City of Dublin

Office of the City Manager
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Memo

To: Members of Dublin City Council

From: Marsha I. Grigsby, City Manager

Date: October 31, 2013

Initiated By: Steve Langworthy, Director of Land Use and Long Range Planning

Re: Ordinance 84-13 – Modifications to Section 153.066 of the City of Dublin Codified Ordinances (Zoning Code) to amend the Bridge Street District Approval Process.(Case 13-095ADM)

Summary

Planning presented proposed amendments to §153.066, *Review and Approval Procedures and Criteria,* at Council's first reading of Ordinance 84-13 on October 28th. Council requested additional information regarding proposed revisions to the abandonment provisions, as well as the role of the Architectural Review Board in the development review process, including the City Council appeal process. The Law Director will address these items.

Related Code Amendments

Council was also informed about pending revisions to §153.057 and 153.058 as they relate to the proposed revisions to §153.066. A separate memo providing further information regarding those amendments has been provided with Ordinance 91-13 for Council's consideration at the first reading on November 4th.

Council also expressed interest in the review process and standards applicable to other sections of the Bridge Street District zoning regulations, such as signs. The Planning and Zoning Commission and Architectural Review Board will continue to review the remaining sections of the Bridge Street District regulations (§§153.059-065) at upcoming meetings. Following the full review of the remaining Code sections, Planning will prepare a separate ordinance with proposed amendments for Council's consideration.

Recommendation

Planning recommends City Council approval of Ordinance 84-13 at the second reading/public hearing on November 4, 2013.

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Memo

To: Members of Dublin City Council

From: Marsha I. Grigsby, City Manager

Date: October 24, 2013

Initiated By: Steve Langworthy, Director of Land Use and Long Range Planning

Re: Ordinance 84-13 – Modifications to Section 153.066 of the City of Dublin Codified Ordinances (Zoning Code) to Amend the Bridge Street District Approval Process.(Case 13-095ADM)

Summary

Planning provided a memo for the August 12, 2013 Council meeting outlining a proposed process and timeline for evaluating and updating the Bridge Street District zoning regulations. At that meeting, the chair of the Planning and Zoning Commission also communicated to Council a proposed Commission and staff review of the Code.

At their August 22nd meeting, the Commission discussed their areas of interest in reviewing the Code and chose to begin with §153.066 – *Review and Approval Procedures and Criteria*. The Commission discussed this Code Section on September 5th, 12th and 19th, and recommended approval of a revised draft at their October 10th meeting. This memo summarizes the proposed revisions. In addition, the Architectural Review Board reviewed its sections of the Code at its September meeting but did not recommended any changes.

Planning and Zoning Commission Review

During their review of §153.066, Commission members expressed concerns with the current Administrative Review Team (ART) process and discussed potential alternatives for consideration. The Commission discussed with Planning staff various issues with both the Commission (i.e. PUD) and Administrative Review Team (ART) processes with regard to maintaining an expedited and predictable review process. Commission members believe that additional opportunities for Commission review and public input for proposed development projects should be incorporated into the Code.

Specifically, the Commission discussed the potential for a "dual track" review process, in which the Commission would review a project early in the process (*i.e.* Basic Plan) and determine at that point whether the project should proceed through an administrative approval process (ART), or require a Planning and Zoning Commission approval. A version of this approach was considered during the original review of the Code in 2012. The Commission requested that Planning staff draft revised language for that version of §153.066 to incorporate this process.

The Commission also recommended adding to the review criteria for various types of applications a set of "commonly accepted principles of walkable urbanism" to ensure that applications are evaluated not only against proscriptive Code requirements, but with a general consideration for how well the proposal meets the intent of creating walkable places as

envisioned for the Bridge Street District.

Summary of Modifications

Planning staff revised §153.066 to address the issues raised by the Commission as well as other changes identified through analysis of the Code and experience with implementing the procedures. An overview of the modifications, including both procedural and technical, is provided below.

Procedural Modifications

- §153.066(D)(2) *Basic Plan Review*: Required prior to both Development Plan and Site Plan Reviews (optional in the Architectural Review District). To clarify the nomenclature, the plans reviewed during the Basic Plan Review have been designated "Basic Development Plans" and "Basic Site Plans."
- §153.066(D)(3) - *Required Reviewing Body Determination*: Outlined as part of the Basic Plan Review process; allows the Planning and Zoning Commission to determine whether a future Development Plan Review or Site Plan Review application will be reviewed by the Commission or by the ART, based on three factors:
    1. The complexity of the project or potential for neighborhood or community-wide effects.
    2. Consistency with the Bridge Street Corridor Vision Report, Community Plan and other applicable City plans. A reference to "principles of walkable urbanism" as suggested by the Commission is included.
    3. The number and scope of Waiver requests to Code requirements.
- §153.066(E)(1)(3) *Development Plan Review*: Clarified the purpose of the Development Plan Review to reference planned open spaces, building types, and overall contribution to the creation of signature places in the Bridge Street District. Similarly, the review criteria include evaluation of the proposed street types, building types and open spaces (when known). Review criteria also now reference the principles of walkable urbanism.
- §153.066(F)(3) *Site Plan Review*: The Commission recommended a revision to review criterion (e) to state that the proposal must maintain the image of Dublin as a high quality community "with a commitment to exemplary planning and design." The review criteria also now reference the principles of walkable urbanism.
- §153.066(G) *Minor Project Review:* Both Planning and the Commission identified the need for clarifications and adjustments to the list of projects eligible for Minor Project Review by the ART (as opposed to Development Plan or Site Plan Review). The list now permits site development requirements to be reviewed as a Minor Project when associated with new buildings under 10,000 square feet or building additions of less than 25%. Also, as recommended by the Commission, the list is clarified so that Minor Project Reviews only apply to exterior modifications to principal structures involving not more than 25% of <u>any individual façade elevation</u>, rather than the total façade area.

