



RECORD OF ACTION

Planning & Zoning Commission

Thursday, December 7, 2023 | 6:30 pm

The Planning and Zoning Commission took the following action at this meeting:

4. Penzone – Live/Work Building at PID: 273-0009121
23-107CP **Concept Plan**

Proposal: Construction of a 2,968-square-foot live/work building and public art park at the existing Penzone campus.
Request: Review and approval of a Concept Plan under the provisions of Code 153.066.
Applicant: Chris Meyers, Meyers Architects
Planning Contact: Zachary Hounshell, Planner II
Contact Information: 614.410.4652, zhounshell@dublin.oh.us
Case Information: www.dublinohiousa.gov/pzc/23-107

MOTION: Mr. Supelak moved, Mr. Fishman seconded, to recommend approval of the Concept Plan with the following conditions:

- 1) The applicant develop the open space with Phase 1 of the development;
- 2) The applicant modify the orientation of the building to provide the visible public entrance on the north/northeast elevations of the building to align with the requirements for entrance locations the best way practicable;
- 3) The applicant work to integrate the building design and siting into the design of the proposed public park, consistent with the comments from the Commission;
- 4) The applicant continue to work with Engineering to demonstrate stormwater management compliance in accordance with Chapter 53 of the Dublin Code of Ordinances; and
- 5) The applicant and staff continue to investigate the locations of utilities and easements.

VOTE: 7– 0.

RESULT: The Concept Plan was approved.

RECORDED VOTES:

Rebecca Call Yes
Mark Supelak Yes
Kim Way Yes
Kathy Harter Yes
Jamey Chinnock Yes
Warren Fishman Yes
Lance Schneier Yes

STAFF CERTIFICATION

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Zachary Hounshell
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Zachary Hounshell, Planner II





MEETING MINUTES

Planning & Zoning Commission

Thursday, December 7, 2023

CALL TO ORDER

Ms. Call, Chair, called the meeting to order at 6:30 p.m. and welcomed everyone to the December 7, 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: Kim Way, Lance Schneier, Mark Supelak, Warren Fishman, Kathy Harter, Rebecca Call, Jamey Chinnock
Staff members present: Jennifer Rauch, Thaddeus Boggs, Bassem Bitar, Taylor Mullinax, Zachary Hounshell

ACCEPTANCE OF DOCUMENTS/APPROVAL OF MINUTES

Mr. Supelak moved, Mr. Fishman seconded acceptance of the documents into the record and approval of the Planning and Zoning Commission (PZC) Special Meeting Minutes of 9-14-23 and 10-5-2023 [Site Tours] and the 11-09-23 Regular PZC Meeting Minutes.

Vote: Ms. Harter, yes; Mr. Fishman, yes; Mr. Supelak, yes; Mr. Chinnock, yes; Mr. Schneier, yes; Mr. Way, yes; Ms. Call, yes.
[Motion carried 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. Individuals who intended to give public testimony were sworn in.

~~Ms. Call stated that one case has been scheduled on the Consent Agenda: Case 23-111AFDP – The Overlook at Tartan Ridge. She inquired if any member wished to move the case to the regular agenda for discussion. No member requested that the case be moved to the regular agenda.~~

~~Mr. Supelak stated that the Commission and the developers profit from hearing the residents comments. He is supportive of the proposed use and project. Adding the commercial along the thoroughfare creates a buffer, which then steps down to the single-family townhouses, which then steps down to the single-family home community. That is a nice transition on the site. He applauds the collaborative thinking behind the contemplated land trade. It creates a nice quid pro quo opportunity, although the specifics have yet to be determined. He is supportive of meetings continuing between the applicant and the community. The traffic issue is a concern at all points. The property owner has the right to develop the property according to the current Code, so the hope is that we leverage that collectively to improve the situation. Adding a traffic signal at Monterey Drive and Bridge Street would alleviate the traffic access issue and provide a crosswalk across Bridge Street to the school site. He agrees that the walkability of SR161 is a safety issue, and efforts should be made to alleviate that.~~

~~Ms. Call stated that it is not the Commission's purview to discuss land swaps, acquisitions and the associated legal implications. As an administrative body, the Commission's job is to make sure applications meet the Code and that includes the required open space. One of the public comments referred to obstacles in the public walkways along SR161. She would ask Ms. Rauch to speak to Code Enforcement about that issue and ensure public walkways are not being obstructed. In regard to the suggestion for a pedestrian tunnel or bridge over SR161, that would be a very large project and involve many stakeholders. It would be outside the purview of this applicant, but it is an intriguing idea. There was also a comment about the future use of the school site; however, that would be a joint school-City decision. None of those discussions are within the Commission's purview, at least not at the current time. She is generally supportive of the proposed site layout. She does believe the architecture and character images are lacking. She has viewed previous Crawford Hoying applications that were much more conducive to what the City is looking for in those areas. The proposed architectural feel of the next case would be nice to see in a future application of Crawford Hoying. The cemetery expansion is outside the purview of the Commission, but it would be nice if that cemetery could better accommodate the needs of the City. She believes the residential and office use components could provide a positive activation of the area. She inquired if the applicant needed additional input.~~

