



MEETING MINUTES

Planning & Zoning Commission

Thursday, September 2, 2021

CALL TO ORDER

Ms. Call, Chair, called the meeting to order at 6:30 p.m. and welcomed everyone to the September 2, 2021 Planning and Zoning Commission meeting. Tonight's meeting can also be accessed at the City's website. Public comments on the cases are welcome. To submit any questions or comments during the meeting, please use the form under the streaming video on the City's website. Questions and comments will be relayed to the Commission by the meeting moderator. The City desires to accommodate public participation to the greatest extent possible.

PLEDGE OF ALLEGIANCE

Ms. Call led the Pledge of Allegiance.

ROLL CALL

Commission members present: Warren Fishman, Lance Schneier, Rebecca Call, Mark Supelak, Kim Way

Commission members absent: Jane Fox, Leo Grimes

Staff members present: Jennifer Rauch, Nichole Martin, Thaddeus Boggs, Sara Holt, Chase Ridge, Michael Hendershot

ACCEPTANCE OF DOCUMENTS AND APPROVAL OF MINUTES

Mr. Supelak moved, Mr. Way seconded acceptance of the documents into the record and approval of the August 8 meeting minutes.

Vote: Ms. Call, yes; Mr. Fishman, yes; Mr. Schneier, yes; Mr. Supelak, yes; Mr. Way, yes.
[Motion approved 5-0.]

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

Ms. Call stated that one case, Case 2, Graybar Electric - Conditional Use, is eligible for the Consent Agenda this evening and inquired if any member requested to move the case to the regular agenda for discussion; no request was made to move the case to the regular agenda.

CONSENT CASE

2. Graybar Electric, 6399 Shier Rings Road, 21-019CU, Conditional Use

A request to permit wholesaling and distribution within an existing building zoned Technology Flex District. The site is south of Shier Rings Road, ±650 feet west of the intersection with Avery Road.

Mr. Supelak moved, Mr. Fishman seconded to approve the Conditional Use with two conditions:

- 1) The applicant continue to work with Planning and Washington Township Fire Department staff to ensure all fencing and gate systems meet Code, and allow adequate access for fire and emergency vehicles.
- 2) The applicant designate the entirety of the existing drive aisle within the proposed fenced in area as a Fire Lane, restricting storage or vehicle parking from this area, to the satisfaction of Washington Township Fire Department staff.

Vote: Ms. Call, yes; Mr. Fishman, yes; Mr. Schneier, yes; Mr. Supelak, yes; Mr. Way, yes.
[Motion approved 5-0.]

Ms. Call swore in individuals intending to address the Commission on the following cases.

NEW CASES

3. Balgriffin Multi-Family – Chimney, 6138 Turvey Loop E., 21-044AFDP, Amended Final Development Plan.

A request for a modification to alter the architectural requirements to permit the chimney to be removed for one condominium unit within the Balgriffin multi-family development, zoned Planned Unit Development District. The site is located northeast of the intersection of Avery Road and Rings Road.

Staff Presentation

Ms. Holt stated that this is a request for review and approval of an Amended Final Development Plan (AFD) to allow for an alteration to the architectural requirements for a condominium unit to permit the removal of a chimney at 6138 Turvey Loop E., which is the center unit of a four-unit structure. The site is adjacent to the northeast corner of Avery Road and Rings Road and has frontage on Turvey Loop East, a private road with parking access for the townhome project. The Balgriffin Planned Unit Development (PUD) was established in 1993, and the Final Development Plan was approved in 1997 with a condition that "rear and side elevations that will be visible from public streets be revised to reflect the same level of quality materials and detailing as front elevations." All the elevations developed were the same, and have a number of chimneys arranged symmetrically. This request is to remove the existing chimney, due to structural issues, and replace it with the same adjacent stucco material. The stone from the chimney would be saved to be used later in the project. The stucco would be patched and painted to match the existing materials. The fireplace would be converted to an electric model. Staff has reviewed the application against the applicable criteria and recommends disapproval due to the following findings:

- 1) Visual interest was an important element with the 1999 FDP application, specifically, that architecture was to have the same amount of detail on both the front and rear facades. Removal of the chimney reduces the detail significantly on this façade;

- 2) The originally approved façades relied on stone-clad chimneys as a primary element of interest. Removal of one chimney, in an otherwise symmetrical façade, does not meet with the intent of the approved FDP;
- 3) Being able to effect a high-quality repair to the stucco, stone, paint, and roofing is unlikely, given the age and weathering of existing materials versus new materials; and,
- 4) There are other remedies (mud jacking, permanent jacks, sistering joists) for the chimney that would preserve the original architectural interest of the entire structure.

