



RECORD OF ACTION

Planning & Zoning Commission

Tuesday, December 8, 2021 | 6:30 pm

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

**2. 4000 W. Dublin-Granville Road
21-128CP**

Concept Plan

Proposal: Review of a Concept Plan for the construction of a ±6,900-square-foot, one-story, multi-tenant commercial building. The 1.98-acre site is zoned Bridge Street District, Sawmill Center Neighborhood.

Location: ±500 feet northwest of the intersection of W. Dublin-Granville Road with Dublin Center Drive.

Request: Review and approval of a Concept Plan under the provisions of Zoning Code §153.066(E).

Applicant: Don Brogan, Crawford Hoying Development Partners; and Brian McNally, Meyers Architects

Planning Contact: Zachary Hounshell, Planner I

Contact Information: 614.410.4652, zhounshell@dublin.oh.us

Case Information: www.dublinohiousa.gov/pzc/21-128

MOTION 1: Mr. Grimes moved, Mr. Supelak seconded, to approve the Concept Plan. The Planning and Zoning Commission noted that the Preliminary Development Plan design should address the Commission’s discussion.

VOTE: 5 – 1.

RESULT: The Concept Plan was approved.

RECORDED VOTES:

Jane Fox	Yes
Warren Fishman	Absent
Mark Supelak	Yes
Rebecca Call	Yes
Leo Grimes	No
Lance Schneier	Yes
Kim Way	Yes

MOTION 2: Mr. Supelak moved, Mr. Grimes seconded, to approve the request to combine the Preliminary Development Plan with the Final Development Plan.

VOTE: 0 – 6.

RESULT: The combination request was disapproved.



**2. 4000 W. Dublin-Granville Road
21-128CP**

Concept Plan

RECORDED VOTES:

Jane Fox	No
Warren Fishman	Absent
Mark Supelak	No
Rebecca Call	No
Leo Grimes	No
Lance Schneier	No
Kim Way	No

STAFF CERTIFICATION

DocuSigned by:

Zach Hounshell

B1050D11513A490...

Zachary Hounshell, Planner I



~~Ms. Call stated that the Commission appreciates the applicant's provision of more detail in the revised plan than may typically be provided with a Concept Plan. The Commission has encouraged the applicant to continue in the direction of interesting architectural ideas, such as the light tendrils. There are transportation issue concerns, but the Concept Plan is not intended to address those in detail. The Commission has indicated that the plan proposes the right direction, and with our combined efforts, we can achieve a development of which all will be proud. We look forward to welcoming Mt. Carmel to the community.~~

~~Mr. Koma thanked the Commission for their helpful feedback and staff for their collaboration on the project.~~

~~Mr. Way stated that because this development will be located on a gateway site in Dublin, and the architecture will be seen by many, it must be outstanding. He is confident the applicant can deliver accordingly. He is excited to see the plan evolve.~~

2. 4000 W. Dublin-Granville Road, 21-128CP, Concept Plan

A request for a review of a Concept Plan for the construction of a ±6,900-square-foot, one-story, multi-tenant commercial building. The 1.98-acre site is zoned Bridge Street District, Sawmill Center Neighborhood and is located ±500 feet northwest of the intersection of W. Dublin-Granville Road with Dublin Center Drive.

Staff Presentation

Mr. Hounshell stated that this is a Concept Plan for 4000 W. Dublin-Granville Road. This Concept Plan differs from the previous plan reviewed. Because this site is in the Bridge Street District, a determination of the Commission is requested. Should the Concept Plan be approved tonight, the applicant is also requesting the combination of the Preliminary and Final Development Plans, which is in the purview of the Commission. This is the second time this application has come before the Commission for review. The 1.98-acre site is located in the Sawmill Center Neighborhood zoning district. The site is currently vacant with a number of mature trees along the western property line. There is a low-lying entry feature, decorative wall and sign on the southeast corner. The sign would remain, as it applies to the Lowe's property to the north. The proposed site is identified as one of the Lowe's development outparcels. These outparcels have strict deed restrictions that influence development of the site. Deed restrictions are private agreements between property owners that are completely distinct from zoning regulations. The City is tasked with implementing the Community Plan and administering the Zoning Code incrementally over time. The City does not establish, apply, or enforce deed restrictions. The Lowe's outparcel deed restrictions limits the size of development, number of structures, height of structures, and minimum parking requirements. The review of this application is based solely on the applicable requirements of the Bridge Street Zoning Code. A 50-foot AEP electric easement is located along the west property line. The proposal does include the future development of Village Parkway, which is considered a district connector and principal frontage street on the Bridge Street network map. It is not included with the construction on this site. Should the application move forward, the applicant would be required to continue to work with staff to finalize the implementation and construction of the street extension. [Existing site conditions shown.] This site is located on at the intersection of the future Village Parkway and the current West Dublin-Granville Road, which are both principal frontage streets. To the north and east are private drives – Banker Drive to the north and an access drive

to the east. The applicant is proposing a 6,830-square-foot multi-tenant commercial building; a quick serve drive-through accessory use for an eating-drinking use; and a loft building type. This case was reviewed previously by the Commission on October 7, 2021 and was tabled at the request of the applicant. The previous and current Concept Plans were shown for comparison purposes. The applicant has provided updates in response to the October 7, 2021 Planning and Zoning Commission meeting, when the proposed Concept Plan was tabled at the applicant's request. Commission provided feedback primarily with respect to the drive-thru request and building type. At the time, the Commission raised the following concerns:

- o the drive-thru may impede the intent of a pedestrian-oriented development;
- o a commercial building type may not be appropriate on this site.