~~Mr. Hunter responded that they did not require anything additional at this time. He noted that with their 520 rental units at Bridge Park, there are 14 school-age children. The density there is 32 dwelling units (du) per acre; with this site, it is 11 du/acre. The images shared in the application were intended to represent scale and massing more than design, which will be further developed as the plan evolves. They prefer multifamily for the upper floors, as it would have a better parking solution. They appreciate the Commission's feedback.~~

- **Case #23-107CP Penzone Live/Work**

Review of a Concept Plan (CP) for the Construction of a Proposed Live/Work Building on the Existing Penzone Campus. The 2.54-Acre Site is Zoned BSD-SCN, Bridge Street District Sawmill Center Neighborhood and is Located Southwest of the Intersection of Village Parkway and Cooperstone Drive.

Applicant Presentation

Chris Meyers, Meyers + Associates, 232 N. Third Street, Columbus stated that he would share some of their progress for the Penzone live/work project. They presented the application for Informal Review in August 2023. In his discussions with staff, he has attempted to ensure what he is proposing is consistent with City Code. He reviewed the Penzone development history. The live/work conceptual plan is proposed to replace the large paved parking lot. Penzone clients and staff originally utilized the parking lot, but it was later used by nearby car dealerships and the AMC Theater for overflow parking. The Penzones are developing a campus. The goal of the overall property is to continue to build on the success of the new day spa and The One corporate headquarters. Tonight, he will share some concepts for a future phase of additional buildings along Village Parkway. However, the priority focus for tonight's discussion is the live/work development, which will be a home for the Penzones. They have sold their house in German Village and are eager for the live/work project to be completed, providing them a home next to their other facilities. He described the conditions driving the design direction on the site. Just as the very large overhead power lines that extend over the Village Parkway roundabout influenced the site plan for the Grand Salon building that is located close to that roundabout, there are underground stormwater structures that are driving the overall planning of the live/work site and the next phase of buildings. The stormwater pipes create an underground web for the property. The large existing asphalt parking lot is an impervious surface that they are proposing to replace with pervious materials, which will lessen the stormwater runoff of the property. They are trying to meet the intent of the Bridge Street Code for building frontages to be placed near the street frontage. The One Building does not meet that expectation; because it was constructed before the Code was created, that building is set back a distance. The Grand Salon on the corner was placed as close to the roadway as possible, at the same time dealing with the existing easements. As they look further down the road, they are trying to develop a strategy more in line with that setback condition, but also transition the position of the existing building into a campus. For example, the building to the north of the One Building is intended to create a transition between the existing architecture to the new architectural form. That intent is driving the massing of the buildings in the next phase. At this time, he is sharing the overall design strategy. The location selected for the live/work building was guided by the existing stormwater structure, the largest pipe of which runs through the middle of the property. Another consideration is the live/work purpose of the building. Mr. Penzone is a recognized artist and the goal is to provide him a workspace in conjunction with their residence. The position of the building is intended to align with the commercial functions of the new buildings that are proposed along Village Parkway. Due to the necessary site layout, they end up with a pie-shaped unbuildable piece of property in the northern corner of the property. Their solution is to create a transition of all the landscape elements, existing and intended, into a public pocket park or stroll garden on that corner. They have also considered the incorporation of art into that pedestrian opportunity. A conceptual idea was provided in the packet materials. There is a bigger strategy for the campus that also defines the conditions of the live/work building. One of the challenges of the location is its distance of 70 feet from Village Parkway. They are unable to position the building closer to the street due to the existing stormwater elements on the site, but it is located as close as possible. With a 54-inch stormline, there is a 15-foot easement on each side. City engineers and their civil engineers are concerned that no excavations for the building foundation occur too close to that line and its easements, as it could compromise the sub structures around that pipe. He believes there are available engineering strategies to accommodate that concern. Because the area for the corner park is small, the intent was to shift the live/work building location more to the left to accentuate the landscaping opportunities for the park. He distributed a drawing of a proposed location that would be 24 feet, 3 inches from the setback requirement. Because it would be greater than Code requires, a waiver would be needed. He believes the proposed 70-foot