Commission Questions

Mr. Way inquired if photos are available that show the actual problems caused.

Ms. Holt responded that staff has received no such photos.

Mr. Way inquired which public streets adjoin the development.

Ms. Holt responded that the public streets are Avery, Rings and Blunden roads.

Mr. Way inquired if the intent of the original development approval was that facades that faced public streets were the streets of concern.

Mr. Schneier stated that the Planning report indicated that the Building Standards Division had a recommendation for providing support for the chimney.

Ms. Holt responded that as she understands it, this chimney is cantilevered off of the floor joist on the first floor. The chimney is too heavy for the joists and is causing rotation to occur within the building. The possible remedies would be to provide support to the chimney by using mud jacking, permanent jacks, and sistering the existing floor joists, or other supporting techniques.

Mr. Supelak inquired if this a widespread issue within this development.

Ms. Holt responded that to her knowledge, this is the only unit with this issue.

Applicant Presentation

Scott Baker, SBA Studios, 1565 Dale Ford Road, Delaware, OH, stated that with this property, there are floor joists cantilevered outward, which are supporting a significant level of stone. The weight of that stone is causing the floor joists to sag on the outside, which is creating a noticeable hump in the middle of the great room. The sliding glass doors on the rear wall no longer function. He performs approximately 100 restoration jobs per year. Mudjacking is leveling of uneven concrete, but that is not applicable here. The chimney must be removed from the building to repair the issues. Sistering joists could involve removing mechanical systems in the basement, plumbing, electrical work and the rear deck.

Mr. Way inquired if the applicant has had any discussions with the neighbors regarding his desire to remove and eliminate the chimney. If so, were they supportive?

Mr. Baker responded that he has not had any discussions with the neighbors, but the homeowner may have.

John Barton, 6138 Turvey Loop Road, Dublin, OH stated that he is the homeowner. He is the only unit owner with this issue. He contacted the Condominium Association Board of Trustees regarding the proposed project, and they voted unanimously to approve the project.

Mr. Way inquired if there were minutes from that meeting available to confirm that.

Mr. Baker stated that they provided staff a letter from the Condominium Association as proof of that action.

Ms. Holt read the following letter into the record:

"To the City of Dublin,
Regarding: 6138 Turvey Loop West

I, Ed Ostrowski, President of the Board of the Village of Balgriffin Condominium Association, hereby notify the City of Dublin that on June 3, 2021, the Board of Trustees voted to approve the proposed removal of the chimney at 6138 Turvey Loop Lane. Signed: Ed Ostrowski, Balgriffin Board of Trustees, 06-29-2021."

Ms. Call inquired if the Commission were to entertain the approval of the chimney removal, what would be involved with the restoration of the interior.

Mr. Baker responded that the floor joists would likely retain some of the hump when the weight was removed from it; therefore, it would likely be necessary to remove the floor joists in that area. A new fireplace would also be installed and new patio doors.

Ms. Call inquired what would be the interior differences if the chimney were to be repaired, rather than removed.

Mr. Baker responded that if sister joists were involved, some structural supports to the existing beam in the basement might be necessary. Depending on the width of the new beams, it could be necessary to re-work some electric and plumbing to accommodate the new beams.

Mr. Way inquired what is supporting the chimney weight.

Ms. Call responded that the weight is cantilevered.

Ms. Holt explained that the floor joists of the unit extend beyond the exterior walls, and the chimney sits on top of those joists.

Mr. Way stated that it is necessary to have a foundation under a masonry structure.

Mr. Supelak stated that it is likely a "lick and stick," lighter weight stone. The type of construction, by default, identifies the type of material used.

Mr. Way observed that over time, wood would fail, and eventually, would not support that structure.

Ms. Call inquired if Mr. Baker was a certified general contractor, and perhaps a restoration professional.

Mr. Baker confirmed that he was a licensed architect.

Ms. Call requested Mr. Baker to explain the specifics of the cantilevered construction of the chimney.

Mr. Baker responded that Ms. Holt's description is accurate. The floor joists are continuous from the interior; they rest on the foundation wall but extend approximately two feet further. Cantilevered chimneys are not uncommon; however, it is uncommon that stone is attached to them. Mr. Supelak is correct; it is cultured stone. This structure is much heavier than the siding or stucco typically seen on a cantilevered chimney.

Mr. Way inquired if the applicant would have any objection to a stipulation that the entire stucco wall between the end units be repainted, so that the appearance is consistent. The final repair should ensure that everything consistently matches.

Mr. Baker responded that they would have no objection. Even if the removed chimney is required to be rebuilt, there will be new stone, stucco patches and repainting.