Since the October 7, 2021 meeting, the following revisions have been made:

- o sidewalks have been added through and around the perimeter of the site;
- o the building sections for Tenants B and C have been separated and a pedestrian pathway has been added through the building to connect to the pedestrian paths through the center of the site and the rear parking lot to W. Dublin-Granville Road;
- o a wider landscape buffer of existing and new trees and shrubs has been added between the parking lot/drive-thru and the access drive for additional screening; and,
- o the drive-thru portion of the parking lot has been modified to reduce its impact and to enhance the eastern edge of the site.
- o Two additional open space nodes have been added on the center and the northeast corner, increasing the open space to 1,700 square feet. A larger landscape buffer has been provided along the east property line to screen the proposed drive-through.
- o The number of parking spaces has been decreased to 68 parking spaces.
- o Three building entrances have been added to the front to make the building more accessible to the streetscape and the height of the parapets has been reduced slightly.

Although the lot coverage has been increased to 73.8% due to the addition of open space pocket plazas and the modified parking layout, it remains under the required 80% lot coverage for Loft Buildings. The changes proposed by the applicant are intended to address the concerns of the Commission, and decrease the visual impacts of the drive-through on the site. However, staff continues to have concerns about the drive-through being able to meet the Conditional Use criteria, should it proceed to the Preliminary Development Plan stage. The BSD was created to encourage and develop well-defined, pedestrian-oriented development that is distinct from the typical auto-oriented development (drive-through uses) in other areas of the City. Auto-oriented development affects the intent for the layout of sites and negatively impacts the access to and safety of pedestrian facilities. Drive-through uses are generally not encouraged based on the items listed above and have been previously granted only for banks. Staff is not supportive of the proposed accessory use. Should this plan move forward, staff would recommend the applicant pursue a Loft Building Type, instead of a Commercial Center Building Type to maintain the development intent for this corridor. The proposed architecture is contemporary with parapet roof lines on a single-story building. A selection of wood, brick and metal building materials are depicted on the conceptual drawings.

Based on the review of the criteria, staff recommends disapproval of the Concept Plan due to the following:

- 1) The proposed development pattern, specifically drive-thru restaurant and rear-oriented, single-story commercial building, does not meet the intent of the Bridge Street District to

establish a pedestrian-oriented, urban community as identified in the BSD Code section 153.059(A) and does not meet the BSD Vision Plan.

- 2) The single-story commercial buildings are in direct conflict with the BSD-Sawmill Center Neighborhood District standards and Building Type standards for mass, scale, and height of development along W. Dublin-Granville Road.
- 3) The development does not implement the Lots and Blocks, Street Network Map, and Principles of Walkable Urbanism concurrent with development, which delays incremental implementation of the BSD framework and sets a precedent for future auto-oriented development along W. Dublin-Granville Road.

Staff also recommends disapproval of the request to combine the Preliminary and Final Development Plans.

Applicant Presentation

Nelson Yoder, Principal, Development Partners, Crawford Hoying, 6640 Riverside Drive, Suite 500, Dublin, Ohio, 43017, stated that this is the fourth or fifth iteration of a development for a very challenging site. The primary issues are the deed restrictions on the site, which predate the Bridge Street Code by at least 10 years. Lowe's has refused to consider dropping the deed restrictions. This is an important site located on SR161, but they are not permitted to construct a building exceeding 7,000 square feet, practically, a one-story building. On the adjacent site, which does not have the same deed restrictions, they will be constructing a two-story medical office building with ground-floor retail, which meets the BSD Code. For this site, they are attempting to identify a project that is additive to the BSD Code and addresses the concerns previously identified. Primarily, they have attempted to buffer and isolate the impact of the drive-through from the pedestrian connectivity through the site.

Chris Meyers, Myers & Associates Architects, 232 N. Third Street, Columbus, OH 43215, stated that the deed restrictions limit their ability to accomplish the objectives of the BSD and community. The criteria not met are primarily the Building Type and the drive-through. A number of variances would be necessary to accomplish a Loft Building Type. They have taken the October 7 feedback from the Commission and incorporated it to the extent possible in the revised design.

Commission Discussion

Mr. Way inquired if they had considered adding a ground level parking deck behind the building. It would double the number of parking spaces.

Mr. Meyers responded that one of the deed restrictions is a parking limit. They cannot increase the number of parking spaces beyond that the parking and square footage restrictions. A parking deck would provide too much parking on the site.

Mr. Yoder responded that the deed restrictions limit the site to 7,000 square feet of total developed area.

Mr. Schneier inquired if any consideration has been given to a walk-up window as well as the drive-through.

Mr. Meyers responded that they have. The strategy for how the façade treatment can occur, rather than a protruding box addition is tricky. A walk-up area is more possible on the southeast side, facing the public open space.

Ms. Fox inquired if there were ceiling height restrictions in addition to the 7,000 square feet development limitation.

Mr. Meyers stated that per the deed restrictions, the height limitation is 28 feet. Their proposed height is 20 feet. They could probably bump that up slightly, but two stories is not possible. They studied the possibility of faking a second story within a height of 28 feet, but proportionately, the building would be off. Consequently, they have hovered around the massing concept of three distinct smaller buildings more proportionately scaled. Per the last meeting discussion, there may be the possibility for a centerpiece feature with a height of 28 feet. As the concept plan evolves, and they begin to strategize the interior components, it may be possible to cloak the mechanicals and exhaust with form to achieve more height in addition to minimizing the view of the mechanicals.