  The Commission also recommended adding a "kick-up" provision for Minor Projects that would permit the ART to send a Minor Project to the Commission for its review and

approval. The language has been changed to permit this for proposals that the ART finds raise complex issues or may have neighborhood or community-wide effects.

- §153.066(K)(1)(b) *Minor Modifications:* Minor modifications, requiring Director approval through a Certificate of Zoning Plan Approval, have been modified to include minor modifications to Existing Structures and associated site improvements when minor site and building modifications are necessary for ordinary maintenance, refurbishment, or Zoning Code compliance (such as repainting, screening service structures, installing new sidewalks and landscaping, etc.).
- §153.066(N)(1)(e) *Simultaneous Processing:* §153.066 currently allows applications for Development Plan and Site Plan Reviews to be processed simultaneously. While this may be appropriate for smaller projects, for more significant projects some of the site details may hinge on determinations on greater site considerations, such as street type, block size, etc. The Commission recommended allowing the Planning Director to determine when simultaneous processing is always appropriate. This Commission may also discuss the potential for simultaneous processing during the Basic Plan Review for the Director's consideration if a simultaneous application is filed.
- §153.066(N)(6)(c) *Abandonment:* The Law Director has recommended a revision to the abandonment provisions to clarify the process under which the Director of Building Standards may determine that a development project has been abandoned during construction, and procedures for restoring an abandoned site to its previous condition.

Technical Modifications

- Several changes were necessary to coordinate review timelines and procedures between the ART, the Commission, and/or the Architectural Review Board.
- *Elective Review:* Procedures have been eliminated for Development Plan and Site Plan applications since the new section on Required Reviewing Body Determination makes this unnecessary. A similar process has been added for Minor Project applications as described above.
- *Waiver Review*: Has been relocated as a separate type of review (rather than as a sub-component of the Development Plan and Site Plan Reviews), since Waivers may be requested separately, or as part of the Basic Plan or Minor Project Reviews. Review criteria for Development Plan and Site Plan Review Waivers have been combined as they were substantially similar.

Other Notes and Considerations

- References to "commonly accepted principles of walkable urbanism" as described earlier in this memo have been added throughout this Section with references to §§153.057 and 153.058 – *General Purpose* and *BSC Districts Scope and Intent*. The Commission reviewed revisions to these Code Sections at their October 17 meeting with the intent to forward a recommendation to Council as soon as possible.
- References to the Bridge Street Corridor Vision Report have been changed to refer to the Bridge Street District Plan now adopted as part of the Community Plan. This reflects

discussion by the Planning and Zoning Commission at their October 17, 2013 meeting regarding pending changes to §§153.057 and 153.058 – *General Purpose* and *BSC Districts Scope and Intent*.

- Cross-references are subject to change with further modifications to this and other Code Sections, and may need to be "cleaned up" in this section at a later date as the Commission proceeds with its further review of the remainder of the Bridge Street zoning regulations.

Recommendation

Planning recommends City Council approval of Ordinance 84-13 at the second reading/public hearing on November 4, 2013.

RECORD OF ORDINANCES

Dayton Legal Blank, Inc. Form No. 30043

84-13

Ordinance No. _____ *Passed* _____, *20*____

AN ORDINANCE MODIFYING SECTION 153.066 OF THE CITY OF DUBLIN CODIFIED ORDINANCES (ZONING CODE) TO AMEND THE BRIDGE STREET DISTRICT APPROVAL PROCESS. (CASE 13-095ADM)

WHEREAS, it is necessary from time to time to amend Dublin's Zoning Code to protect the health, safety and welfare of the citizens of the City of Dublin; and

WHEREAS, Dublin City Council adopted the Bridge Street Corridor Vision Report on October 25, 2010 and has since integrated the policy recommendations of the Vision Report into the Dublin Community Plan as the Bridge Street District Plan, adopted on July 1, 2013; and

WHEREAS, Dublin City Council adopted the Bridge Street Corridor Districts as part of the City of Dublin Zoning Code, including Sections 153.057-153.066, on March 26, 2012 to implement the five Vision Principles identified in the Vision Report; and

WHEREAS, Section 153.066 of the City of Dublin Zoning Code states that the Planning and Zoning Commission and the Architectural Review Board may evaluate and monitor the application of the requirements and standards of Sections 153.057 through 153.066 and recommend to City Council any changes needed in the BSC district standards and requirements to better implement the Bridge Street Corridor Vision Report; and

WHEREAS, the Planning and Zoning Commission reviewed and discussed the proposed amendment to Section 153.066 on September 5, 12, and 19, 2013 and recommended its adoption on October 10, 2013 because it serves to improve the health, safety and welfare of the citizens of the City of Dublin.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Dublin, _____ of its elected members concurring, that:

Section 1. Section 153.066 of the City of Dublin Zoning Code is hereby amended and shall provide as follows:

§ 153.066 REVIEW AND APPROVAL PROCEDURES AND CRITERIA

(A) Intent

The intent of §153.066 is to provide an efficient and predictable review process for rezoning and/or development applications within the Bridge Street Corridor districts and to enhance Dublin's reputation for high quality development while allowing property owners to compete for development consistent with the Vision Principles and direction articulated in the Bridge Street District Plan. The review and approval procedures and criteria help ensure that new development and redevelopment is served by adequate and efficient infrastructure so as not to burden the fiscal resources of the City, and to protect the health, safety, and general welfare of residents, occupants, and users of property in the BSC districts and surrounding areas of the City.