Commission Discussion

Mr. Way stated that the original development addressed the visibility of units from public streets. This unit is not visible from a public street; it is an internal unit with only four other units backing to it. While it would have been preferable to have had letters from those homeowners indicating they had no objection to the removal of this chimney, the assumption is that the homeowner association represents all the homeowners. Because of its location, he has no objection to the removal of the chimney. He is concerned that the patching and painting results is consistently aesthetic.

Mr. Fishman stated that he understands the homeowner's situation; however, it is standard practice to repair a chimney. Sistering the joists and providing additional supports should make that possible. The meeting minutes from the approval of this development reflect a concern about four-sided architecture. If the chimney is removed, it will be necessary to paint the entire rear building façade, not just this unit. These types of alterations tend to negatively impact a development. He has served on an HOA Board and can say that an HOA does not necessarily reflect the views of all its residents. At this point, he is inclined to require that the chimney be repaired.

Mr. Supelak stated that he, like Mr. Way, has no concerns about a visibility issue with this location. The bigger concerns are: (1) the quality and match of the patching remedy; (2) a potential repetition of this issue in this development; (3) concerns of the neighbors. The first concern can be addressed by adding a condition with the approval. Additionally, this unit is one of 40 and the first such issue after 20 years; therefore, it is likely a unique problem for this unit alone. The issue of the neighbors is more of a concern. Although the HOA letter was beneficial, it would be good to have validating letters from the other three neighbors in this 4-unit section.

Mr. Schneier stated that he would have liked to have been able to weigh the potential economic impact of the different options for the homeowner, but that is not possible. His other concern is if there could be any potential impact to the neighbors. There may be value in tabling the case. The applicant could then return with economic impact estimates and letters from the adjacent neighbors.

Ms. Call stated that she owned a Craughwell unit when that development experienced a similar but a much more extreme issue – a \$4 million cost. When the City Planning and Zoning Commission (PZC) and Council reviewed that issue, they expressed sympathy but, in the interest of precedence, refused to disregard City standards. Today, the Craughwell issues have been addressed with new materials with longevity, and the units look great! In response to an earlier observation about the lack of view of this unit, she would argue that the appearance of this unit will impact the next set of buildings more than it will those within the same building. She concurs with Mr. Supelak that this is one occurrence after 20 years, so it may be unique to this unit. City Council and prior Planning and Zoning Commission decisions have historically remained consistent with City Code. Therefore, she would not be supportive of doing otherwise.

Public Comment

No public comments were received on the case.

Ms. Call inquired the applicant's wishes in regard to proceeding with a vote or tabling to obtain letters from the neighbors, as some Commissioners have expressed a preference to have for consideration purposes.

Mr. Baker responded that it would seem advisable to request their application be tabled, and before it is rescheduled, obtain cost estimates for different options and letters from neighbors.

Mr. Schneier requested photos of the impacted areas within the unit also be provided. The homeowner indicated he would provide. However, he cannot provide a view of the chimney, as it is not visible from any street. It is located within a courtyard.

Mr. Fishman clarified that the Commission's practice is not to consider action on any cases based on the economics. If it costs more to repair, so be it. The prevailing concern is meeting City

standards. He inquired if Mr. Barton is the original owner, as the first owner can hold the builder financially responsible for any defects.

Mr. Barton responded that he is the second owner, but the builder is no longer in business.

Mr. Fishman responded that regardless, he believes repairing the issue is the correct solution, rather than removal. He is concerned about setting a different precedent.

Mr. Boggs clarified that it does not take a majority of the full membership to pass a vote; a motion of the Commission can pass with the majority of the quorum present. Therefore, three affirmative votes would be needed.

Mr. Way moved, Mr. Supelak seconded a motion to table the application.

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

[Motion carried 5-0]

1. Baltimore Corner Restaurant (Valentina's) at 4595 Bridge Park Avenue, 21-017MPR, Minor Project Review

A request for exterior and site modifications to accommodate a restaurant tenant, including storefront alterations, an enclosed patio addition, a covered patio space, and associated design details within Bridge Park, Block B, zoned Bridge Street District, Scioto River Neighborhood District. The site is located southeast of the intersection of Bridge Park Avenue with Riverside Drive.

Staff Presentation

Ms. Martin stated that this is a request for review and approval of a Minor Project. The site is located within the Bridge Park development. Building B2, the Baltimore Building, is located at the intersection of Bridge Park Avenue and Riverside Drive. The tenant space on the corner is adjacent to Riverside Crossing Park, as well as the terminus of the DublinLink Pedestrian Bridge. Photos have been provided to give site context and the existing conditions.