Ms. Fox inquired if the building extends to the front property line. Although a 5-foot encroachment is permitted, there is never enough space in front. This site is located along a thoroughfare. When she sits in the patio space at Starbucks in Dublin, she can smell the diesel fumes of passing trucks. She would prefer to see the building pushed back more.

Mr. Meyers responded that element was discussed at the previous meeting, and this building now has been set back. They also have manipulated the façade. When it was split to achieve a pedestrian pass-through, the coffee shop – the east portion of the building – was pushed back to create a better distinction of the transition space between the road, sidewalk and open public space and the building. They have made some adjustments

Ms. Fox inquired how much the building had been set back. When sitting along a busy thoroughfare, it is not easy to have a conversation and the traffic smells detract from the experience.

Mr. Meyers stated that the building is now set back 15 feet, in some places, a little more. The west side of the site has been activated with the patio, the buffer and the extension of the sidewalk. As defined by Code, there is a public greenspace in the middle of the site. To the right, more depth has been added to the transition space, providing a better view of the coffee shoppe.

Mr. Yoder stated in regard to the height, if space were to be added to a second floor, the building would need to be made shorter, which would impact the lining along the street.

Mr. Meyers stated his firm also designed the Penzone building, which is a Loft Building Type. It does have a second floor space which accommodates the mechanicals. However, the compact nature of that building is much different than is possible on this site. In regard to addressing diesel fumes, there are shoulder-height seat walls on two areas of the proposed patio, which help wrap the building and achieve the impression of being within a coffee shoppe, rather sitting next to the road.

Public Comments

No public comments were offered.

Commission Discussion

Mr. Grimes stated that he appreciates the effort that has been invested in the plan, attempting to make it work with so many restrictions. The changes made have been very nice. However, ultimately, the plan remains in too much conflict with the Bridge Street Code, more than is acceptable.

Mr. Supelak stated that he has a different view. The applicant has done a very good job within a difficult situation. Much has been done to cultivate the pedestrian experience along SR161. Some of the revisions made, including the primary walkway from the north into the site, are very nice. He believes something should also be added to the west side of the site. The building does not make connection to the street at all, aside from the restaurant plaza. The increased buffer helps; the drive aisle becomes less of a problem. They have created pedestrian circulation all around the site. The passage through the building is nice. The building, however, is very horizontal, flat, a single height. They have suggested the height of the center portion could be increased. However, it might be possible to increase the height of the bookend sections and the center portion lower. The second story element could be faked, similar to what they did with the Penzone building. While he is generally supportive of the proposed plan, he is not comfortable with combing the preliminary and final development plans. He would want to stipulate conditions regarding height adjustments, in particular.

Mr. Schneier stated that he is supportive of the Concept Plan. They have done a great job addressing all of the issues presented. We do not like drive-throughs, and while we might want to be a community without drive-throughs, the world is changing. With the preferred approach, we would be telling people if drive-throughs are what they want, go somewhere other than Dublin. He believes the City needs to acknowledge our changing world. The applicant has done a good job with screening the drive-through. Given the circumstances, he does not feel bound by the Code. He would like to learn if any changes could be made in the building height to achieve more variation. Other than that element, he supports the Concept Plan.

Ms. Fox stated that she appreciates the thought the applicant has invested in addressing the deed restriction difficulties. The intent is to have a pedestrian—friendly streetscape, and the Code has been written to accomplish that. In some cases, that Code works for us; in some cases, it does not work. In this case, the Code is hurting us, because the result will be an empty site here. However, the applicant has attempted to tackle the issue. In return, the Commission needs to consider the possibility of a hybridized approach. Although the plan is not entirely where it needs to be, it is beginning to get there. The proposed building still reads as a commercial building type across the front. The height needs to be increased at some point. Within the urban streetscapes of Granville Avenue or High Street in Clintonville, the buildings organically are different. The proposed building still reads as a commercial strip center; that must be broken up. She appreciates the fact that pedestrians have been brought to the front of the site; however, the walkway is too close to the drive-through. More separation is needed. She appreciates that the building has been set back. More activity along the front will increase business; but if it continues to resemble a strip mall, people will drive by. They need to focus on enriching the feel of the streetscape. She agrees that the height needs to be increased somewhere to achieve the more organic, Granville Avenue look. She believes the drive-through works. We need to make room for alternative vehicles with wheels, such as golf carts, but we do not want to sacrifice the pedestrian opportunity. This plan offers pedestrian connectivity throughout the site. She is unsure of the proposed space in the middle of the parking lot. She would not want to sit there without a cover overhead. Because it seems unusable, she would be interested in seeing that space moved close to the building. She would support having a lower-height building here, acknowledging the restrictions. Having a Loft Building Type does not automatically increase the pedestrian experience. In comparison, look at the Oakland Nursery site, where there is a significant level of pedestrian activity. Therefore, she believes energy can be achieved with the proposed plan, elevating the height and improving the outdoor spaces.