setback from Village Parkway is best for the reasons he has given, but they are willing to shift the building to work with the Commission on a preferred solution. There are two 12-inch stormwater pipes that will need to be moved, but they are attempting to find a solution that would cause the least disruption to the existing stormwater facilities. The Dublin Building Code for a live/work building requires two non-resident occupants; the Ohio Building Code requires five. They meet the City's Code requirements for that element. They have discovered the City's Building Code requires a maximum allowable square footage of 3,000 square feet; consequently, they have reduced the footprint to the current proposal of 2,968 square feet. There is also a condition that the work percentage of the building cannot be greater than 50%; they meet that requirement. The Code is written with the intent the live/work component be a multifamily development. Although this live/work building is unique, they meet all the Code requirements. The Concept Plan meets the commercial requirements for handicapped accessibility and fire alarm systems. The plan provides ground level workspace and upper level residential space. He displayed samples of the proposed building material. The workspace for an artist is not a retail establishment with set hours and a storefront. It is a gallery that will be open by appointment only. There are multifunctional components to the plan; the lounge and meeting spaces will be versatile. There is a question about the access point, or the front door. They are trying to make a connection to the One Building -- their headquarters from which many visitors would be coming. Having that connectivity between the two buildings is important. There is also a main entry point on the east elevation, which faces Village Parkway. There was a question regarding whether the main entry could be positioned off the future park. The concern with that suggestion is that this is not a retail gallery, open 9:00-5:00 pm daily. The intent is not to encourage walk-ins from that public park. The building materials represent a small palette. There are two components of stone; the stone veneer is the same material that used on The Salon building. The engineered stone panel is a smooth-faced material, which will be used for the vertical or featured corners of the building. The thermally-modified wood veneer is also used on The Salon building. The HVAC elements and solar panels are located in concealed spaces on the roof. They believe they will exceed transparent material requirements. He reviewed opportunities to create a landscape buffer between the live-work building and the park and an overall view of the site. The future proposed buildings will provide ground-level public access for uses, such as a coffee shop. There a group of vendors, suppliers and business partners with the Salon, who are interested in having a location on this property that will enhance their partnerships with the Penzones. He was disappointed to see that staff's recommendation was disapproval of the Concept Plan. He provided responses to staff's concerns; the first of which was the 70-foot setback from the roadway. Their proposed building position is driven by the existing stormwater utilities; the larger overall campus design, rather than an independent building; and allowing opportunity for the future park. They could move the building position, but that is the purpose of this dialogue with the Commission. The second issue was the need to demonstrate an entrance on the main road. The main entrance has been provided in proximity to The One building. He reiterated that the intent is not to encourage public access to this building, as would exist for a retail development. The development of the park can integrate public art and some cohesive components beyond this property for other developments in the area. They had not intended that the final park layout be included with the live/work application but to include it with the next phase. There is an urgency on the live/work application approval, but the park design should have due attention from the Dublin Arts Council and other artists to ensure it is done well. The Penzones are aware of some artists who are interested in participating. His intent was to provide only a conceptual idea for the park; it is not the final plan. That design requires more time and attention. Staff also commented on the need to work with Engineering on the stormwater management elements. However, the underground stormwater pipes are not primarily serving the Penzone

campus. They are coming from very distant locations. Their intent is not to impact them, but they do factor into the necessary location of buildings. With approval of the Concept Plan tonight, their intent is to invest more heavily in the Engineering effort, addressing any concerns of the City.

Staff Presentation

Mr. Hounshell presented that this is a Concept Plan, and a determination is required by the Commission. The Commission must determine if the Concept Plan meets the intent of the Bridge Street District; if the layout makes sense; if the issues are appropriate; and if the proposed building design is complementary of what is occurring in the vicinity. 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 contains a 206-space parking lot, originally built in 1991 as overflow parking for the neighboring AMC Theater. 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 site has frontage only on Village Parkway, which is a Principal Frontage Street. Principal frontage streets are designated to ensure certain street types are aligned with continuous pedestrian-oriented block faces with front building facades and to limit conflicts between pedestrians and vehicles. This site is located in the Sawmill Center Neighborhood, which requires that sites be active, mixed-use and pedestrian-oriented, including interconnected site layouts and pedestrian access.

In August 2023, the Commission reviewed and provided feedback on an informal proposal for a live/work design concept at the site. The Commission provided the following comments:

- General support of the live/work dwelling
- Support for the public park
- Recommended incorporating the public park with Phase 1 of the development
- Concern regarding the amount of Waivers when only Phase 1 is considered
- Requested additional information and renderings of the potential Phase 2 buildings

He reviewed staff's concerns with the Concept Plan, which were primarily related to the orientation of the building and its siting. Because several of the criteria were not met and because several of the necessary changes would change the site plan significantly, staff recommends disapproval. Should the Commission decide to approve the Concept Plan, staff has recommended several conditions.

Commission Questions

Mr. Way stated that the easement and the line depicted in the drawing on page 4 of the Concept Plan are different. What is the reason?

Mr. Hounshell responded that is an element related to the public park, which requires additional clarification by the engineers prior to the Preliminary Development Plan.

Mr. Meyers stated that the drawing is based on the City's GIS map.

Mr. Way stated that it should be accurate; however, it also could be a paper easement that was set and never updated. If so, it could change the dynamics, potentially allowing the building to be located closer to the street.

Mr. Meyers stated that the position of the underground stormwater pipes would need to be field-verified.

Mr. Chinnock requested clarification of the principal elevation. The applicant is showing the main entry on the east elevation, although there would be another entry.

Mr. Hounshell responded that Code requires that there be a principal entrance that fronts Village Parkway. Staff considers the north elevation to be the primary, front-facing elevation, which would be parallel with the street. The principal entrance would have to be located on that elevation.