Background

The Bridgepark development was approved in 2015. At the time, the developer was required to designate a shopping corridor. Shopping corridors are intended to be uninterrupted pedestrian ways that allow for the activation of the public realm for outdoor seating and dining. The shopping corridor is required to have a width of 12 feet. Additionally, the pocket plaza located adjacent to this tenant space was also approved as part of the open space plan. There was a condition of approval that the developer work with the City and the Dublin Arts Council to finalize elements in that pocket plaza. The tenant modifications are triggering compliance with that condition, as well as considerations of the details within the public realm and private property. This case has been reviewed twice previously by the Commission, on April 1, 2021 and June 17, 2021.

Updated Plan

In response to the Commission's feedback, the applicant has enhanced and elevated the design to create a sense of place.

The revised proposal:

- Retains the pocket plaza at Bridge Park Avenue and Riverside Drive with soft seating opportunities;
- Reduces the total square-feet of building and number of restaurant seats;

- Reinforces the gateway by exposing the base building's vertical pier including eliminating strong horizontal lines and prioritizing soft canopies;
- Adds a tiered fountain within the right-of-way;
- Adds a mixture of faux and living vegetation; and,
- Adds café style furnishings including a gelato cart.

Ms. Martin reviewed the architectural changes per elevation; including the primary entrance along Bridgepark Avenue; the pocket plaza; the proposed fountain; the enclosed patio space; the covered patio space; right-of-way lines; and modifications to streetscape planters to reduce width allowing a total clear area of approximately 8 feet in width, where 12 feet is required. Staff recommends approval of a waiver to permit a reduced sidewalk width in this area, as it is consistent with the goals of the Bridge Street District by allowing for additional opportunities for outdoor seating and dining that engage the pedestrian realm. All of the patios have operable windows and continuous awnings. The awning is complemented with artificial plants, but staff has included a condition that element be removed.

Staff has reviewed the application against the applicable criteria and recommends approval of one waiver and of the Minor Project Review with nine conditions.

Applicant Presentation

Randy Roberty, Design Collective, 151 Nationwide Blvd., Columbus stated that they reviewed the Commission's input from the previous two reviews and identified the following key points: (1) the encroachment into the right-of-way might be considered if it were less intrusive and engaged the pedestrian realm; (2) the verticality of the existing tower/column was designed to identify a gateway into Bridge Park. Maintaining that feature and use was important; (3) the pocket park was critical. Their efforts focused on that gateway space and they have addressed all of the identified issues (reviewed issues addressed).

Commission Questions

Mr. Way inquired if a pocket plaza is intended to be public or private.

Ms. Martin responded that in the Zoning Code, it is intended to be on private property but accessible to the public.

Mr. Way stated that the building line along Bridge Park Avenue was set back for its entire length from the right-of-way. How did that occur? Theoretically, the building could have extended to that line.

Ms. Martin responded that each building type in the Bridge Street District has a required build zone. This is a Corridor Building Type, and the build zone is 0-20 feet, so it could have been extended.

Mr. Way stated that the pocket plaza, however, is a no build zone; it must be an open space.

Mr. Roberty responded that the pocket plaza is within the building lot. It could be comprised of the building, if desired. It was designed as a pocket plaza, but the right-of-way extends to the corner of the site.

Ms. Martin clarified that in 2015, the pocket plaza area could have been comprised of a building, but today, it could not.

Mr. Way inquired if the pocket plaza is on private property, is it part of the tenant's space or part of the Bridge Park development's space.

Ms. Martin responded that it was required to be provided with the development. It is not required to be provided with the tenant space. This tenant has elected to influence the public plaza through their design, triggering review of that area.

Mr. Way stated that the developer is leasing that space. Is the pocket plaza leasable space, and is the tenant then permitted to include it in its leased space?

Mr. Roberty responded that the developer offered the pocket park as part of the occupancy agreement with this tenant.

Mr. Way stated that the way the pocket park space is designed, it looks like a tenant space that is being used as an outdoor dining patio.

Mr. Roberty responded that is partially correct. This pocket plaza space is tucked within the "armpit" of the building; it is a very odd public space. People gathering in the plaza would be gathering against the building. The goal was to provide some of it as restaurant space, so that the restaurant can spill out and "engage the sidewalk," which was a stated goal of Bridge Park. At the same time, it should carve in niches and seating areas that could be utilized by the public. It would be a 50-50 space, so would be busy. If it were only a public space, it would be occupied to a lesser extent.

Mr. Way stated that if the restaurant is using that space to accommodate customers, how comfortable would the public feel entering that space? That would seem to defeat the purpose of a pocket park. The intent is to create an inviting space for the public to use at this key gateway corner in Bridge Park. Because of its relationship to the pedestrian bridge and the volume of people flowing back and forth, it cannot serve both purposes. It either needs to be a public space or a private space. He would argue that it needs to be a public space.

