shopping center to the east, and the AMC Theater to the north across Village Parkway. There is a retention pond directly south of the site. The parcel is 1 of 2 parcels associated with the Penzone development. The adjacent parcel, located south of the subject parcel, is 3.52 acres and contains a total of 143 parking spaces and both the Penzone One and Penzone Salon and Spa buildings.

In September 1990, the Planning and Zoning Commission (PZC) approved a Corridor Development District (CDD) application for the construction of the original Penzone salon. A cross parking easement between the AMC Theater and Penzone was agreed upon at this time. The Penzone One building was built in 1991. In 2016, the Grand Salon was built consistent with Bridge Street Code standards on the southern portion of the site. The original Penzone One building received approval in March 2023 for facade updates.

The site sits along Village Parkway, which is considered both a District Connector and a Principal Frontage Street (PFS). PFS streets are designated to ensure a continuous, pedestrian-oriented block. The Penzone site was developed before the Bridge Street Code was adopted, so the entire Penzone site currently includes 2 vehicular access points located centrally on the east side of the site. This proposal would not modify the location and number of access points on the site. There is a 260-space surface parking lot on the site, which was approved in June 1990 as an overflow parking site with a shared parking agreement for the AMC Theater.

The proposed live-work dwelling use would be a 6,718-square foot, 2-story loft building located on the west property line. Although the proposed building would replace the existing parking lot, removing 152 parking spaces, adequate parking will remain for the Grand Salon and the current office building. The applicant has provided a conceptual site layout for a future phase 2 expansion on the site. Phase 2 would include 2-3 story loft buildings along Village Parkway, a public greenspace and a future pocket park. At this time, only the live-work building is proposed. With the Informal Review, typically, a formal analysis of the associated Code requirements is not provided; however, the staff report does point out that two Code requirements would not be met as the project is currently proposed. The Required Build Zone (RBZ) requires buildings to be located within 0-15 feet of the front property line, which for this site would be Village Parkway. The front property line coverage Code requirement states 75% of the street frontage needs to be occupied with a building. In some cases, open space may occupy some of the frontage; however, the majority of it must be occupied by a building. Neither of those requirements would be met in Phase 1, as this building is set back approximately 135 feet from Village Parkway; therefore, approval of two Code waivers would be necessary, should this proposal move forward.

The loft building would include living quarters and a loft area. Some features of the building resemble a single-family home; that building type is not permitted in the Bridge Street District.

Three questions are provided for the Commission's discussion:

- 1) Is the Commission supportive of the proposed building location?
- 2) Is the Commission supportive of the conceptual massing and architecture?
- 3) Is the Commission supportive of the future phases of the development?

Commission Questions for Staff

Mr. Schneier stated that the presentation indicates that the future phase is not being discussed at this time. What should be the Commission's position relative to discussing future phases at this point?

Mr. Hounshell responded that the first two questions relate specifically to the live-work dwelling. However, the applicant has provided the scope of a future phase to show how the first phase would fit into that future phase.

Mr. Chinnock requested clarification of the 1990 parking agreement with the AMC Theater. This project would be removing many of those parking spaces. How would that impact the theater?

Mr. Hounshell stated that the ownership of this site has changed since then, so he would defer clarification of the current parking details to the applicant. If this project were to move forward, assurance would be needed that they would continue to accommodate the parking that is needed for the AMC Theater.

Ms. Call stated that while the City does not get involved in the private agreements between entities, it is involved with the parking requirements with different types of uses. Should this project advance to the next stage, would information be provided to confirm that all the affected parcels would be meeting their own parking requirements?

Mr. Hounshell responded affirmatively.

Mr. Way stated that there are easements that run through this site, but no explanation of the purpose of those easements was provided.

Mr. Hounshell responded that they are stormwater easements.

Mr. Way inquired if the stormwater utility is an underground or aboveground drainage easement. The architect for the applicant (Mr. Meyer) indicated that they are underground stormwater pipes.

Ms. Harter stated that this is indicated to be a dwelling unit. Is a pool or hot tub contemplated?

Mr. Hounshell responded that the use contains both residential and a work component, which would be the gallery section. Any proposed accessory structures would need to comply with the Code requirements for accessory structures.

Mr. Boggs responded that the Bridge Street Code does not permit detached single-family residences; therefore, it would not have provisions for associated outdoor pools or hot tubs. The only instance in which it would be permitted would be with a multifamily building type. This would be a unique use of a live-work type of dwelling.