(B) Required Reviews

(1) This section outlines the requirements and procedures for development review specifically within the BSC districts. The review procedures of §153.066 shall be used for all development applications in a BSC district. Table 153.066-A, Summary Procedure Table, describes the review procedures applicable in all BSC districts.

(2) The following abbreviations and terms are used in §153.066:

ART – Administrative Review Team
ARB – Architectural Review Board
BZA – Board of Zoning Appeals
PZC or Commission – Planning and Zoning Commission
CC or Council – City Council
Director – Planning Director

TABLE 153.066-A: SUMMARY PROCEDURE TABLE							
R=Recommendation D=Decision A=Administrative Appeal RF=Review & Feedback							
Type of Application		**ART**	**ARB**	**BZA**	**PZC**	**Council**	**Zoning Code Reference**
Zoning Code Approvals							
Zoning Map or Text Amendment		R	R		R	D	§153.234
Conditional Use		R	R		D		§153.236
Special Permit				D		A	§153.231(G)
Use Variance		R		R		D	§153.231(H)(3)
Non-Use (Area) Variance		R		D			§153.231(H)(2)
Other Approvals							
Administrative Appeals				D		A	§153.231(F)
Building Code Appeal				D			§153.231(I)
Bridge Street Corridor Districts							
Pre-Application Review		RF					§153.066(C)
Basic Plan Review	Architectural Review District	R	D				§153.066(J)
	Other BSC Districts	R			D		§153.066(D)
Development Plan Review	Architectural Review District	R	D	A		A	§153.066(J)
	Other BSC Districts*	R/D		A	D	A	§153.066(E)(2)
Site Plan Review	Architectural Review District	R	D	A		A	§153.066(J)
	Other BSC Districts*	R/D		A	D	A	§153.066(F)(2)
Minor Project Reviews	Architectural Review District	D		A		A	§153.066(J)
	Other BSC Districts	D		A		A	§153.066(G)
Waivers	Architectural Review District	R	D	A		A	§153.066(J)
	Other BSC Districts	R		A	D	A	§153.066(I)
Master Sign Plan Review	Architectural Review District	R	D	A		A	§153.065(H)(L)(8)/ §153.065(H)(2)(c)6
	Other BSC Districts	R		A	D	A	§153.065(L)(8) / §153.065(H)(2)(c)6
Administrative Departure		D		A		A	§153.066(H)
Open Space Fee in Lieu		R		A	D	A	§153.066(L)(1)/ §153.064(D)-(E)
Director Approval	Minor Modifications			A		A	§153.066(K)
	Certificate of Zoning Plan Approval (Building and Site Modifications)			A		A	§153.233/ §153.066(N)(3)
* As determined by the Planning and Zoning Commission at Basic Plan Review							§153.066(D)(3)

(C) Pre-Application Review

(1) Purpose and Applicability

(a) The purpose of the Pre-Application Review is to provide a potential applicant with a non-binding review of a development proposal and to provide information on the procedures and policies of the City, including application review procedures.

(b) Pre-Application Review with the Administrative Review Team (ART) is required for any proposal that requires Development Plan or Site Plan Review under the provisions of §153.066(E) and (F).

(c) Pre-Application Reviews may be submitted and processed simultaneously with a request for a Basic Plan Review as provided in §153.066(D).

(d) Pre-Application Reviews do not result in a development decision or permit, and shall not obligate the City or the developer to take any action on the proposal.

(2) Review Procedure

(a) A request for a Pre-Application Review shall be made in accordance with the provisions of §153.066(N)(1).

(b) The City shall notify the applicant in writing at least five days prior to the Pre-Application Review meeting.

(c) The ART and other applicable departments shall be promptly notified of the ART Pre-Application Review meeting. Prior to the meeting the Director shall distribute the submitted materials to the ART and other applicable departments for input and recommendations.

(d) The ART shall review the submitted materials and provide non-binding input and recommendations. The ART shall complete its review of the application not more than 14 days from the date the request was submitted.

(e) A written summary of the Pre-Application Review meeting shall be provided to the applicant not more than 10 days after the Pre-Application Review meeting.

(f) Additional Pre-Application Review meetings with the ART may be requested prior to filing a request for a Basic Plan Review.

(g) The written summary of the Pre-Application Review shall be forwarded to the required reviewing body with the application for a Basic Plan Review.

(D) Basic Plan Review

(1) Purpose and Applicability

(a) Purpose

1. The purpose of the Basic Plan Review is to outline the scope, character, and nature of the proposed development and, for those projects outside the boundaries of the Architectural Review District, to determine the applicable review process.

2. The Basic Plan Review allows the required reviewing body to evaluate the proposal for its consistency with commonly accepted principles of walkable urbanism as described in §§153.057 and 153.058, the Community Plan, including the Bridge Street District Plan, and other related policy documents adopted by the City, and to consider the proposal within the context of existing and planned development within the vicinity of the project.

3. The Basic Plan Review provides an opportunity for public input at the earliest stages of the development process.

4. The Basic Plan Review provides clear direction to the applicant and the required reviewing body in its evaluation of an application for Development Plan and/or Site Plan Review.