Mr. Way responded that the building is on an angle relative to Village Parkway. They have shown the entry on the east elevation, as they assumed the façade with the larger dimensions would be considered the primary façade.

Mr. Chinnock agreed that it would seem to be the principal elevation.

Mr. Hounshell stated that the northwest or northeast corner is the closest to the street. If the Commission would prefer the east elevation to be the primary elevation, staff would be amenable to that.

Mr. Chinnock requested clarification of who would determine/control the art elements in the park.

Mr. Meyers responded that it would be more a matter of collaboration, rather than control. The Penzones would work closely with the City to ensure all parties are satisfied.

Mr. Chinnock inquired if the parking contemplated for the future buildings would meet the parking requirements.

Mr. Meyers responded that he believes they will, as there was a significant reduction in the parking requirement for the One Building when the use changed from salon to office. There is walkability between the parking lots, so it was not considered necessary to consume more of the property with parking lots. The footprints of the buildings are small due to the existence of the underground stormwater pipes. Adding surrounding parking areas would be contrary to the intent for a walkable district along Village Parkway.

Mr. Supelak inquired how the thermally modified wood material used on the earlier building was holding up.

Mr. Meyers stated that it requires frequent oiling. They have considered a couple of alternative materials, but they feel overly plastic. He prefers the authentic material. Left alone, it would turn gray, but because it is thermally modified, it shows water marks. Therefore, it must be oiled frequently.

Mr. Supelak stated that he asks because the Commission is seeing more synthetic wood applications and is interested in how well the material holds up.

Mr. Meyers responded that a thermally modified wood is real wood that is intensely baked to remove all the moisture. A synthetic wood contains plastics and resins, such as Trex or Timbertech products. They are using a natural material, which requires maintenance.

Ms. Harter inquired if the applicant has reached out to the condominium residents.

Mr. Meyers responded that he has not but believes Ms. Penzone may have. Public notices were sent to all the contiguous properties, but following this meeting, he will confirm that the courtesy contact is being extended to the neighbors.

Mr. Fishman requested clarification of his earlier comment about the potential of the wood material to turn gray.

Mr. Meyers responded that would not occur, as the wood would be maintained to keep the wood tone.

Mr. Fishman stated that the City has discussed live/work space in Dublin over the last 15 years. This development will establish a wonderful precedent.

Public Comment

There were no public comments.

Commission Discussion

Mr. Fishman stated that he is supportive of the Concept Plan, including the proposed siting. It is not possible to move the large stormwater pipes, so the site is what it is.

Ms. Call inquired if the proposed park is part of Phase 1 development.

Mr. Hounshell responded that is part of Phase 1.

Mr. Meyers indicated that was not their intent. It would be a second phase concurrent with the live/work building. Development of the park will require more engagement with others. They are pursuing approval only for the live/work building, which will take longer to construct. The Informal Review plan showed Phase 1 as the live/work development and Phase 2 as the park and the future buildings. However, if there is urgency for the park development, as well, they would prefer to have them developed separately but in concert with each other. This would enable them to advance progress on the live/work building more urgently and allow attention to be given to proper development of the park.

Ms. Call inquired if staff's recommendation would be different if they had understood that the applicant's desire was to have Phase 1 and Phase 2 occur as was presented at the August Informal Review.

Mr. Hounshell responded that their recommendation would be the same based on the live/work dwelling. The park covers part of the frontage, so it is a significant piece of this development.

Mr. Fishinger stated that his understanding was that the park would be completed in conjunction with the building. For an occupancy permit to be issued for the building, the park should be finished. His understanding was that the Commission would be voting, not only on the live/work building but the entire setting. He admires the work Mr. Meyers has done, but there is a possibility that the park would never be built, if the situation should change for the property owner.

Mr. Meyers responded that he recognizes the park is a significant component, but his concern is that its development not be rushed. However, if the park is a critical for the live/work dwelling to proceed, they could advance the development strategy for the park. The other buildings would need to occur in a future phase. What they can do is advance the development of both the building and the park, but extract the live/work portion at the time of submission for building permits. There may be one application to the Commission but two separate submittals to the Building Department. Because of the expediency of the building review, he would isolate that component so that one cannot delay the other. While he would prefer that strategy, if it needs to be packaged together, they would be receptive to that direction. The project most likely would be contracted by two different entities – a building contractor and a landscape contractor.

Mr. Schneier stated that he believes this is a great project, one of the most attractive that he has seen in his nearly four years serving on the Commission. With the respect to the proposed conditions for approval – he has no objection to the proposed siting. He is not qualified to make a judgment on the siting. He also has no objection to the applicant's proposed public entrance. He understands the reasoning behind the Code requirement, but the site is unusual; the street also is

unusual in the way it is used by the public, compared to other Bridge Park streets; and the proposed live/work dwelling is unusual. In his opinion, it is more interesting to meander a bit to reach the entrance. He would prefer to see the park included in Phase 1.