Ms. Harter inquired if the applicant would need to come back to request permission for a pool, if desired.

Mr. Boggs stated that he does not believe the Code contemplates them, so the applicant would either need to seek a Code amendment or a revision to a Final Development Plan. In either case, it would need to come back to the Planning and Zoning Commission at least once.

Mr. Supelak referred to the future phasing, which we are not asked to consider at this time, only to evaluate. With this kind of project, occasionally, remnants are left that must be dwelt with later. Therefore, he is questioning if, realistically, this could work. The footprints of the conceptual buildings are rather tight with a finite amount of parking. What is staff's view of that component? Mr. Hounshell responded that at this stage, staff has not reviewed that; he would defer the question to the applicant to comment on whether that layout would work. At this time, staff has focused on the conceptual live-work unit and has identified some concerns. Other than the understanding that the applicant is considering a phase 2, staff has not completed any analysis on a phase 2.

Mr. Fishman stated that he has no objection to a live-work unit, but he is interested in knowing how the site would be further developed.

Mr. Hounshell responded that the first phase includes only the live-work unit proposal provided tonight, although they have identified future opportunities for the site. Similar with other sites, it is important to ensure that the remaining site can still be developed in a manner consistent with Code.

Mr. Fishman stated that his concern is that at time, the applicant could state that it is necessary to develop phase 2 in a certain manner due to limitations caused by phase 1. Because a single-family home is not permitted in the Bridge Street District Code, and there is a salon and an office building on the site, the Commission needs to see the overall plan before making a decision on this proposal.

Ms. Call requested clarification of how the Code contemplates and separates the loft mixed-use type from a single-family dwelling type. Staff has indicated that some of the forms and features on this application align more with a single-family residence and less with a loft building type. How are those contemplated in the Bridge Street District and more specifically, the Sawmill Center Neighborhood?

Mr. Hounshell responded that the single-family building type is not permitted in the Sawmill Center Neighborhood. A loft building type with features of a single-family home is permitted. However, this proposal does not align with the loft building types that we have seen previously. It has features that align more with the typical suburban single-family house, such as the patios, detached and attached garages. That is not to say that the loft building requirements could or could not be met. The building siting requirement is consistent for all building types in the District. No building types in the District are permitted the deeper setback from the public street.

Ms. Call stated that the loft building type description in the BSD Code does not appear to call out a particular use for a loft building.

Mr. Hounshell responded that building types are not associated with particular uses. This building type could have either a mixed use or a single use. The building type does not dictate the use, but there can be requirements for certain floors. For instance, the ground floor of a corridor building type cannot have a residential use, although the floors above can.

Mr. Chinnock requested clarification of how the lower level space will be used. It appears to have a public use. If the patio were deemed to be a public space rather than a private patio, would that alter its single-family characteristic?

Mr. Hounshell responded that patios are common with loft buildings, and more typically, they are public open space; however, a private patio/open space is permitted with a loft building type. In this case, we are comparing how the building form conforms to the surrounding area -- how it compares to what exists in a more suburban base versus the BSD Code's intent that the building be aligned to the street with an urban, pedestrian scale.

Mr. Supelak requested clarification of the required build zone (RBZ).

Mr. Hounshell responded that the RBZ is a setback zone of 0-15 feet from the front property line. In the BSD, all buildings are required to occupy that space. It is not optional. If any part of a building will not occupy that space, a Code waiver is required. The front property line coverage is based on how much of the RBZ is occupied by a building.

Mr. Supelak inquired if, independent of the live-work building at the back, that requirement could be met on this site, given the existing easements.

Mr. Hounshell responded that there are barriers on this site that make it challenging to meet that requirement in some areas. The Penzone 1 building does not abide by BSD standards, so the RBZ in that area is vacant.

Mr. Supelak stated that independent of the proposed live-work building at the back, it does appear that a waiver of those Code requirements would be needed.

Mr. Hounshell concurred that it was a possibility with the development of this site. However, if the Code cannot be met fully, the intent is to locate buildings at the street to the extent possible.