(b) Applicability

1. Basic Plan Review by the Planning and Zoning Commission is required for any proposal that requires Development Plan and/or Site Plan Review under the provisions of §153.066(E) and (F).

2. Basic Plan Review is optional for any proposal that requires Development Plan and/or Site Plan Review by the Architectural Review Board under the provisions of §153.066(J), or may be required by the ART if it concludes that the application includes major site or building improvements that would benefit from a Basic Plan Review by the ARB.

(2) Review Procedure

(a) An application for a Basic Development Plan Review or Basic Site Plan Review shall be made in accordance with the provisions of §153.066(N)(1).

(b) A public review of a Basic Plan application shall be held in accordance with the provisions of §153.066(N)(1)(f).

(c) Applications for Basic Plan Review shall be approved, approved with conditions, or denied based on the Development Plan Review criteria of §153.066(E)(3) and/or the Site Plan Review criteria of §153.066 (F)(3). If denied, the applicant shall be permitted to submit an application for another Basic Plan Review.

(d) The decision on the Basic Plan Review shall be provided not more than 28 days from the filing of a complete Basic Plan Review application. The required reviewing body shall schedule meetings as necessary to meet the review period requirement.

(e) The Basic Plan Review decision provided by the required reviewing body shall be forwarded in writing to the applicant not less than 10 days following the review.

(f) The decision and findings of the Basic Plan Review shall be incorporated into the Development Plan and/or Site Plan Review application.

(g) If a Development Plan and/or Site Plan Review application is not submitted within one year from the date of the approved Basic Plan Review, the applicant shall be required to submit a new application for a Basic Plan Review by the required reviewing body prior to submitting an application for a Development Plan and/or Site Plan Review involving the same site.

(3) Required Reviewing Body Determination

(a) As part of the Basic Plan Review conducted by the Planning and Zoning Commission, the Commission shall determine the required reviewing body for the subsequent Development Plan and/or Site Plan Review applications. In making its determination, the Commission will consider any of the following factors:

1. Whether the application raises complex issues, including but not limited to, the need for major infrastructure improvements and other neighborhood or community-wide effects that would benefit from a Commission decision.

2. Whether the application is generally consistent with the principles of walkable urbanism as described in §§153.057 and 153.058, the five Bridge Street District Vision Principles, the Community Plan or other applicable City plans.

3. Whether the application involves a substantial number of Waivers or the scope of requested Waivers would result in a significant deviation from the requirements of §§153.059 through 153.065.

(b) The Commission's determination shall be forwarded in writing to the applicant not less than five days following the determination.

(c) Following the Commission's determination, an application for Development Plan Review and/or Site Plan Review may be submitted as provided in §153.066(N).

1. Applications to be reviewed by the Planning and Zoning Commission shall be reviewed in accordance with the provisions of §§153.066(E)(2)(c) and 153.066(F)(2)(c).

2. Applications for which the Administrative Review Team is the required reviewing body shall be reviewed in accordance with §§153.066(E)(2)(d) and 153.066(F)(2)(d).

(d) Applications for which the Architectural Review Board is the required reviewing body shall be reviewed in accordance with §153.066(J).

(E) Development Plan Review

(1) Purpose and Applicability

(a) The purpose of the Development Plan Review is to:

1. Ensure that the street network and block framework meet the requirements of §§153.060, 153.061 and §153.063, as applicable;

2. Ensure that proposed street types are consistent with the principles of walkable urbanism as described in §§153.057 and 153.058;

3. Ensure that planned open spaces and building types, when known, will meet the applicable general siting requirements of §§153.062 and 153.064;

4. Ensure that the proposed development is consistent with the general development requirements of the City with respect to such elements as infrastructure, transportation, and environmental considerations; and

5. Ensure that the proposed development will contribute to the creation of signature places in the city consistent with the Bridge Street District Plan through an evaluation of long-term phasing plans, transitional development conditions, and planned placemaking elements.

6. The Development Plan review process is not intended to be a review of the individual development regulations of §153.059 and §§153.062 through 153.065, which are intended for the Site Plan Review process.

(b) An application for a Development Plan Review is required in the following conditions:

1. The application involves the construction of more than one principal structure on one or more parcels; or

2. The application includes five or more gross acres of land; or

3. The application involves the design or construction of new streets, or a proposed realignment or relocation of any other street in the general pattern of street development conceptualized by the Bridge Street Corridor Street Network map in §153.061 that is required or permitted by the City.

(2) Review Procedures

(a) Applications for Development Plan Review shall be submitted in accordance with the provisions of §153.066(N)(1).

(b) The required reviewing body for a Development Plan Review application shall be determined under the provisions of §153.066(D)(3) and the application shall be reviewed under the provisions of §153.066(E)(2)(c), (d) or (e) as applicable.

(c) Planning and Zoning Commission Review

1. Administrative Review Team Recommendation

A. The ART shall base its recommendation to the Planning and Zoning Commission for approval, approval with conditions, or denial of the Development Plan application under the criteria of §153.066(E)(3). The recommendation shall be made not more than 28 days from the receipt of a completed application. The ART's recommendation shall be provided to the applicant in writing not more than 5 days after the ART's recommendation.

B. Following the review, the applicant shall be given the opportunity to revise the application in response to the ART's comments. The applicant may request additional subsequent meetings with the ART, which may be subject to up to an additional 28 day time limit for a decision.