Mr. Supelak concurred with the observation regarding the attractive design. The design has been well considered on a site that is impacted by many unfortunate conditions. This is an intermediate site between the residential community to the west and the commercial development; therefore, he is supportive of what is proposed. He finds the campus, the future buildings and the park very attractive. The proposed future phases are not binding, so if the Commission considers the park to be important to the project, but grants approval only for the live/work dwelling, there is no assurance that the park will ever be built. The intent of the Code is to create a pedestrian-oriented district. The park does that in a different manner than positioning the building near the street, which would not be possible here. However, the park is the element that makes this project work. He has no objection to the main entrance being on the back rather than on the Village Parkway façade. He is willing to explore adjustments to the siting. However, requiring that it be located on the corner just because it is closer to the street potentially could appear to force the design.

Mr. Way stated that he likes the park component, but the landscaping is not articulated. The intent is that this be a gallery/residence. Think of a gallery sitting in the park, as opposed to the park serving the gallery. Fundamental to the success of this project is how that building relates to and integrates with the park. The park can be a boundary element, but the landscape can continue to the building architecture. Aside from the Code requirement, he believes the building needs to provide at least the illusion of a front door on the street, although it may not be the main entrance. When there is a gallery opening, the guests could be flowing out into the garden. He believes the park is fundamental to making this site work. He believes the Code can be translated into elements that animate the site, create a sense of place, energize the street and make the building appear part of the streetscape. He believes the building should be positioned as far north as possible. If what is shown on the drawing is actually a paper easement, that could change the dynamics. Perhaps the building could be turned slightly and assume a different angle. All of the buildings are interestingly not perpendicular to each other. He would caution about the tendency to over design the landscaping for a park.

Ms. Harter stated that she likes the proposed entrance to the building, as its location is a surprise element. She believes having public art in the park is important, which could connect the public to the new development. She believes the building and the park should be developed in concert.

Mr. Chinnock stated that the architect has done a fantastic job with the overall design, creating something of interest. He believes having the main entrance on the east elevation is correct, as that seems to be the primary façade. However, it also could be shifted to have a direct connection to the sidewalk and the front façade. He believes the proposed position of the building also is correct. Its current position provides more separation from the park, making the park feel bigger and creating more usable greenspace.

Ms. Call stated that she believes the building design is lovely. She agrees with staff that to meet Code, it is essential to provide activation in key areas. However, it is essential not to overly “pinch” the park and end up an undulation that is not natural between the park and the future buildings. If the building were to be located closer to Village Parkway, then the proposed entrance would face Village Parkway and meet the intent of the Code for activation on that frontage. It would

achieve two things – bring the building slightly closer to the street and place the proposed entrance along Village Parkway. She also believes the park is crucial to Phase 1. It is an inviting pocket park, a destination. An element often missing with the Bridge Park pocket plazas is that they offer no activation or invitation to visit the space. The Commission believes the park should occur with Phase 1. The development of the building and the park involve two different contractors, but there is one application and one site plan. Would the certificate of occupancy not be issued until both components are complete?

Ms. Rauch responded that because it is one application, both elements would need to be completed, but there are phasing opportunities.

Mr. Boggs responded that he would envision the residence being granted a temporary occupancy while the park is being completed.

Mr. Meyers responded that for the sake of the regulatory reviews and permitting, they would treat it as one project. It is just a matter of how the documents are aligned. They would need to procure a commercial landscape contractor, not a residential landscaper. The Building Department will receive one package for review and approval, but there would be separate documents for the contractors.

Mr. Fishman stated that he would like the public to be aware that it is a public park, not just a house with incredible landscaping.

Mr. Meyers responded that it is difficult, as the site is Penzone property. One of the challenges of this park design will be delineating the private space versus the public space. The transitional space between the house and park must feel seamless but also clearly delineate both. With the most recent development on this campus, they succeeded in achieving a seamless line between the business property and the public property.

Ms. Call stated that clarification is needed on the siting of the building. There is some confusion about the accuracy of the easements. She requested a consensus of Commission.

Mr. Way stated that there are two options: the building could be moved closer to the street or the park could be moved closer to the building. While there is flexibility, the goal is integration of the park, the landscape and the building, which at this time appear very separated. There is a design solution possible, although it may involve some compromise.

Mr. Schneier inquired if the Commission could take the position that it would not be prescriptive at this time.

Ms. Call agreed and inquired if Mr. Meyers was comfortable with the current direction that the architect determine the siting based on what the Commission has indicated.

Mr. Meyers responded that he was comfortable with that direction. He believes it is likely the building will be closer than 70 feet and rotated somewhat. There would be the impression of a main entrance along Village Parkway and an integration of the park and the building landscaping with a hyphen between the two.

[Discussion of the conditions for approval continued.]

Mr. Supelak moved, Mr. Fishinger seconded approval of the Concept Plan with the following conditions:

- 1) The applicant develop the open space with Phase 1 of the development;

- 2) The applicant modify the orientation of the building to provide the visible public entrance on the north/northeast elevations of the building to align with the requirements for entrance locations the best way practicable;
- 3) The applicant work to integrate the building design and siting into the design of the proposed public park, consistent with the comments from the Commission;
- 4) The applicant continue to work with Engineering to demonstrate stormwater management compliance in accordance with Chapter 53 of the Dublin Code of Ordinances; and
- 5) The applicant and staff continue to investigate the locations of utilities and easements.