Chris Meyer, Meyers & Associates Architects, 232 N. 3rd Street, #300, Columbus, OH stated that they initially brought this idea to staff 6-8 weeks ago. Since then, staff has been providing valuable feedback and insight. He reviewed the Penzone development history from the late 1980s. The first Grand Salon building on the site was a new concept in the nation, and Penzone Grand Salons were constructed throughout central Ohio. In 2016, they contacted him about designing a home for them. What that discussion led to was the creation of a master plan for this entire property. The first phase of that plan was the new salon, which is located at the roundabout on Bridge Street. That building also was the initial launch of their new brand identity; since then, multiple sites have been constructed throughout Columbus. The business has evolved into many facets focused on wellness and beauty, in addition to the salon function. With the first building on the site, there were some challenges making it conform to the loft characteristics of the Bridge Street District Code. After construction of the new building, the initial Grand Salon was no longer needed, and it is being renovated into their corporate headquarters – Penzone One. Between Penzone One and the new salon, there is an engaged pedestrian area. That theme is intended to be continued as they develop further down the road. More recently, the Penzones contacted him about the proposed live-work unit, which would give the Penzones a place to live closer to their work headquarters, but also a place to create and show Mr. Penzone's art. Not only did they start their business in Dublin, they enjoy the community and want to live here, preferably on this site. Currently, they live in German Village with a 22-mile commute. They recognized the Bridge Street Code would not permit a single-family residence here; therefore, they discussed opportunities for a development with two uses. It could provide a solution to their need for a gallery for Mr. Penzone for his art, but also their home. In addition to the art, the Penzones have a number of different philanthropic foundations and participate in a various charitable events. They also host a number of industry professionals from around the world. This building would provide event space in addition to the gallery and a home. The Penzones have attempted to contemplate the future when they would no longer live here, and the building would need to be sold or converted to another function.

Mr. Penzone is interested in ensuring the building could be marketable for different functions and conform to the community's guidelines. He described the functions of the space design, including the parking, entry, gallery space and openings, storage, etc. There will be an elevator, reception, meeting space and office. There is a double-height painting studio with natural lighting. In the residence area, there is only one bedroom, which at some future time, could be converted to a CEO's office. To minimize the look of a single-family home, the approach into the building will be the gallery. As is typical with private painter galleries, the gallery will operate primarily by appointment only, with some open hours. Although it is premature to show architecture for the phase 2 portion of the project, some information is provided for the Commission's awareness. Two footprints have been provided of the phase 2 buildings to provide a sense of scale. The height is undetermined, but at this point, they are conceived as an 8,000 sq. foot and a 12,000 sq. foot loft buildings. The uses of the buildings would relate to the Penzone business operation. The current driveway access will be maintained. The agreement with AMC permitting them to use spaces in the large Penzone parking lot expired some time ago, and that parking lot will be eliminated with the proposed development. There is sufficient parking for Penzone behind the Penzone One building. Multiple easements exist on the property, one of which is a major stormwater easement. The need to avoid that easement has driven the site design. Because the north side of the site will be difficult for placement of any buildings, the anticipation is to create attractive landscaping and a pedestrian path. The proposed architecture of the phase 2 buildings will reflect characteristics of the live-work dwelling, the existing salon and the Penzone One building; the intent is to create a cohesive campus. The patios with the live-work unit will function as social gathering places for the Penzone friends and business associates. Even though the BSD Code currently would not permit a pool or hot tub, he can also assure the Commission that the Penzones have no intent to include them. They are interested in developing a Preliminary Development proposal that is guided by the Commission's input tonight.

Questions for the Applicant

Mr. Chinnock stated that phase 2 would not be part of their application; however, it is difficult to provide meaningful feedback without some consideration of that next phase. What are the tentative functions of the phase 2 buildings? Did they attempt to meet the 75 percent street frontage requirement, but found it not to be achievable due to the easements?

Mr. Meyer responded that the concept is a ground-level floor that is public focused, such as retail, coffee shop or restaurant, a use that engages with the pedestrian walkway. The uses in the buildings probably would be aligned with organizations affiliated with the Penzone brand.

Mr. Way inquired if the other easements were also stormwater easements.

Mr. Meyer responded that there is a 54-inch stormwater pipe in the north-south easement. The other easement that cuts between the two buildings is 24 or 28 inches. If his question relates to the possibility of moving it – they have not yet done that level of engineering.

Mr. Way inquired if the stormwater drains into the pond.

Mr. Meyer responded affirmatively.

Mr. Way inquired if the stormwater is coming from Dublin Center.