Mr. Way stated that since the last meeting, he has spent time assessing this site and the corridor. While we have a vision for that corridor, it is a long-term vision. It will take a while to get there. To have parcels like this at key locations sitting vacant does not make sense. The applicant has worked very hard to achieve the intent of the Code to bring activity to the streetscape. They are doing that, but he would like to see even more activity along that edge, if it could be integrated. The applicant has addressed many of the issues to make this a viable, inviting site. The proposed plan could be an asset on that corner. Development changes over time, so 20 years from now, there may be something else here. He is supportive of the Concept Plan.

Ms. Call stated that she appreciates that this is a difficult parcel. The deed's square footage and height restrictions along with the Bridge Street Code, discourage development. Ms. Fox has suggested that a hybridized approach might be a possibility. The difficult points for her are the proposed drive-through, which allows for vehicle-pedestrian conflicts. There is too much activity occurring within a very small footprint. Currently, staff is recommending disapproval. She is supportive of a hybridized approach, if it could be made to make the City more supportive of the development. While she could be supportive of the Concept Plan, she would not be supportive of a Preliminary Development Plan, as currently proposed.

Mr. Grimes moved, Mr. Supelak seconded approval of the Concept Plan.
Mr. Schneier, yes; Mr. Way, yes; Ms. Fox, yes; Ms. Call, yes; Mr. Supelak, yes; Mr. Grimes, no.
[Motion carried 6-1.]

Mr. Supelak moved, Mr. Way seconded approval of the combination of the Preliminary Development Plan with the Final Development Plan.
Mr. Grimes, no; Mr. Supelak, no; Ms. Call, no; Ms. Fox, no; Mr. Way, no; Mr. Schneier, no.
[Motion failed 0-7.]

3. 5274 Cosgray Road, 21-142CP, Concept Plan

~~A request for an informal review and feedback for a Concept Plan to develop ±101.1 acres consisting of single-family, detached and single-family attached units. The development is divided into two subareas, one consisting of 160 units and the second consisting of 345 units with a gross density of 5.0 dwelling units per acre. The site is zoned Rural District and is located east of Cosgray Road, ±1,300 feet south of the intersection with Rings Road.~~

Staff Presentation

~~Ms. Holt stated that this is a request for Informal Review of a proposed Planned Unit Development on a site located 1,300 feet southeast of the intersection of Cosgray and Rings Roads. It is bounded by Cosgray Road on the west, the CSX Railroad on the east, and is located south of the Village of Amlin. The site is comprised of farmland and woods. The site is zoned R-Rural District and is adjacent to Washington Township and the City of Columbus. The Future Land Use Map in the Community Plan shows this site as "Mixed Residential Medium Density". Contemplated within that category are "areas where greater walkability and pedestrian orientation at a village scale are desired, at a maximum density of 5.0 du/ac. Areas are intended for integration around Village Center developments." The specific Southwest Special Area Plan of the Community Plan anticipates a Village of Amlin gateway with a mixed-use village center and mixed residential,~~



RECORD OF ACTION

Planning & Zoning Commission

Thursday, October 7, 2021 | 6:30 pm

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

**2. 4000 W. Dublin-Granville Road
21-128CP**

Concept Plan

Proposal: Construction of a ±6,900-square-foot, one-story, multi-tenant commercial building with drive-thru restaurant. The 1.98-acre site is zoned Bridge Street District, Sawmill Center Neighborhood.
Location: ±500 feet northwest of the intersection of W. Dublin-Granville Road with Dublin Center Drive.
Request: Review and approval of a Concept Plan under the provisions of Zoning Code §153.066(E).
Applicant: Don Brogan, Crawford Hoying Development Partners; and Brian McNally, Meyers Architects
Planning Contact: Zach Hounshell, Planner I
Contact Information: 614.410.4652, zhounshell@dublin.oh.us
Case Information: www.dublinohiousa.gov/pzc/21-128

MOTION 1: Mr. Grimes moved, Mr. Way seconded, to table the Concept Plan.

VOTE: 6 – 0.

RESULT: The Concept Plan was tabled.

RECORDED VOTES:

Jane Fox Yes
Warren Fishman Yes
Mark Supelak Yes
Rebecca Call Absent
Leo Grimes Yes
Lance Schneier Yes
Kim Way Yes

MOTION 2: Mr. Grimes moved, Mr. Way seconded, to table the request for a combination of the review and approval of the Preliminary Development Plan and the Final Development Plan.

VOTE: 6 – 0.

RESULT: The request for the Preliminary Development Plan and the Final Development Plan to be combined and reviewed was tabled.

RECORDED VOTES:

Jane Fox Yes
Warren Fishman Yes
Mark Supelak Yes
Rebecca Call Absent
Leo Grimes Yes
Lance Schneier Yes
Kim Way Yes

STAFF CERTIFICATION

DocuSigned by:

Zach Hounshell

B1050D11513A490...

Zach Hounshell, Planner I



- ~~7) The applicant provide the window film color and calculations, at permitting, to confirm transparency requirements are met along the east façade.~~
- ~~8) The applicant submit for sign permits, with a landlord approval letter, for review of the proposed signs relative to the adopted regulations.~~

~~Vote: Ms. Fox, yes; Mr. Fishman, yes; Mr. Schneier, yes; Mr. Way, no; Mr. Supelak, yes; Mr. Grimes, yes.~~

~~[Motion carried 5-1]~~

NEW CASES

2. 4000 W. Dublin-Granville Road, 21-128CP, Concept Plan

A request for the construction of a ±6,900-square-foot, one-story, multi-tenant commercial building with drive-thru restaurant. The 1.98-acre site is zoned Bridge Street District, Sawmill Center Neighborhood and is located ±500 feet northwest of the intersection of W. Dublin-Granville Road with Dublin Center Drive.