Mr. Roberty responded that their concern with making it entirely a public space is that it would create a void or dead space right on that intersection. The vast majority of the time when people are circulating past, it will be empty, particularly when the Riverside Crossing Park opens. People looking for outdoor public space will likely look within that park, as it will be less awkward and more usable. Because the desire was to create continuous energy on that intersection, using it in a more sustainable manner was their goal.

Mr. Way noted that if a space is designed to be inviting to the public, it would not be a dead space. Is the indoor-outdoor room permanent or temporary?

Mr. Roberty responded that the space south of the bar is a permanent, steel column structure with Pella sliding windows and an awning that camouflages it.

Mr. Way inquired if that area would be an elevated space.

Mr. Roberty responded that there would be a 30-inch high planter that corresponds to the height of the tabletops. The glazing is above that.

Mr. Way inquired the height of the floor of that space above the sidewalk.

Mr. Roberty responded that it would be level with the sidewalk.

Ms. Call reviewed the text from the Bridge Street District Code for placemaking elements:

"(C) BSD Sawmill Center Neighborhood District, 5) Placemaking Elements, (a) Shopping Corridor 1. The intent for designated shopping corridors in the BSD neighborhood districts is to provide continuous mixed-use street frontages with retail uses and eating and drinking facilities occupying the ground floor of buildings located on streets that have a well-defined and detailed pedestrian realm. Buildings with frontage on designated shopping corridors should be sited to accommodate a mix of outdoor activities, such as patios, seating areas, pocket plazas and spacious walkways."

That is repeated essentially in verbatim in "Shopping Corridor," and under "Pocket Plaza" it reads:

"A pocket plaza is designed as a well-defined area of refuge separate from the public sidewalk. These areas contain a greater amount of impervious coverage than other open space types. Seating areas are required, and special features, such as fountains and public art installations are encouraged."

Mr. Schneier inquired if the public would be comfortable sitting down at one of the three tables in the space, and if they did so, would the restaurant inform them that the tables were for diners? The restaurant's intent is to use that space for their diners, but it is in the public plaza. How would this be handled?

Mr. Roberty responded that the intent is that there would be some of both. Their firm handles many similar designs, including the new central block at Easton. In their work with developments, they have found that in order to achieve placemaking, or create an engaging experience, there must be a mix of dining and seating for the tenants, as well as public space. They must integrate 50-50. Otherwise the public spaces feel dead; there is no energy to drive them.

Mr. Schneier inquired if the fountain was proposed in response to the perception that it was what this Commission wanted.

Mr. Roberty responded that in previous meetings, the feedback was that the plan was not offering public art, fountain or another public plaza feature. The fountain was their attempt to address that issue. It can be eliminated, if necessary.

Ms. Call noted the Code also states that, "Outdoor seating areas are required for all pocket plazas and may be required by the reviewing body for other public and private..."

Mr. Schneier stated that if there were some seating areas outside of those tables, they might look more conducive for seating to the public. The Code does not state that all of the seating areas in the plaza must be public, so this proposal would be in compliance with Code.

Mr. Supelak inquired if an 8-foot width sidewalk is sufficient on the west side.

Ms. Martin responded that the minimum required sidewalk width in all of the Bridge Street District is 8 feet in width, and the City Engineer has indicated that they have no objection to the width. The reason it is an item for consideration by the Commission is that because it was designated as a shopping corridor, there are additional requirements; a 12-foot width is required in this area. Because the applicant is requesting an 8-foot width, approval of a waiver is necessary. Staff has recommended approval because it is consistent with the goals and objectives of the Bridge Street District at this key location.

Mr. Supelak stated that 8 feet is sufficient in most situations; however, he wonders if a pinch point could occur here, which ultimately might feel like a barrier. He is concerned, as well, about compressing the planter beds to the point that pedestrians feel too close to the roadway. This should be considered thoroughly.

Mr. Roberty responded that the planter bed along Bridge Park is only 8 feet wide, while the one at this corner will be 11 feet wide.

Mr. Supelak stated that it is also a far faster thoroughfare.

Mr. Way requested clarification of which plants will be real and which would be artificial.

Mr. Roberty responded that the hanging planters and ground-level vegetation would be real. The faux vegetation would be along the top of the awning to soften its connection to the building. Because it is not within proximity to the guests, it would not be noticeable. They would specify a vine that is an evergreen, so it would remain green in the winter months.

Mr. Way noted that all of the real plants appear to be herbaceous, seasonal plants, so would die off in the winter.

Mr. Roberty responded that Cameron Mitchell does seasonal vegetation in all of the planters. The key elements would be specified.