Mr. Meyer responded that he believes it is coming from the north and west areas. He believes one of the lateral pipes connects to Dublin Center as a secondary, not primary pipe. The City Engineer has indicated that it is a complex system and advised against attempting to eliminate any of it.

Mr. Way stated that the Commission is looking at a possible redevelopment of Dublin Center, which could result in re-thinking stormwater retention in the entire area.

Mr. Meyer responded that although that could be the case, it will be sometime in the future. The stormwater utilities are not the only reason, however, that the building is proposed toward the back. Attempting to place more publicly engaged uses at the street level would be better building placement. Their goal is to provide the character and a realistic timeframe for phase 2.

Ms. Call stated that, today, the Commission does not see Corridor Development Districts (CDDs), as existed in the 1990s. Is there an equivalent Final Development Plat for the overall parcel, not just the smaller area?

Mr. Hounshell responded that the CDD for the site is equivalent to a Final Development Plan (FDP).

Mr. Schneier stated that plans for phase 2 are not required, but if the applicant did not bring back any plans for phase 2, they could be taking a risk that they would not be able to develop phase 2 in a manner they might wish.

Mr. Meyer stated that they believe they owe the Commission an awareness of where the overall development is headed, but they would not be providing a final phase 2 concept at the same time as phase 1. At this time, they can provide only awareness and rely upon the trust that exists between the City and Penzone in regard to the applicant's intent and credibility. He would attempt to obtain a firmer understanding of the timeframe for phase 2 from the Penzones.

Mr. Way stated that Mr. Meyer had mentioned the live-work unit would be a residence, an art gallery and a conference center and that they have contemplated future uses at a time when the Penzones might no longer wish to live here. Might the future use be an art gallery with a residence above for a visiting artist, or a conference center that has accommodation for a visitor coming to attend an event?

Mr. Meyer clarified that the Penzone One building would be the conference center. In contrast, the space in this building could accommodate a cocktail party at the gallery. The design intent is that the building will be very versatile and could be easily transformed in use, function or occupant without extensive adaptation to the building or aesthetics. It will be possible for a range of uses to be appropriate in this building.

Ms. Harter inquired if he had any comments to share about the intended landscape, which will be important.

Mr. Meyer responded that the landscaping would be very important on the site. The intent is that the landscaping would appear to be established, not have a "dropped in" look. The landscaping with the walkway on the north side of the site will meet all of Dublin's requirements and tie in the campus to the neighborhood to the north and west. It will be the gateway from the north to the property. In the next development step, they will be providing the building materials palette, which will have a complementary tone to the existing and future buildings. He inquired if the Commission had any concerns about the architecture.

Ms. Call responded that those details would be considered in the next development step. Are there any additional questions he would like the Commission to address in their discussion?

Mr. Meyer responded that there were none.

Public Comment

Scott Haring, 3280 Lilymar Ct., Dublin, stated that his interest in attending PZC meetings is the law and the process. For the last 10 years, the Bridge Street District development has been in process with the intent of building an urban, walkable downtown district in blocks with buildings close to

the street. He finds the development claustrophobic west of this parcel. Right now, he is glad to see the free space and the Penzone One building, which is set back from the street. He also appreciates that the AMC Theater is set back from the street. Currently, there is a lovely, wide corridor, which is not consistent with the BSD Code. It is unfortunate that 10 years ago, the big rubber stamp of the BSD was overlaid onto this site, with numerous requirements to meet. Per the Code, there is block development down by the river, but here, there is a triangular site. What is a common-sense solution? It would seem that if the phase 2 buildings were to be included with phase 1, the proposal would be able to more closely meet the street frontage requirement. He recalls a previous Informal Review was submitted within the Dublin Center area, in which the proposal would have eliminated some overflow parking spaces. He would point out that this proposal would do the same.

Ms. Call stated that often the Code cannot be strictly applied to every parcel, perhaps due to existing site features. In those cases, the Code provides a waiver process to be used in cases where it makes sense. The Commission relies on staff to point out in their case presentation any areas in which a waiver should be considered. The Commission relies on the public's participation to ensure that such waivers are applied consistently for similar reasons and conditions.

Commission Discussion

Ms. Call requested Commission members to respond to the discussion questions provided by staff.