2. The Planning and Zoning Commission shall review the Development Plan application and the recommendation of the ART and render its decision based on the criteria of §153.066(E)(3) for approval, approval with conditions, or denial not more than 14 days after the date of the determination by the ART. The Commission's decision shall be provided to the applicant in writing not more than 14 days after the date of the decision.

(d) Administrative Review Team (ART) Review

1. The ART shall review the application for Development Plan Review and render a determination based on the criteria of §153.066(E)(3) for Development Plans for approval, approval with conditions, or denial.

2. The ART shall make a decision on the application not more than 28 days from the date of the submission of a complete application for a Development Plan Review.

(e) Applications for which the Architectural Review Board is the required reviewing body shall be reviewed in accordance with §153.066(J).

(3) Review Criteria for Development Plans

Each required reviewing body shall make its recommendation or its decision on an application for Development Plan Review based on each of the following criteria and the recommendation of the required reviewing body during the Basic Plan Review:

(a) The Development Plan shall be substantially similar to the approved Basic Development Plan;

(b) The lots and blocks proposed are consistent with the requirements of §153.060;

(c) The application is consistent with the general pattern of street development conceptualized by the BSC Street Network as shown in §153.061, and the expected traffic from the development can be accommodated on existing or proposed streets consistent with that system;

(d) The proposed street types are consistent with the principles of walkable urbanism as described in §§153.057 and 153.058 and are designed to coordinate with the scale, intensity and character of development planned on adjacent lots and blocks;

(e) The proposed buildings and open spaces are appropriately sited and consistent with the requirements of §§153.062 and 153.064;

(f) The application is consistent with the requirements of §153.063, Neighborhood Standards, if applicable;

(g) If the development is to be implemented in phases, each phase is able to be considered independently, without the need for further phased improvements;

(h) The application demonstrates consistency with the five Bridge Street District Vision Principles, Community Plan and other related policy documents adopted by the City; and

(i) The application provides adequate and efficient infrastructure to serve the proposed development, consistent with the City's most recently adopted Capital Improvements Program.

(F) Site Plan Review

(1) Purpose and Applicability

(a) The purpose of the Site Plan Review is to confirm that the proposed development of an individual site, building, and/or open space is consistent with the BSC district regulations.

(b) The Site Plan Review process is intended as a review of the individual development regulations of §153.059 and §§153.062 through 153.065. Approval of the Site Plan Review includes assuring that the dimensions of a parcel meet the lot size requirements for the applicable building type(s) and that the surrounding street network meets the applicable requirements of §§153.060 and 153.061.

(c) A Site Plan Review is required for any development application within the BSC districts, including those

applications for which a Development Plan is required, with the exception of applications meeting the requirements for a Minor Project as provided in §153.066(G)(2).

(2) Review Procedures

(a) Applications for Site Plan Review shall be submitted in accordance with the provisions of §153.066(N)(1).

(b) The required reviewing body for a Site Plan Review application shall be determined under the provisions of §153.066(D)(3) and the application shall be reviewed under the provisions of §153.066(F)(2)(c), (d) or (e) as applicable.

(c) Planning and Zoning Commission Review

1. The ART shall base its recommendation to the Planning and Zoning Commission for approval, approval with conditions, or denial of the Site Plan Review application under the criteria of §153.066(F)(3). The recommendation shall be made not more than 28 days from the receipt of a completed application. The ART's recommendation shall be provided to the applicant in writing not more than 5 days after the ART's recommendation.

2. Following the review, the applicant shall be given the opportunity to revise the application in response to the ART's comments if the application is not recommended for approval by the ART. The applicant may request additional subsequent meetings with the ART which may be subject to up to an additional 28 day time limit for a decision.

3. The Planning and Zoning Commission shall review the Site Plan application and the recommendation of the ART and render its decision based on the criteria of §153.066(F)(3) for approval, approval with conditions, or denial not more than 14 days from the date of the determination by the ART. The Commission's decision shall be provided to the applicant in writing not more than 14 days after the date of the decision.

(d) Administrative Review Team (ART) Review

1. The ART shall review the application for Site Plan Review and render a determination based on the criteria of §153.066(F)(3) for Site Plans for approval, approval with conditions, or denial.

2. The ART shall make a decision on the application not more than 28 days from the date of the submission of a complete application for a Site Plan Review.

(e) Applications for which the Architectural Review Board is the required reviewing body shall be reviewed in accordance with §153.066(J).

(3) Review Criteria for Site Plans

Each required reviewing body shall make its recommendation or its decision on an application for Site Plan Review based on each of the following criteria and the recommendation of the required reviewing body during the Basic Plan Review:

(a) The Site Plan Review shall be substantially similar to the approved Basic Site Plan.

(b) If a Development Plan has been approved that includes the property, the application is consistent with the Development Plan;

(c) The application meets all applicable requirements of §153.059 and §§153.062 through 153.065 except as may be authorized by Administrative Departure(s) or Waiver(s) pursuant to §153.066(H) and §153.066(I), respectively;

(d) The internal circulation system and driveways provide safe and efficient access for residents, occupants, visitors, emergency vehicles, bicycles, and pedestrians;

(e) The relationship of buildings and structures to each other and to other facilities provides for the coordination and integration of the development within the surrounding area and the larger community and maintains the image of Dublin as a high quality community with a commitment to exemplary planning and design;

(f) The application is consistent with the requirements for types, distribution, and suitability of open space in §153.064 and the site design incorporates natural features and site topography to the maximum extent practicable;

(g) The scale and design of the proposed development allows the adequate provision of services currently furnished by or that may be required by the City or other public agency including, but not limited to, fire and police protection, public water and sanitary sewage services, recreational activities, traffic control, waste management, and administrative services;

(h) Stormwater management systems and facilities will not cause alterations that could increase flooding or water pollution on or off the site, and removal of surface waters will not adversely affect neighboring properties;

(i) If the development is to be implemented in phases, each phase is able to be considered independently, without the need for further phased improvements; and

(j) The application demonstrates consistency with commonly accepted principles of walkable urbanism as described in §§153.057 and 153.058, the five Bridge Street District Vision Principles, Community Plan and other related policy documents adopted by the City.