Commission Discussion

Mr. Schneier stated that he is concerned that all of the seating within the pocket plaza must be public. If that is the case, no restaurant seating could be placed there.

Ms. Call stated that, for clarification, the pertinent Bridge Street Code section reads: "Outdoor seating areas are required for all pocket plazas and may be required by the required reviewing body in other public outdoor spaces, including all other open spaces provided in section referenced Code. Where required, there shall be a minimum of one linear foot of seating for every two linear feet of public or private street frontage. The required reviewing body may modify this requirement where conditions warrant greater or lesser seating. Seating requirements may be met through the use of movable seating, fixed individual seating, fixed benches, seat walls, planter ledges, seating steps and other creatively designed seating areas that invite resting and gathering. A combination of seating is encouraged. To ensure adequate seating use by the public, a portion of the required seating must be located within 10 feet of a public sidewalk, where provided."

Mr. Schneier stated that he appreciates the interaction, the attempt to blur the lines, because it is inviting. However, when those lines become too blurred, the private and the public spaces are not identifiable. With The Avenue in Grandview, the outdoor seating for the restaurant is obvious; there is also a sidewalk area. The two areas are clearly delineated, although it feels inclusive. He is concerned how the tables shown in this plan will be accommodated. He likes the fountain, but has no strong position regarding it.

Mr. Fishman stated that he also is concerned about the public and private seating within the pocket plaza. He hates to sacrifice any public seating, as it is likely to disappear entirely. One example of that exists in Dublin, the Oscar's restaurant. Their patio is actually a public seating area, which he believes the City owns. Years ago, there was a sign indicating the public was welcome; however, the sign has disappeared, and the area appears to be restaurant space only. For that reason, he hesitates to give up public space. On a recent Saturday, he was at this corner across from the pedestrian, and the corner was crowded with pedestrian traffic. This is the situation even before the restaurant is developed. Attempting to place both public and private seating on this corner will not work. This is a landing area off the pedestrian bridge, and it should be where the public can sit and meet. The restaurant is beautiful, and he has no issues with that part of the proposal, but he does not believe the private-public area works.

Mr. Roberty requested clarification for how the public plaza is anticipated to work.

Mr. Fishman responded that as pedestrian traffic exits the bridge, they will meet and sit here. It was zoned for this purpose several years ago. As proposed by this plan, it will be confusing for the public, and the restaurant will dominate the space. Attempting to have a restaurant and the public share a space without a distinct delineation of the spaces will be a problem.

Ms. Call reminded members that the review also needs to address the lighting package, real versus faux plants, the fountain, etc.

Mr. Fishman stated that faux plants are typically very difficult to maintain. Where they have been used in other parts of the community, they are usually in disrepair. He believes it is preferable to use live plants that can be regularly maintained.

Ms. Schneier stated he assumes the applicant does not want faux plants at the pedestrian level; he would not be opposed to faux plants as proposed.

Ms. Call stated that the other issue is the requested waiver to the required sidewalk width.

Mr. Schneier stated that he has no objection to the requested width reduction. It is a good tradeoff to achieve the desired private-public energy.

Mr. Way commented:

1. that with the tape markings designating the proposed sidewalk width reveal that the proposed building extension will be very jarring in this space. Building out that façade will create a significant interruption to the face of Bridge Park along Riverside Drive and to the "experience" here. He believes there will be significant public movement here, and he is not supportive of altering the planters or of the building façade extension. The restaurant can reside within the right-of-way line. Although the canopy can remain as an architectural element, everything should be pushed back. He also objects to the proposed 8-foot width. He is presently dealing with this issue with other projects, and an 8-foot width has proven insufficient in cities, such as Bexley. In Columbus, the urban sidewalk width is greater than 10 feet. His position is that the sidewalk here needs to maintain a width of 12 feet.
2. This is the 100% corner of Bridge Park, the iconic corner adjacent to the pedestrian bridge. We are asking this corner to do many things. This corner is asked to engage the public right-of-way, be part of the architecture of Block B, and also serve the tenant space. All of those requirements are not aligned; they are conflicting. It is a design challenge to bring all three elements together in harmony and unity. Presently, the requirements are "opposing each other." The building column and architecture conflict with the design of the tenant space and the pocket plaza. This issue needs much more study. This corner is much too important. The City has made a significant investment in the pedestrian bridge and in inviting people to Bridge Park and Historic Dublin. This key corner should be incredibly powerful. Right now, the many desires for the space are in conflict.