Mr. Schneier stated that he believes this is a great project. At this point, he is supportive of the proposed live-work dwelling on this property with any waivers that might be needed. He does not believe phase 1 needs to be contingent on phase 2, if the applicant does not wish it to be. However, if that information is not part of this discussion, the applicant will be bound by whatever decisions might be made with phase 1. In regard to the concern about setting a precedent by approving a live-work dwelling where the zoning does not permit it, the situation here is unique. If there should be a future situation that is equally unique, it could be considered at that time. He applauds the applicant's effort and looks forward to seeing the next iteration of the project.

Mr. Chinnock stated that the Penzones have added some quality development in the area. The new building is nicely done. He thinks the proposed architecture is great. He did consider the precedence concern, but he agrees this location is both specific and different. He agrees that unique situations warrant a case-by-case conversation. Given the challenges of this site, he believes the building is positioned well. He is unable to comment on phase 2, as it is primarily unknown. However, he likes the proposed layout and integration of pedestrian connectivity.

Mr. Fishman stated that actually, a precedence has already been set for a live-work dwelling. The Volvo project in the MAG campus included a large penthouse residence. With that project, however, the Commission insisted on seeing the entire development plan for that area. He has no objection to the proposed live-work unit integrated into the Penzone site, similar to the MAG penthouse. He also participated in the discussions for Dublin Village Center. It has a very complicated stormwater easement into which all the parking lots drain. That would need to be considered to understand the restrictions for phase 2. He believes that before the Commission votes on the project, they should understand the entire plan. Dublin Village Center started out as an incredible project with ponds and fountains; however, it evolved essentially into a strip center. The City Engineer should have the detail on the easements, so that Mr. Meyer can inform the Commission what phase 2 will

be with the associated restrictions. The Commission needs to look at the entire plan at the same time. Recently, Mt. Carmel Hospital provided their entire master plan for their project, which the Commission reviewed, approved and to which Mt. Carmel is now committed to build. He likes the design, which he does not believe looks like a single-family home.

Ms. Harter stated that the history Mr. Fishman has provided is very helpful. At this point, she has no objection to the proposed project. She would encourage the applicant to ensure sufficient buffering is provided to the condominium development behind this site and to keep the communication open with the neighbors. She has no objection to the redevelopment of the parking lot. She appreciates the intent to provide a pedestrian pathway on the edge of the site for the community and believes that when phase 2 is presented, we can look at it as it is at that time.

Mr. Supelak stated that the intent of the BSD Code is to create a pedestrian environment in the district, and to do so, it is prescriptive. It is difficult to believe that this site could meet all the prescriptive language. The Code provides a waiver process for this type of situation – to evaluate the unique conditions of the site. If we are considering waivers, however, the Commission must have confidence that the overall plan can meet the Code's intent, if not the actual requirements. He has no concerns with the condominium residences to the rear of this site. Even in urban areas, occasionally unique "Rockefeller" type residences have been included in a very walkable district. They are rather quirky, although perhaps out of scale, and create "nice moments." The proposed development seems to be of that ilk. It does have a substantial setback, which is a nice buffer between the site and the desired urbanity at the street. This site will struggle with the requirement for urbanity at the street. He is in favor of the proposed project, which carves out a nice pocket adjacent to other residences. The building design is tasteful and attempts not to appear residential. While this proposal should be evaluated independent of phase 2, there is a desire and need to understand phase 2, because this project will leave behind a remnant of this site. At this time, there is not much confidence that a phase 2 ever could happen. Perhaps it will remain part of the greenspace on the site, but the Commission would like to have confidence that the Code intent for walkability and urbanity can be accomplished with this site. He believes the buildings and patios could be designed in such a way to achieve that. The value of the applicant providing conceptual building drawings is that it would prove to both the Commission and the applicant that the buildings could be done in a nice manner. Even though the conceptual drawings would not be binding, they would be pertinent to this project in providing the needed confidence. Although providing conceptual designs would provide a better understanding of the buildings, the concept for phase 2 would not be a binding understanding. Consequently, the pocket park should be included in phase 1.