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

[Motion carried 7-0]

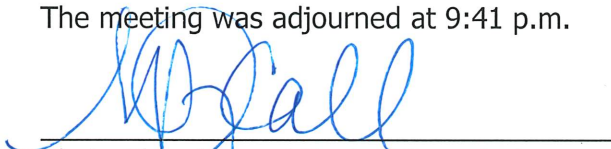
Communications

Ms. Rauch thanked the Commission for their hard work and collaboration on the planning projects this past year and for their support of staff.

The Commission's next meeting is scheduled for Thursday, January 4, 2024.

ADJOURNMENT

The meeting was adjourned at 9:41 p.m.



Chair, Planning and Zoning Commission



Assistant Clerk of Council



RECORD OF ACTION

Planning & Zoning Commission

Thursday, August 17, 2023 | 6:30 pm

The Planning and Zoning Commission took the following action at this meeting:

MOTION: Mr. Supelak moved, Mr. Way seconded, to accept the documents into the record.

VOTE: 7 – 0.

RESULT: The documents were accepted into the record.

RECORDED VOTES:

Rebecca Call	Yes
Mark Supelak	Yes
Kim Way	Yes
Kathy Harter	Yes
Jamey Chinnock	Yes
Warren Fishman	Yes
Lance Schneier	Yes

STAFF CERTIFICATION

DocuSigned by:

Sarah Holt

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Sarah T. Holt, AICP, ASLA
Senior Planner





RECORD OF DISCUSSION

Planning & Zoning Commission

Thursday, August 17, 2023 | 6:30 pm

The Planning and Zoning Commission took the following action at this meeting:

**1. Penzone Live-Work Building at PID: 273-009121
23-072INF**

Informal Review

Proposal:	Construction of a new, two-story live/work building at the existing Penzone campus. The 2.54-acre site is zoned Bridge Street District, Sawmill Center Neighborhood.
Location:	South of the intersection of Village Parkway with Cooperstone Drive.
Request:	Informal review and non-binding feedback under the provisions of Zoning Code §153.066.
Applicant:	Chris Meyers, Meyers+Associates
Planning Contact:	Zachary C. Hounshell, Planner II
Contact Information:	614.410.4652, zhounshell@dublin.oh.us
Case Information:	www.dublinohiousa.gov/pzc/23-072

RESULT: The Commission provided non-binding feedback and were generally supportive of a live-work use occurring at this site. However, the Commission expressed concerns regarding the project meeting Code intent and requirements. The Commission also expressed concern over the amount of waivers that would be necessary to complete the project. Some Commissioners recommended a phased development plan or master plan for the entire Penzone Campus, including urban park space.

MEMBERS PRESENT:

Kathy Harter	Yes
Jamey Chinnock	Yes
Warren Fishman	Yes
Kim Way	Yes
Lance Schneier	Yes
Rebecca Call	Yes
Mark Supelak	Yes

STAFF CERTIFICATION

DocuSigned by:

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Zachary C. Hounshell, Planner II





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.

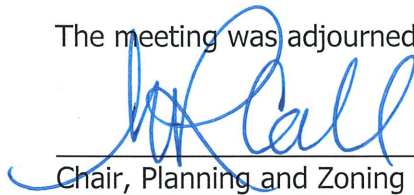
COMMUNICATIONS

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



C I T Y O F D U B L I N
Department of Planning & Development

**MINUTES OF MEETING
DUBLIN PLANNING AND ZONING COMMISSION
September 6, 1990**

1. **Corridor Development District CDD90-008 - Charles Penzone Hair Designers
Dublin Village Center**
2. **Preliminary Plat - Muirloch at Muirfield**
3. **Final Development Plan - Storytime/Roby Company (Indian Run Meadows)**
4. **Revised Final Development Plan - Joyland Preschool Addition - Llawellyn
Farms**
5. **Rezoning Application Z90-006 - Avery Road Investments**
6. **Conditional Use Application CU90-007 - Northwest Conduit Corporation**

Commission members present were as follows: Roger Berlin, Joel Campbell, Warren Fishman, Ronald Geese, Charles Kranstuber, Peter Leffler, Jim Manus. Staff members in attendance were: Terry Foegler, Development Director; Pat Bowman, Planning Director; Paul Willis, City Engineer; Peter Lenz, Chief Building Official; Bobbie Clarke, Zoning Administrator; Lisa Fierce, Planner; Bill Covey, Chief Engineering Technician; and Steve Mack, Assistant City Engineer.

Mr. Manus motioned to approve the July 5, 1990 minutes, as submitted. Mr. Kranstuber seconded the motion. The vote was as follows: Mr. Berlin, yes; Mr. Campbell, yes; Mr. Fishman, yes; Mr. Geese, yes; Mr. Kranstuber, yes; Mr. Leffler, yes; Mr. Manus, yes. Motion to approve the minutes passed 7-0.