Mr. Supelak stated that the palette is nice, and the proposal has improved since its previous iteration. He believes the proposed signage and lighting package is good. However, he is undecided about the proposed sidewalk width reduction. He believes the reduction could be two feet less without impacting the restaurant interior plans significantly. He also struggles with the pocket plaza proposal for this corner. The Commission probably did encourage a mix of uses in this corner, but the proposed mix is not effective. It must be improved. This is a very busy vehicular corner, and not easily conducive to a "hanging out" corner. However, as a public meeting space across from the bridge, as Mr. Fishman described, is a very good use. While he is generally supportive for the other parts of the proposal, he is not supportive of the pocket plaza as proposed. The design parameters for that space should be to design it so that the City wants to go there. There is merit to including art here to create an experience. There is potential for this corner, but more efforts are necessary to make it amazing and appropriately balance the private-public uses. He has no objection to the proposed faux plants, but iron roof crests potentially could be a better alternative. Any mobile seating elements incorporated on this corner will tend to expand outward.

Mr. Fishman clarified that he is not supportive of the proposed extension of the building, and eliminating that element would eliminate many of the problems being discussed. He concurs with the remainder of his fellow colleagues' comments.

Ms. Call stated that the design has improved significantly; it looks phenomenal. She really likes the canopies, color palette, branding and lighting packages. She agrees with Mr. Way, however, that we are asking a lot of this space, and proposing to shrink some elements to make it work. She believes it may be possible to overcome the seating issue in the public plaza. Perhaps if the seating was pointed in the opposite direction from the restaurant, it would identify the benches as public seating. She agrees that the reduction in sidewalk width is an issue; 8 feet is not very wide elsewhere. It would be more of an issue here on a very populated corner. The restaurant will draw even more traffic there. Therefore, shrinking the width of the sidewalk is a concern. The intent is to attract a lot of people to this area, which is the reason the restaurant wants to locate here. Shrinking the available space for those people to occupy could have the opposite effect and discourage pedestrian traffic. The only concern she has with the lighting package is the string lights, which are secured by posts; that arrangement is not particularly attractive. Placing art in the greenspace is an opportunity. If the planters were to be shrunk and some vegetation removed, re-centering the vegetation would be important.

Mr. Supelak stated that he is not opposed to adjusting the beds, so long as other things occur, such as taller walls, to establish the necessary perception of safety.

Ms. Call stated that if the elevation of the planters were to be changed that would give opportunity for them to be L-shaped and provide public seating. She noted that this Commission requires applicants to abide by the Sign Code, and the signage elements appear to be in excess of Code.

Ms. Martin noted that for clarification purposes, every open space within Bridge Street is located within private property and is accessible to the public and has a private-public element. This is intended to be similar. Additionally, staff is recommending approval of the waiver for the building encroachment, as well as the streetscape modifications. The reason is that, on the approach to the intersection, the planters do not narrow. However, they are much narrower north of the intersection. As traffic slows on the approach to this corner, tapering that planter would not be an issue, per Engineering's review. In regard to changing the elevation, mass and scale of the planters, she would defer to Engineering to comment.

Michael Hendershot, City Engineer, stated that in considering a potential increase in planter height, Engineering would look at site distance triangles to make sure that the height does not impede visibility at that intersection.

Ms. Martin noted that staff would work with the applicant to ensure the signage package meets Code.

Ms. Call referred to the nine proposed conditions and inquired if the applicant had any objection to the first condition to remove the hanging planters and work with the Dublin Arts Commission on identifying a piece of art.

Mr. Roberty noted that it appears that there are two separate pathways of discussion, the pocket plaza and the design of the space. Would it possible to separate and review them separately?

Ms. Martin responded that has occurred previously for some other cases. Typically, there is a trigger point at which the applicant must bring back a revised design to the Commission for consideration, perhaps prior to submitting a Building Permit application.

Mr. Roberty inquired if the Commission would be agreeable to considering them separately. The goal is to advance the project and the pocket plaza seems to be the primary point of contention.

Ms. Call stated that in her view, because of the interplay between the restaurant and the pocket plaza and because part of the pocket plaza would be utilized for restaurant seating, she does not see a way to keep those lines blurred yet delineated for the sake of approvals.

Mr. Way stated that all of the project is part of the corner, so it needs to be considered together. Mr. Supelak expressed agreement.

Ms. Call inquired if the applicant would want the Commission to consider the proposed items and proceed with a vote at this time.

Mr. Roberty requested that their application be tabled. There is some confusion on their part as to the Commission's direction. The direction seems to be that the pocket plaza needs to be separate from the restaurant; however, there have also been comments that the two should be integrated.

Mr. Supelak responded that the design needs to be integrated; all the components on this corner need to work together well. The applicant has attempted to "spill out" into the space appropriately. However, as proposed, it very much appears to be restaurant space only. The big question is how that area could appear more of a public space. He likes the design of the two sides of the building; however, the corner is a strange amalgamation of "stuff." It needs to be refined more thoughtfully. The public-private areas and the perception of public access is presently incorrect.