Staff Presentation

Mr. Hounshell stated that this is a request for review and determination of a Concept Plan for 4000 W. Dublin-Granville Road. The Concept Plan is the first of three review stages for new developments within the Bridge Street District. The next two steps are the Preliminary and Final Development Plans. There is an opportunity to combine those last two steps, if the Concept Plan is approved. The applicant is requesting that those reviews be combined, should the Concept Plan be approved. The 1.98-acre site is located in the Sawmill Center neighborhood within the Bridge Street District. This vacant site is located south of the Lowe's development and has a number of mature trees along the west property line. In the southeast corner of the site is a low-lying entry feature, which currently does not serve a purpose or function for this or surrounding sites. There is also a decorative wall and monument sign for the Lowe's development. With this development, that sign would remain in place for the Lowe's development. When Lowe's was developed, a number of outparcels was created. This site is one of those, similar to the former Mellow Mushroom site immediately to the east. Because these are Lowe's outparcels, there are a number of deed restrictions, which include limitations on height, size and uses within proposed buildings. Deed restrictions are private agreements between the property owners and tenants, and the City is not involved in implementation of these agreements because they are negotiated between private entities. There is a 50-foot electric easement along the west property line. This proposal also includes the future development of Village Parkway, which is considered a District connector and principal frontage street within the Bridge Street District. The construction of this future extension is not included with the development; it is only accounted for in the site layout and design. The site is zoned BSD-SCN, Sawmill Center Neighborhood District. The intent of the Sawmill Center Neighborhood, as outlined in the BSD Code, is to provide an active, mixed-use, pedestrian-oriented environment through unique shopping, service and entertainment uses with supporting residential and office uses. The site is not subject to potential gateway requirements or shopping corridor requirements, and prohibits commercial center building types. Commercial center building types are not permitted on this site; they are permitted on select corridors, specifically along Bridge Park Avenue and Sawmill Road. This site is located at intersection of the potential Village Parkway extension and West Dublin-Granville Road. Both streets are designated as principal frontage streets. Banker Drives lies to the northeast and an access drive, both of which are potential neighborhood streets. Currently located on the Lowe's parcel to the north, they are designed as private access drives and are not built to public street standards. This proposal for an approximately 6,900-square-foot, multi-tenant commercial building, which will include uses such as restaurants and office. For one of the restaurants, a quick-serve drive-thru accessory use on the east is proposed. The building will be a Loft Building Type. [Site plan was reviewed.] Staff has reviewed the application against the applicable criteria and because

the criteria are not met, recommends disapproval of the Concept Plan. Staff also recommends disapproval of the request to combine the Preliminary and Final Development Plan reviews.

Commission Questions

Mr. Grimes requested clarification of the access to the private drive. Will an agreement with the property owner be required to have access to that drive? How can that private drive be required as the only permitted entrance/exit, as it is not a public right-of-way.

Mr. Hounshell responded that the site currently has access off the private section of Banker Drive. There are two access points, which will be consolidated into one. They are maintaining their current access. In the BSD, site access is not typically off principal frontage streets, such as the extension of Village Parkway or West Dublin Granville Road. Because access is off a future neighborhood street, it would meet the requirements of the BSD street network.

Mr. Grimes inquired if Lowe's, the owner of that street could eliminate it, if they so desired.

Mr. Hounshell deferred to the applicant to address the private access conditions.

Mr. Way noted that he has a similar question. In terms of Thoroughfare Plan, is Banker Drive designated as a future public street.

Mr. Hounshell responded that it is designated as a future neighborhood street. The section adjacent to this site is currently on the Lowe's parcel and is built to private access drive standards. Should Lowe's decide to develop that portion in the future and it became public right-of-way, the City would require reconstruction of that drive to public standards.

Mr. Way inquired if the City would take it over and handle that reconstruction.

Mr. Hounshell responded that it would be part of the negotiations at the time of the development of that site.

Ms. Rauch responded that, typically, the developer is responsible for the street reconstruction. Up to the time that Lowes would re-develop their site, Banker Drive would remain a private drive.

Mr. Way noted that to extend Village Parkway, much of the Lowe's site would be impacted. Currently, that road alignment cannot occur.

Ms. Rauch responded that there are pieces of future roadways that exist, but if Lowe's were to redevelop, Village Parkway from Banker north to Bridge Park would also need to be constructed.

Mr. Way stated it would have to be a right in/right out only, because it is not a full intersection; a median is currently there. Would it make sense to consider that as a future access point with this application and to plan the development with an access from that street?

Ms. Rauch stated that she is not aware of anything precluding it, but Engineering may have some input.

Mike Hendershot stated that Village Parkway is a principal frontage street, so the City would restrict access off that street. City Engineering has the ability to waive that requirement, but that typically does not occur. It is unlikely it would ever be the access point for this or the adjacent parcel. As clarification, the portion of Banker Drive from Shamrock Blvd to David Road is within public right-of-way. It is a public street within public right-of-way; it is an existing condition and would remain so.