(G) Minor Project Review

(1) Purpose and Applicability

The purpose of the Minor Project Review is to provide an efficient review process for smaller projects that do not have significant community effects. The Minor Project review is necessary to ensure that applications meet the requirements of this Chapter.

(2) The following shall be considered Minor Projects:

(a) Individual single family detached dwelling units.

(b) Multiple family and townhouse buildings of 8 or fewer dwelling units in a single building on an individual lot and not part of a larger development complex.

(c) Development of mixed use and non-residential principal structures of 10,000 square feet or less gross floor area, and associated site development requirements.

(d) Additions to principal structures that increase the gross floor area by not more than 25%, or not more than 10,000 square

feet gross floor area, whichever is less, existing as of the effective date of this amendment, or when first constructed, and associated site development requirements.

(e) Exterior modifications to principal structures involving not more than 25% of any individual façade elevation of the structure.

(f) Signs, landscaping, parking, and other site related improvements that do not involve construction of a new principal building. Parks when used to meet requirements as an open space type, as provided in§153.064, shall require Site Plan Review.

(g) Accessory structures and uses.

(h) Modifications to Existing Structures in accordance with §153.062(B).

(3) Review

Procedure

(a) An application for a Minor Project Review shall be made in accordance with the provisions of §153.066(N)(1).

(b) Following acceptance of a complete application for a Minor Project, the ART shall approve, deny, or approve with conditions the application not more than 14 days from the date the request was submitted. The City shall notify the applicant in writing not less than five days prior to the review meeting.

(c) The ART shall review the application and approve, approve with conditions, or deny the application based on the criteria of §153.066(F)(3) applicable to Site Plan Reviews. A written summary of the ART decision shall be provided to the applicant not more than 10 days after the Minor Project Review meeting.

(d) Alternatively, the ART may forward any Minor Project Review application to the Planning and Zoning Commission for a decision at their next available meeting if it concludes that the application raises complex issues, including but not limited to, the need for public infrastructure improvements and/or other neighborhood or community-wide effects that would benefit from a Commission decision. These applications shall be reviewed under the provisions of §153.066(F)(2)(c) and shall not require a Basic Plan Review.

(e) Following the decision, the applicant shall be given the opportunity to revise the application in response to the ART's comments if the application is not approved by the ART. The applicant may request additional subsequent meetings with the ART, which shall also be subject to the 14 day time limit for a decision.

(H) Administrative Departures

(1) Purpose and Applicability

The intent of §153.066(H) is to provide an administrative process to allow minor deviations from the strict application of the BSC district requirements caused by unusual site or development conditions or conditions unique to a particular use or other similar conditions that require reasonable adjustments, but remain consistent with the intent of this Chapter. Examples include, but are not limited to, minor adjustments to building setbacks, parking requirements, landscaping, building materials, or other similar features or elements.

(2) Review Procedure

(a) A request for an Administrative Departure may be submitted with an application for a Development Plan, Site Plan, or Minor Project Review, or at any time after those applications have been submitted and before a decision or recommendation by the ART has been made. If a request for Administrative Departure is made after any application for which a time limit is provided the Director may require that the time period for ART review start over on the day the request for an Administrative Departure is received.

(b) A request for an Administrative Departure may be processed simultaneously with the Development Plan, Site Plan, or Minor Project Review to which it relates. The ART shall determine whether each requested Administrative Departure is approved, approved with conditions, or denied. Decisions on Administrative Departures shall be reported to the required reviewing body that approved the Development Plan and/or Site Plan Review.

(c) Should the ART find that the request does not meet the criteria for an Administrative Departure, the applicant may request a Waiver under the provisions of §153.066(I) or submit a new application for Development Plan, Site Plan, or Minor Project Review.

(3) Criteria for Administrative Departure Approval

The ART shall make its decision on the requested Administrative Departure based on the following criteria:

(a) The need for the Administrative Departure is caused by unique site conditions, conditions on surrounding properties, and/or otherwise complies with the spirit and intent of the Bridge Street District Plan, and is not being requested simply to reduce cost or as a matter of general convenience;

(b) The Administrative Departure does not have the effect of authorizing any use, sign, building type, or open space type that is not otherwise permitted in that BSC district;

(c) The Administrative Departure does not modify any numerical zoning standard related to building dimensions, lot dimensions or coverage, open space, landscaping, parking, fencing, walls, screening, or exterior lighting by more than 10% of the requirement; and

(d) The Administrative Departure, if approved, will ensure that the development is of equal or greater development quality with respect to design, material, and other development features than without the Administrative Departure.

(I) Waiver Review

(1) Requests for Waivers shall be submitted for any project elements that deviate from one or more of the requirements of §§ 153.059 through 153.065, and that do not qualify for an Administrative Departure under the provisions of §153.066(H). The Waiver request may be submitted with any application for Development Plan, Site Plan, or Minor Project Review.