Ms. Call stated that she would agree that the design must be integrated, but both private and public uses must be accomplished. Currently, the public use is not present.

Mr. Roberty responded that the challenge is that if the design is integrated, that space will look like part of the restaurant, which conflicts with a public use.

The Commission recommended separating the three tables within the outdoor area from the rest of the public seating. Placing the railing between the two, with the public seating on the outside pointing away from the restaurant would delineate the private use from the public use. The public would be invited from the sidewalk to utilize the public seating outside the railing.

Mr. Roberty inquired if there were one or two successful public plazas in Dublin that he could visit. He believes there is a standard or level that the Commission is trying to describe to them, which he would like to understand.

Ms. Call responded that public plazas are somewhat unique to the Bridge Street District, which is relatively new.

Ms. Martin responded that there are a variety of examples of pocket parks. Staff would review Bridge Park's open space plan to identify other such space for the applicant's consideration.

Mr. Roberty stated that even if it were not within Bridge Park, if they could be directed to an example elsewhere that reflects what the Commission is hoping to achieve, it would be helpful.

Mr. Fisherman stated that the issue is that this is an attempt to put too much restaurant in too little space. He is not in favor of expanding the size of the current tenant space. The open space needs

to remain as large as it is. He also is not supportive of forfeiting any of the sidewalk space. Although he recognizes the applicant's efforts and the proposed restaurant space is beautiful, we want to retain the public space and delineate it as public space. He does not believe it will be sufficient just to point the public seating in the opposite direction of the restaurant. If the restaurant is immediately adjacent, and the tables are right there, the public will not be comfortable in seats that are near the tables, regardless of the direction they are pointing. He would reiterate that this is too much restaurant in too little space, and the building should not be expanded. The plan needs to be re-worked.

Ms. Martin suggested the applicant could capitalize on the Parisian café theme. The types of movable seating and chairs would not be conducive to dinner service. They would be more conducive to card games. There are some design opportunities. Staff would recommend Commission members share any urban design photos they might have available.

Ms. Call inquired if the applicant and staff would be amenable to individual Commission members providing staff with preferred pocket plaza ideas, and staff compiling the items on which there is commonality. That consensus pocket plaza ideas and information would be provided to the Commission for consideration and ultimately be forwarded to the applicant to provide better direction for preparing a revised proposal for Commission consideration.

Mr. Boggs stated that individual members could share and discuss their ideas with staff, but a round robin discussion between all members would not be appropriate. It would be staff's responsibility to compile the similar ideas to provide to the applicant. When the applicant returns with a revised plan, that compilation of ideas document would be part of the public record. All of the Commission's consideration would be on the record.

Mr. Way noted three preliminary recommendations: (1) the operable windows between the restaurant and the pocket plaza make the plaza feel a part of the restaurant; solid windows would not; (2) there are too many elements that wall the space off from the right-of-way; the elements should face out toward the right-of-way; (3) the column is a fundamental part of that open space. Perhaps the column and the underside of the balcony could comprise a space.

Ms. Call inquired if the applicant would be amenable to receiving a compilation of the Commission's public plaza ideas from staff.

Mr. Roberty responded that it would be helpful to review.

Public Comment

No public comments were received on the case.

Mr. Fishman moved, Mr. Schneier seconded approval of a motion to table the application.

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

[Motion approved 5-0.]

COMMUNICATIONS

- Ms. Rauch stated that staff had been working with the Llewellyn Farms neighborhood as well as the commercial property owner related to the DCAP MUR-4 area, and the parties had

arrived at a resolution. At the previous DCAP MUR-4 Code discussion, Commission members indicated a desire for a future meeting dedicated to that discussion only. Following discussion, Commission consensus was that a special PZC meeting would be scheduled for 6:30 p.m., Thursday, September 23, for review of the proposed DCAP MUR-4 Code Amendments and Design Guidelines.

- Ms. Call:
 - (1) Invited Commission members to take a look at the reference materials she has placed on the shelves behind the dais to determine if they also would like to have printed copies of the same;
 - (2) Requested a printed copy of the Bridge Street Code;
 - (3) Requested that the names of applicants/presenters anticipated to speak at a meeting be provided on that Chair meeting agenda;
 - (4) Requested a tour of City departments and overview of their operations be scheduled for Commission members to improve their understanding of the individual departments.

- The next regular meeting of PZC is scheduled for 6:30 p.m., Thursday, September 16, 2021.

The meeting was adjourned at 9:05 p.m.



Chair, Planning and Zoning Commission



Assistant Clerk of Council