Nelson Yoder, Principal, Development Partners, Crawford Hoying, 6640 Riverside Dr, Ste 500, Dublin, Ohio, 43017, stated that the development process with this site was initiated in September 2020. What is proposed is a drive-thru on the end cap of the building. There are two access points off Banker Drive. The Mellow Mushroom building located to the east does not interact with Dublin-Granville Road. There is parking between the building and the street. That is the more traditional urban form. In comparison, they have attempted to incorporate walkable, urbanism concepts into this site plan. In November 2020, they provided requested revisions to staff. The building has been elongated to occupy more of the frontage. The drive-thru has also been relocated behind the building; it can no longer be seen from West Dublin-Granville Drive, only from the Lowes driveway and the service driveway to the rear. Engineering has

requested that the two curbcuts be consolidated into one and be pulled to the center of the site. This land was an outparcel created in 2000 before the Bridge Street District was envisioned. At that time, Lowes imposed deed restrictions on this site limiting any buildings to 6000 square feet. They have approached Lowes more than once requesting them to drop the deed restrictions, as they would like to develop more square footage on the site. They have consistently refused. Even though the Bridge Street Code looks for something different than the earlier zoning code permitted, the deed restrictions remain in place. As a result, they must try to create a project on the site that allows for walkable urbanism concepts. Perhaps 30 years from now, the Lowes site will cease to exist, and the deed restrictions might be lifted by the future owner. At this point, it is important to ensure we are allowing ourselves the ability to address both Village Parkway and West Dublin Granville Road, should that future opportunity occur. They have attempted to create the best project they can now within the current restrictions. A tenant already has been identified that is interested in the site, who would be a great addition to Bridge Street. However, without a drive-thru, the tenant is not interested and this project will not happen. [described the details of the site report.] He noted that there is a mature tree line where the drive-thru stacking area would be. There is 24 feet between the curb and the edge of the proposed pavement. The proposed drive-thru will be obscured by the tree line. There is plenty of room to add any additional landscaping for buffering, as required. [reviewed the proposed one-story massing.] The project is facilitating a transfer of land to the City for the future roadway. It also provides patios and open space on SR161 and will create a buffer between SR 161 and Lowes. Additional pedestrian facilities will be necessary, particularly along the Lowe's access drive. The report unintentionally presents the Lowe's access drive as both a public street and as a private access drive; it is either one or the other. They have attempted to arrive at the best project for a very challenging site. This site will not set a precedent for other sites, because other sites along SR161 do not have the deed restrictions that this site has. If they did not exist, they would be happy to construct a taller building here. In comparison, the next case on the agenda is for a two-story, 12,000-square-foot building for the site immediately to the west of this site. They are able to construct that building because the site has no deed restrictions. They would not be appealing the Commission to permit a one-story building on this site, if it were not required.

Brian McNally, Myers & Associates, 232 N. Third Street, Columbus, OH stated that typically, this level of detail is not shown with a Concept Plan. Usually, lots, blocks and massing are shown. There were several site constraints that were dealt with; much time and effort has been invested in the Concept Plan in the placement of this building. On the west side of this site is a large, electrical easement. On the east side of the lot is the Lowes pedestal sign. The 7,000 square feet deed restriction incorporates the total building square footage. The longer, one-story design was created to take up more of the site along SR161 and create more interest. They have broken up the mass into 3-4 main heights, included a large amount of storefront, and attempted to create verticality into the design with the façade materials. Overhead canopies, horizontal elements and large patios activate the SR161 frontage.

Commission Questions

Ms. Fox stated that the applicant is caught between a deed restriction and the BSD Code. They have identified some creative uses in an attempt to navigate that situation. The applicant indicates they have discussed the situation with Lowes; is there a record of that discussion.

Mr. Yoder responded that the recorded deed restrictions dictate 6,000-7,000 square feet; the height; and parking requirements. Lowes has indicated that unequivocally, they will not go back on such past decisions. Apparently, with the number of Lowes units throughout the world, once they make a decision, they are not altered.

Ms. Fox inquired if Lowes realizes that this is an undevelopable lot within the City's Zoning Code.

Mr. Yoder responded that Lowes is not concerned as it is not their problem; it is a problem for the property owner and the City. The site can either remain vacant, or it can be activated with another

restaurant. As the owners, they would like to do that. If that cannot happen, the site will continue to sit vacant, as it has the past 20 years.

Mr. Schneier inquired if there is an overlap between the Code and the deed restrictions, is there a place the two could work together?

Mr. Yoder responded that there is not. A two-story building, as the Code requires, will not work. A 3,500-square-foot footprint would result in a very short building, which would not occupy a sufficient amount of the frontage. The best solution for meeting the Code requirements regarding the street frontage is what they have proposed.

Mr. Schneier inquired if there is any ability to change this from a drive-thru with vehicle queue line to an app-based order process.

Mr. Yoder responded that the most adjacent restaurant tenant has that type of setup. This tenant is a coffee-related business. He noted that Fifth Third put a deed restriction on this parcel when they sold it to Lowes in 2000 that no financial institution could be located on this site, nor any competing ATMs.

Ms. Fox stated that Lowes permits a building height of up to 28 feet, but this proposal has a height of 22 feet. She understands the purpose for spreading out the massing, but it would be possible to add some additional height.

Mr. Yoder responded that it would cost money to add height; therefore, it would be necessary to remove something elsewhere to make the project viable. They have invested the money at the level where there is the most benefit. There is a height restriction, not a stories restriction, and a 7,000-square foot restriction. The latter restricts the number of stories. If the building were made smaller, there would be a view of the parking lot and Lowes at the rear.