(2) The ART shall review the requested Waivers and make recommendations to the Commission or ARB, as applicable, for their approval, denial, or approval with conditions. Should additional necessary Waivers be determined by the ART during its review, those Waivers may be included for review by the required reviewing body.

(3) The Commission or the ARB, as applicable, shall review the requested Waivers using the criteria of §153.066(I)(6). Should other Waivers be necessary to resolve conflicts with other requirements of this Chapter resulting from the requested Waivers, those Waivers shall also be reviewed by the required reviewing body.

(5) The Commission or ARB, as applicable, shall approve, approve with conditions, or deny the specific Waiver request(s) not more than 28 days from the recommendation of the ART.

(6) Criteria for Waiver Review

Each required reviewing body shall make its recommendation/decision on an application for proposed Waivers based on all of the following criteria and with consideration to the recommendation of the ART:

(a) The need for the Waiver is caused by unique site conditions, the use of or conditions on the property or surrounding properties, or other circumstance outside the control of the owner/lessee, including easements and rights-of-way;

(b) The Waiver, if approved, will generally meet the spirit and intent of the Bridge Street District Plan and supports the commonly accepted principles of walkable urbanism;

(c) The Waiver is not being requested solely to reduce cost or as a matter of general convenience;

(d) The Waiver, if approved, will ensure that the development is of equal or greater development quality with respect to design, material, and other similar development features than without the Waiver;

(e) The requested modification would better be addressed through the Waiver rather than an amendment to the requirements of this Chapter;

(f) For Development Plans, the other Development Plan elements not affected by the Waiver will be generally consistent with §153.060(A) and §153.061(A); and

(g) For Site Plan Reviews and Minor Project Reviews, the Waiver does not have the effect of authorizing any use or open space type that is not otherwise permitted in that BSC district.

(J) Architectural Review Board (ARB) Review

(1) Applications for Basic Plan (if conducted), Development Plan, Site Plan, Minor Project Reviews and Waiver Reviews for property within the Architectural Review District shall be reviewed by the ART within the timeframes specified in §§153.066(D)(2), 153.066(E)(2)(a), or 153.066(F)(2)(a), as applicable and then forwarded to the ARB with a recommendation for approval, approval with conditions, or denial.

(2) Applications for Basic Plan, Development Plan, Site Plan, Minor Project Reviews and Waiver Reviews by the ARB shall be reviewed in accordance with the standards of §§153.066(E)(3), 153.066(F)(3), 153.066(G), and/or 153.066(I), as applicable, as well as the provisions of §153.170 through §153.180.

(3) Public Review

A public review of applications for Basic Plan (if conducted), Development Plan, Site Plan, Minor Project Reviews and Waiver Reviews by the ARB shall be held in accordance with the provisions of §153.066(N)(1)(f).

(4) The ARB shall make a decision on the application not more than 28 days from the date of the ART's recommendation.

(5) In the event of a conflict between the requirements of §153.059 and §§153.062 through 153.065, and the provisions of §153.170

through §153.180, the ARB shall determine the most appropriate provisions to apply to the specific application based on the criteria of §153.066(E)(3) for Development Plans and §153.066(F)(3) for Site Plan and Minor Project Reviews.

(K) Minor Modifications

(1) Purpose and Applicability

(a) The Director may authorize Minor Modifications to approved Development Plans, Site Plans and Minor Projects that are required to correct any undetected errors or omissions, address conditions discovered during the permitting process or construction, or that are necessary to ensure orderly and efficient development. Any approved Minor Modifications must be consistent with the approved Development Plan, Site Plan or Minor Project Review, as applicable.

(b) The Director may also authorize Minor Modifications to Existing Structures and associated site improvements that are necessary to complete ordinary maintenance, refurbishment or Zoning Code compliance.

(c) The following are considered Minor Modifications:

1. Adjustments to lot lines, provided no additional lots are created, required setbacks and/or RBZs are maintained, and the boundaries to any approved Development Plan are not altered;

2. Adjustments to the location and layout of parking lots provided the perimeter setbacks, yards and buffers, and required parking are maintained;

3. Adjustments for buildings up to 10% in total floor area of the originally approved building, building height(s) or floor plans, that do not alter the character of the use;

4. Substitution of landscaping materials specified in the landscape plan with comparable materials of an equal or greater size;

5. Redesigning and/or relocating stormwater management facilities provided that general character and stormwater capacities are maintained;

6. Relocating fencing, walls or screening (not including screening walls), provided that the same level and quality of materials and screening are maintained;

7. Modifications to sign location, sign face, landscaping and lighting, provided the general sign design, number of signs, and dimensional requirements are maintained;

8. Changes in building material or colors that are similar to and have the same general appearance comparable to or of a higher quality as the previously approved material;

9. Changes required by outside agencies such as the county, state, or federal departments; and/or

10. Other modifications deemed appropriate by the Director that do not alter the basic design or any specific conditions imposed as part of the original approval.

(2) Review Procedure

(a) An application for a Minor Modification shall be made in accordance with the provisions of §153.066(N)(1) for Certificates of Zoning Plan Approval.

(b) The Director shall review the request for a Minor Modification and make a decision on the request not more than 14 days after receiving a complete application for Certificate of Zoning Plan Approval.

(c) If denied, or approved with conditions, the applicant shall be given the opportunity to revise the request in response to the Director's comments and resubmit for further consideration. If a revised application for Certificate of Zoning Plan Approval is submitted, the 14 day review period shall start over on the day the revised request is received.