Mr. Manus motioned to approve the August 9, 1990 minutes, as submitted. Mr. Kranstuber seconded the motion. The vote was as follows: Mr. Berlin, yes; Mr. Campbell, yes; Mr. Fishman, yes; Mr. Geese, yes; Mr. Kranstuber, yes; Mr. Leffler, yes; Mr. Manus, yes. Motion to approve the minutes passed 7-0.

Chairman Geese stated that Charles Penzone Hair Designers, whose CDD application was fifth on the agenda, requested to be heard first. That request was granted.

Ms. Clarke introduced Mr. Peter Lenz, Chief Building Official for the City of Dublin.

1. **Corridor Development District CDD90-008 - Charles Penzone Hair Designers
- Dublin Village Center**
 - A. The site is 1.7 acres located on the west side of Village Parkway about 1,000 feet to the south of Tuttle Road. To the south is an existing detention basin which will be doubled in size in the near future in

connection with the AMC theatre expansion. To the north and west is the site of the proposed 230 space overflow parking lot for the theatre. To the east across Village Parkway is the driveway leading to the theatre and the rear of a portion of the shopping center. The site and all of the land around it are zoned CC, Community Commercial District.

- B. The applicant proposes to construct a 17,208 square foot beauty salon. The structure has 10,000 square feet on the first floor, and the balance is on a lower level. The building is 40 feet tall to the peak along the Village Parkway frontage (north elevation) and is 50 feet in height at the tallest portion of the building (west elevation) which includes the access to the lower level of the structure. The building is set back 40 feet from right-of-way and has a landscaped low area along the road.
- D. The building has the look of an office and is brick (Glengery 1-HB) on all four sides. It has tinted windows, and stucco is the trim material. The main entrance faces the parking lot and has a covered drop-off/pick-up area. The roof has a 7/12 pitch and is quite expansive. The roof material is proposed to be an asphalt shingle of a similar moss green color as the Supra Slate which has been used extensively in Dublin Village Center.

This is somewhat of a departure but within the Commissions power to approve. Staff would like to see some architectural modification to better articulate the character of Dublin Village Center.

- 1) Architectural modification to better coordinate with the overall project,
- 2) Submission of grading plans and finished floor elevation,
- 3) landscape revision to provide screening to Code,
- 4) Clearance under portico to be raised to 14 feet or otherwise modified to the satisfaction of Fire Department,
- 5) Submission of signage which is architecturally coordinated with the overall project and complies with Code,
- 6) Provision of appropriate cross easements in parking lot,
- 7) Driveway design, storm water detention and utility design and placement to be subject to approval of City Engineer.
- 8) Replacement of red maples in the parking lot. (This condition was added by Ms. Clarke and was not in the Staff Report).

Mr. Geese asked Mr. Mack if he had any additional comments to the Staff Report. He said no. Mr. Geese asked for landscape comments. Ms. Clarke said those comments are included in the Staff Report except for the eighth condition. Mr. Geese asked Mr. Adams if he was knowledgeable about the eight conditions and if he was in agreement with all of the conditions. He said yes.

Mr. Bill Adams of Drexel Development, representative for Donald W. Schofield & Associates, made his presentation. He said Mr. Penzone is planning to close several of his northwest locations and consolidate those into one facility. Mr. Adams handed out a reduced copy of the architectural elevations. He feels these elevations address item #1 of the Staff Report regarding architectural

modification concerns. He said all building materials and colors will be consistent with Dublin Village Center with the exception of the roof material. He said the front parking lot along Village Parkway to create more of a greenbelt between the building and the street.

Mr. Donald Schofield presented samples of the proposed dimensional shingles. He felt the metal standing seam roof did not fit with the character of the building. He said the slate shingle will blend better with the monotone color of the other buildings and would be more economical.

Mr. Leffler asked if there is any landscaping proposed for the green areas in the AMC parking lot. Mr. Adams said he has been working with Staff and all requirements will be met.

Mr. Geese asked Ms. Clarke if the applicant has agreed to all of Staff's conditions. Ms. Clarke said yes and added that the only unresolved issue is materials. Mr. Geese asked if the audience had questions. There were none.

Mr. Berlin said he is concerned with the asphalt shingle roof and feels that the current Dublin Village Center projects are being betrayed after they were asked to conform to the standards of the original approval. Mr. Manus disagreed by saying that he feels that with the proposed overflow parking lot for the theatre, that the roof will soften the impact of the asphalt parking area. Mr. Campbell asked if there was anyone else within the Center who objects to the proposed shingle roof. Mr. Adams said no. Ms. Clarke asked if they had been notified. Mr. Adams said yes and added that the tenants appear to be excited about the use because they feel it will be beneficial for their businesses.

Mr. Kranstuber asked Ms. Clarke if the red maples are to be replaced or if the red maples are the preferred replacement trees. Ms. Clarke said the red maples are failing to thrive within Dublin and another species would be chosen for the parking area.