Mr. Supelak stated that because more height would be permitted, the concept of mezzanines occurs. Mezzanine are interesting in how they are used and how they apply toward building square feet. A double-height coffee house or restaurant could be compelling with a little mezzanine feature added, if the Code permits.

Mr. O'Malley responded that the Code permits mezzanines and are frequently used. They are not difficult, but the deed restrictions would count that mezzanine toward the usable building interior. The Building Code permits mezzanine to overlook 10 percent of the floor area. If they were to add mezzanine space, it would be necessary to eliminate some building length to meet the 7000 square foot restriction.

Mr. Yoder stated that if a mezzanine is open to the floor below, it is not counted as a story. It counts toward square footage but is a one-story building, according to Code. Because the Code permits a two-story building, a mezzanine would not be a benefit.

Mr. Way stated that in regard to the right-of-way for the future Village Parkway, perhaps it would be possible to change the drive-thru to that side and use that right-of-way as an easement. In the short term, it could provide access to the drive-thru and not involve the Lowes access drive.

Mr. Yoder responded that initially, the drive-thru was on that side of the building, as it improves the circulation. However, there was concern about having a drive-thru close to a future public street versus next to the driveway.

Mr. Way stated that there is no need for that road in the foreseeable future. All of that real estate will sit empty on the anticipation that some point in the future, there will be a road there – that seems short-sighted.

Mr. Yoder stated that because it is shown on the City's Thoroughfare Plan, it is required to be set aside to allow for that future roadway development.

Mr. Way stated that he would assume a limited easement could permit it to happen.

Mr. Yoder responded that City Engineering and Economic Development have indicated the City's desire that, at some point, the road would be built as part of this project. However, as the applicant, they do not see that as an asset to this particular project at this time.

Mr. Way responded that from a site-planning perspective, that would be a preferable location for the drive-thru, as it would remove it from the corridor and level of visibility.

Mr. Hounshell clarified that the Code's Specific Use requirements for drive-thrus dictate that, although Village Parkway is only potential, drive-thrus are not permitted to front principal frontage streets. They are required to plan the site accordingly. That is the reason the site is oriented toward the potential neighborhood streets rather than the principal frontage streets.

Mr. Way inquired if there is any opportunity for the Commission to express a recommendation for something different.

Ms. Rauch stated that there is an existing street network map and Code Specific Use requirements that limit where drive-thrus are permitted. Locating the street access on SR161 would be more concerning and visible than where it is currently proposed.

Mr. Way responded that it would not be visible, but there would be a right in/right out driveway that would permit access to the site. The exit could be on Banker Drive, not SR161.

Ms. Rauch responded that the greater issue is the drive-thru in general – the tone it sets for the corridor. The layout, design and use does not comply with what the Bridge Street District encourages.

Mr. Way stated that if the drive-thru location were altered, it would remove the circulation from that corner. The building then could anchor that corner differently.

Mr. Yoder stated that there is one advantage with the existing driveway alignment. It is effectively the front of the Lowe's building. The other location has the potential to be a road that does not align with the shopping center. In addition, the existing mature trees at that corner would provide screening. Mature evergreen trees provide excellent screening. There may also be room to add pedestrian facilities to connect SR161 to the front of the Lowe's site.

Commission Discussion

Ms. Fox stated that this Concept does not improve pedestrian friendliness of the street. It is auto-oriented. She would not object to a portion of the front of the building being one-story; however, there is a need to add some height. Rather than one long building, a pedestrian tunnel could allow people to walk through the building from the parking lot. The hope is that, one day, the pedestrian traffic along SR161 will be similar to that in Bridge Park. That will not happen here if the orientation is to the rear of the site. There is an opportunity to have one-story wings on the end, add height in the middle, and take advantage of the streetscape and patios. The Plan currently does not provide a sufficient number of pedestrian-friendly elements. She understands the deed restrictions but believes there is potential to create more pedestrian-friendliness. Using up all the space for buffering does not permit pedestrian facilities.

Mr. Yoder responded that he likes the idea of the tunnel connection through the building from SR 161 to the parking area, similar to the restaurants in Clintonville. Two buildings would not be permitted here, but one building with a tunnel could be a possibility. Such a change could improve the pedestrian friendliness, creating places for people to walk to. Adding a sidewalk between SR161 and the front of Lowes could improve pedestrian friendliness. It would not be crossing the proposed drive-thru on the other side of the hedgerow. He appreciates the Commission's comments and ideas.

Mr. Schneier reiterated Ms. Fox's comments regarding the need to create pedestrian-friendliness. A drive-thru and pedestrian friendliness seem to be mutually exclusive, but perhaps they need not be. He also likes the cut-through idea, which is common on Grandview Avenue and in Clintonville. He is not opposed to this being a one-story building on a unique site and unique circumstances. The goal is to create the best project possible along SR161, and he remains open-minded.

Mr. Fishman stated that the goal of the Bridge Street Corridor is to create a walkable community, and every application in this area has been expected to encourage that. That is the challenge for this site.

Mr. Grimes stated that he appreciates all the work invested on this site during the past year. It is a great plan, but in order to be true to the vision for that corridor, it does not yet "fit." There are many other parcels in this corridor yet to be developed. It is important to be consistent with the successful projects than making exceptions.