Mr. Way stated that this a unique site, defined by natural features and streets. The Penzones have already invested a significant amount of money in their site; it is wonderful that they desire to expand further. He would support the idea that this is the Penzone campus, which has already been established with the first two buildings. Those buildings are set back from the street, and significant design attention has been given to the environment between the buildings and the street. At a recent meeting, the Commission approved the outdoor activity space with Penzone One. When he looked at the proposed placement of the live-work building, the phase 2 area and the existing setback, he believes the existing 50-foot setback sets a precedent that could be the organizing element for the rest of the campus. That feature would work well with the easements on the site and could set the tone for the entire Penzone campus. He believes the live-work unit

should be located as close as possible to the street, perhaps up to the 50-foot setback. The reason he has looked at this possibility is that the preliminary view provided of the phase 2 buildings was very jarring. Although there is a beautiful setback here, the buildings are pulled up to the street with no site context. Based on the building footprints already provided, he believes the phase 2 buildings could be located within the easement. Proceeding in such a manner would create an edge along the street with the park providing an urban park edge rather than having a building edge. If the programming of the buildings were to be art related, potentially, it could be an art park. This would contribute to the community -- the residents could enjoy this area and there would be an opportunity for the Penzones to include an art element. This site needs an organizing element, and parks can be placed across easements. That is a concept he would recommend the applicant explore. It would help to mitigate the Code requirement for an urban edge. The edge would be provided by an urban park, and the buildings on the campus would embrace that park. He believes the proposed architecture fits with the Penzone brand and hopes the phase 2 buildings continue a similar vibe. He believes the live-work building actually could be more than proposed; more programming could justify it having more mass and presence.

Ms. Call stated that she believes a park would be beautiful. She prefers suburban neighborhoods with houses that are spread apart. However, as a Commission member, she serves in an administrative role to apply the Code as written and approved by City Council, and that is the lens through which she is considering this application. We are looking only at phase 1 with one building at this time. There is a waiver process for a reason. Looking only at this building on the parcel with no consideration of a phase 2, a lengthy list of Code waivers would be required. Historically, this Commission has been supportive of some waivers for a specific reason, such as a 54-inch pipe in a stormwater easement. Also permitting a deviation in use, setback or activation at the street level would be too many waivers for one application. Therefore, she would advocate for some type of development plan. There can be phasing in development plans. With a master plan, the waivers could be fewer, because the second phase could address many of those Code requirements. That is not to say that Council would not approve the proposed plan and all the waivers, due to the uniqueness of the site. However, at this point, she is uncomfortable with the number of waivers that would be necessary for this live-work project. She believes the building, architecture and pocket park are beautiful, but with the existing Code, the project would require a large number of waivers. She inquired if the applicant desired any additional clarification from the Commission.

Mr. Meyer responded that he listens to design critique every day, and a Dublin Commission review provides clarity; the direction is made clear. He is excited to revise the plan and show how they have achieved everything that was mentioned. This is a good effort in collaboration. The Commission's questions reveal that the design is not yet clear, so they can work to provide that clarity. The critique, opinions and compliments are valuable. They will return with another layer of refinement that will provide the Commission more reassurance that this will be a successful project. He is looking forward to sharing the Commission's positive feedback with the Penzones.

Mr. Chinnock stated that he is supportive of Mr. Way's suggestion to look at this as a campus with a setback. This should really impact the phase 2 buildings. He agrees that in this case, pushing them up to the street does not make sense. He is curious if the majority of Commission members would support retaining the existing 50-foot setback for the phase 2 buildings.

Mr. Meyer responded that sometimes meeting the Code does not fit the context. The intent to encourage good design, good architecture and good planning is the purpose of granting waivers.

Ms. Call stated that rather than prescribing what the Commission desires, the option has been offered for consideration. The Commission looks forward to seeing the project at a future meeting.

COMMUNICATIONS

~~Ms. Holt provided information regarding the following upcoming meetings:~~

- ~~• The Ohio APA Conference will be held September 27-29 at a Columbus location; early bird registration ends tomorrow. Members should contact the clerk if they are interested in registering.~~
- ~~• The Community Plan - Special Area Plans Workshop will be held from 6-8 pm, Tuesday, August 29 at the Development Building, 5200 Emerald Parkway.~~
- ~~• A Council-PZC-ARB-BZA joint work session will be held 6-8 pm, Wednesday, August 30.~~
- ~~• A Commission tour of approved and developed project sites within the City is scheduled for September 14.~~
- ~~• The next regular PZC meeting is scheduled for Thursday, September 7.~~

ADJOURNMENT

~~The meeting was adjourned at 8:18 p.m.~~

~~Chair, Planning and Zoning Commission~~

~~Assistant Clerk of Council~~