Mr. Fishman asked Mr. Banchefsky if in 15 years the asphalt roof wears out, would they be required to replace the roof with the same asphalt? Mr. Banchefsky said that would be a code enforcement issue if it were part of the final development plan.

Mr. Kranstuber motioned that the Penzone Dublin Village Center Corridor Development District be approved as follows:

- 1) Architectural modification to better coordinate with the overall project,
- 2) Submission of grading plans and finished floor elevation,
- 3) landscape revision to provide screening to Code,
- 4) Clearance under portico to be raised to 14 feet or otherwise modified to the satisfaction of Fire Department,
- 5) Submission of signage which is architecturally coordinated with the overall project and complies with Code,
- 6) Provision of appropriate cross easements in parking lot,
- 7) Driveway design, storm water detention and utility design and placement to be subject to approval of City Engineer.
- 8) Replacement of red maples in the parking lot.

Mr. Leffler seconded the motion. The vote was as follows: Mr. Campbell, yes; Mr. Geese, yes; Mr. Manus, yes; Mr. Fishman, yes; Mr. Berlin, no; Mr. Kranstuber, yes; Mr. Leffler, yes. Motion passed 6-1.

2. Preliminary Plat - Muirloch at Muirfield

Mr. Steve Lenker, representative of Muirfield Realty, Inc. and Richwood Homes, asked that this Preliminary Plat be tabled so that the Concept Plans - Proposed Phases 44 and 45 (previously tabled at the June 7 and July 5 Planning and Zoning meetings) can be presented together.

Mr. Geese said he would like to see details on the sewage for the additional phases since there is now a pump station which leaks in rainy seasons. He said this is Dublin's obligation.

Mr. Kranstuber asked if this issue would be ready for the next meeting how the issues got separated. Mr. Lenker said he thought he had submitted the plans for Phases 44 and 45 in time for this meeting, but he had missed the deadline. He also said that the sewer has to come up and be part of a new sewer trunk which will run along Muirfield Drive and Brand Road. He said this sewer will not be connected to the existing Muirfield sewer. He mentioned he is still trying to work out some issues with Staff, and until these are resolved, he feels this issue should be tabled.

Ms. Clarke said this application does not require rezoning of the property because it is meeting the R-1 standards (40,000 square foot lots, 150 feet of frontage) and can be considered as separate from Muirfield 44 and 45, which do require rezoning. Mr. Lenker added that the sewer ban has created additional problems.

Mr. Campbell moved to table this issue. Mr. Berlin seconded the motion. The vote was as follows: Mr. Kranstuber, yes; Mr. Campbell, yes; Mr. Manus, yes; Mr. Geese, yes; Mr. Fishman, yes; Mr. Leffler, yes; Mr. Berlin, yes.
(Application tabled 7-0)

3. Revised Final Development Plan - Storytime/Roby Company (Indian Run Meadow)

Ms. Clarke presented the Staff Report and slides of the site.

This application involves 1.4 acres located on the north side of Tara Hill Drive east of Muirfield Drive. It is part of the eight acre reserve which was set aside for neighborhood scale retail uses within the Indian Run Meadow PUD, Planned Unit Development District. It is between the Kinder Care day-care facility and the United Dairy Farmers convenience store. To the south, across Tara Hill Drive, are single-family residences. To the north is undeveloped land.

This is a request for Final Development Plan approval of a 4,600 square foot, one-story day care center for 100 children and an 8,000 square foot, two-story, office building to be constructed on the same lot. The daycare center will face Tara Hill Drive and will be more or less in line with the



C I T Y O F D U B L I N
Department of Planning & Development

BOARD ORDER
BOARD OF ZONING APPEALS
CITY OF DUBLIN, OHIO
JUNE 28, 1990

7. Conditional Use Application CU90-004 - AMC Theater expansion

Location: 10.917± acres located at the southeast corner of
Village Parkway and Tuller Road.
Existing Zoning: CC, Community Commercial District
Request: Approval of a Conditional Use Application.
Proposed Use: A 10,987 square foot expansion to the existing
theater facility.
Applicant: Continental Sawmill Limited Partnership, c/o Bill
Adams

RESULTS: Approved **VOTE:** 3-1

- CONDITIONS:**
1. Provide painted crosswalk and appropriate signage and provide a 4-foot sidewalk along the west side of drop-off lane (east side of building) from the theater to Village Parkway;
 2. Screening/buffering in compliance with Code;
 3. Landscaping used to break up the mass of the facade;
 4. Additional walkway on west side of building.
 5. Off-duty police in parking lot to control parking and at crosswalks when deemed necessary by Staff.

(Note: Board encouraged the implementation of street lighting as soon as possible.)

BOARD MEMBER:

Bill Chambers
Frank T. Pandora II
Becky Saylor
Judi Stillwell
Peter Zawaly

VOTE:

Yes
Absent
Yes
Yes
No

Signature of **STAFF MEMBER** in attendance, certifying that the outcome of this case was as reported above.

Lisa Jera 7-6-90
Name Date