Mr. Way stated that there appears to be a vision that is ahead of itself. There are so many pieces along this corridor that are fighting against that vision that we cannot change. He does not believe having property sit vacant, making no contribution at all, is the right approach. The challenge is SR 161, a 45-mph roadway and no on-street parking. What the applicant is attempting to do to animate the existing walkway and add frontage to the street is very valid. Until Lowes goes away at some distant point in the future, the vision cannot be achieved. The applicant has come up with a good way to place an active use here at this point in time. Although he would like to see the drive-thru done differently, he supports the applicant's direction within the existing conditions of the corridor. The walkable street that is desired is a long-term vision. This is a short-term solution for achieving some activity on the site.

Mr. Supelak stated that Commission members recognize the difficult situation for the applicant. We keep referencing places like Grandview Avenue and Clintonville. Are pedestrian friendliness and vehicle drive-thrus mutually exclusive? Every example that we can recall confirm that they are, do that is the issue that needs to be resolved first. At present, it seems that this is not the right location for the proposed drive-thru. While he agrees that at this point, we are a long distance from the vision for this corridor, we do want this eventually to become like Grandview Avenue; that will take some time. It would be good to start with something to prime the energy, but he is skeptical that the energy should come from a drive-thru. The design and material palette are attractive. The idea about creating a pedestrian pass-through could be appropriate. The deed restrictions are an interesting problem, and the applicant has been trying to work out a solution with Lowes and the City. Lowes is a large corporation, but money can be convincing. It is the economics that matter, and he believes Lowes will budge, if the conversation is right.

Mr. Yoder responded that the issue is that Lowes sold this outparcel 20 years ago. They have obtained their money from it and have no incentive to re-negotiate any past decisions to benefit little outparcel in Dublin. Working with those restriction, they now must find a way of making the most they can from this vacant site, which is an eyesore in the middle of an important corridor. He will challenge his group to go back and identify how to satisfy all the requirements expressed by the Commission tonight. Although Commissioners may not have an experience with a drive-thru that is part of a pedestrian-friendly project, he is confident that his talented team can do that. They built Bridge Park – certainly, they can figure out a way to incorporate a drive-thru in a project that has enough other pedestrian connectivity to make it a successful project. If the Commission agrees, he would like to go back to the drawing board and identify a concept that reinforces the priority of the pedestrian element within the project.

Mr. Supelak responded that he has no objection to their making that attempt, but it would be a tall hurdle. The Commission has concerns, but would be happy to see a concept that accommodates those concerns. He clarified that he was not advocating for the applicant to invest more money or make additional purchases here; it is, of course, up to the applicant to do the cost-benefit analysis. In most cases, a check to waive some deed restrictions will be convincing.

Mr. Yoder responded that most people will accept a check, if it is large enough. However, they also need to be financially able to construct a building. Purchasing more square footage for the project would also mean investing and constructing more parking. It can become more complicated.

Public Comments

No public comments on the case were received.

Mr. Boggs inquired if the applicant had indicated that he wished to table the case.
Mr. Yoder responded affirmatively.

Mr. Grimes moved, Mr. Way seconded to table the Concept Plan.

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

[Motion carried 6-0]

Mr. Grimes moved, Mr. Way seconded to table the request for combination of the review and approval of the Preliminary Development Plan and the Final Development Plan.

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

[Motion carried 6-0]

3. ~~4012 W. Dublin-Granville Road, 21-129CP, Concept Plan~~

~~A request for the construction of a 14,600-square-foot, two-story, mixed-use building. The 1.08-acre site is zoned Bridge Street District, Office and is located northeast of the intersection of W. Dublin-Granville Road with David Road.~~

Staff Presentation

~~Mr. Ridge stated that this is a request for review and approval of a Concept Plan for the construction of a two-story, mixed-use building in the Bridge Street District. The applicant is proposing an approximate 14,600-square-foot loft type building, sited in the southern one-third of the site. Approximately 400 square feet of open space is proposed on the west edge of the proposed building, where 290 square feet is required. 53 parking spaces will be located centrally on the site, where 54 spaces are required. Access to the site is provided on the north side of the site from Banker Drive. Two patios are proposed adjacent to the building, and sidewalks are proposed along the David Road and Banker Drive frontages. Some of the infrastructure improvements will be on a City-owned parcel; therefore, the applicant will need to work with staff to determine the most appropriate siting. There is a portion of an existing overhead utility easement on the east side of the site, which constricts the site of the building and the parking. The proposed Loft Building Type is a permitted building type in the Office District. The building is required to be sited within 0-15 feet of the right-of-way line and to occupy 75% of the front property line width. With the Preliminary Development Plan, a full building type analysis will be required. The applicant has provided rendering of the proposed building massing. It is a primarily a 2-story massing with a 1.5-story element and rooftop amenities. The primary entry from the parking lot is on the north elevation. Architectural inspiration images were also provided. The buildings will be contemporary in design with straight lines and flat roofs. The buildings utilize glazing, transparency, wood, metal and masonry elements. The proposed open space will be comprised of hardscape with vegetation and seating elements provided. The Concept Plan was reviewed against applicable criteria and staff recommends approval with two conditions, as well as approval of the request to combine the Preliminary and Final Development Plan reviews.~~

Commission Questions

~~Ms. Fox that the building is required to be 0-15 feet from the right-of-way. In addition to the building footprint, that could also be either patio or an outdoor structure. With those spaces, the building itself could be located further back from the property line.~~

~~Mr. Ridge responded affirmatively.~~