(d) Requests not meeting the requirements for a Minor Modification shall require the filing and approval of a new application for a Development Plan Review, Site Plan Review, Minor Project Review, or other review, as applicable, in accordance with §153.066.

(L) Other Applicable Reviews

(1) Open Space Fee in Lieu

After a recommendation from the ART, the Planning and Zoning Commission shall determine whether a request for a payment of a fee in lieu of open space dedication may be approved, as provided in §153.064(D) and (E),.

(2) Conditional Uses

The Conditional Use approval procedures in §153.236 shall apply in the BSC districts. In addition, a recommendation from the ART and the ARB, as applicable, shall be submitted for consideration by the Planning and Zoning Commission.

(3) Zoning Map or Text Amendment

The amendment procedures of §153.234 shall apply in the BSC districts. In addition, a recommendation from the ART and the ARB, as applicable, shall be submitted for consideration by the Planning and Zoning Commission and City Council.

(4) Preliminary and Final Plats

Reviews of Preliminary and Final Plats shall be governed by Chapter 152 of the Dublin Code of Ordinances.

(5) Special Permit

The Special Permit procedures in §153.231(G) shall apply in the BSC districts.

(6) Zoning Variance

The zoning variance procedures in §153.231(H) shall apply in the BSC districts. In addition, a recommendation from the ART shall be submitted for consideration by the Board of Zoning Appeals, and for City Council in the instance of a Use Variance.

(7) Public Tree Permit

The tree permit requirements of §153.134(G) shall apply in the BSC districts.

(8) Master Sign Plan

The Planning and Zoning Commission or Architectural Review Board shall review all master sign plans in the BSC districts, as provided in §153.065(H). A recommendation from the ART shall be submitted to the Planning and Zoning Commission or Architectural Review Board for consideration.

(M) Administrative Appeal

(1) The Administrative Appeal provisions of §153.231(F) apply in the BSC districts.

(2) Decisions on appeals are limited to those specific provisions or approvals that are the subject of the appeal. No other part of an application shall be modified by the Board of Zoning Appeals.

(3) The decision of the BZA may be further appealed to City Council within 10 days of the BZA hearing date.

(4) City Council must determine whether or not to hear the appeal, in its sole discretion and by a motion passed by a majority vote, no later than 21 days following the Clerk of City Council's receipt of the written notice of appeal, unless an extended time is agreed upon by City Council and the applicant.

(5) City Council shall decide the appeal no later than 28 days following the date of Council's decision to hear the appeal, unless an extended time is otherwise agreed upon by City Council and the applicant. In considering the appeal, City Council may consider any evidence and may affirm, reverse, or otherwise modify the decision of the BZA or any other part of the application.

(N) General Provisions

(1) Applications

(a) Each application required by §153.066 shall be made in writing on a form provided by the City and shall be accompanied by the fee as established by City Council.

(b) Applications for approvals in the BSC districts shall include all information required by the City, unless some information is deemed unnecessary by the Director based on the nature and scale of the proposed development. No application shall be accepted by the City until it is complete. Any applicable time limits noted in §153.066 shall not begin until a complete application is accepted by the City. If found to be incomplete, the Director shall inform the applicant of any additional materials required to complete the application.

(c) After acceptance of a complete application, the Director and/or required reviewing body may request additional materials if deemed necessary to evaluate the proposal.

(d) Resubmission

No application for a Development Plan or Site Plan Review which has been denied by the required reviewing body shall be resubmitted for a period of one year from the date of the decision, unless permitted by the Director after a demonstration by the applicant of a change of circumstances from the previous application that may reasonably result in a different decision.

(e) Simultaneous Processing

1. In cases where a Development Plan application is submitted, a Site Plan Review and/or a Minor Project may be reviewed simultaneously with that Development Plan, subject to Director approval.

2. The Site Plan Review or Minor Project approval shall not be effective until the Development Plan has been approved. If appropriate, other required reviews as provided in this section may be processed jointly with a Development Plan and/or Site Plan Review application.

(f) Public Reviews

Where public reviews are required by this section, a written notice of the public meeting shall be sent, not less than 10 days prior to the meeting, to the applicant, property owner, and owners of parcels of land within 300 feet of the subject parcel(s), as listed on the County Auditor's current tax list. The notice shall, at a minimum, indicate the property that is the subject of the request, describe the nature of the request, the time, date and location of the meeting at which the application will be considered, and indicate when and where written comments will be received concerning the request.

(2) Decisions

(a) Any application required to be reviewed under §153.066 shall be approved, approved with conditions, or denied by the required reviewing body based on the applicable review criteria as provided in §153.066 and other applicable provisions of this Chapter. The recommending body and required reviewing body shall state the reasons for their decisions in the minutes and provide a written record of the decision to the applicant not more than 10 days after a recommendation or decision is made, unless otherwise provided in this section.

(b) Prior to reaching a decision, if the required reviewing body determines that an application does not meet the applicable review criteria as provided in §153.066 and other applicable provisions of this Chapter, but determines that the application could meet those criteria with modifications that could not be reasonably conditioned, the applicant may request that the decision on the application be postponed to provide the opportunity to make those modifications. If the request for postponement is granted, a new review period shall begin on the date the applicant submits a complete application with revised materials.

(c) Following the approval of a Site Plan Review or Minor Project application, the applicant may proceed with the process for obtaining a Certificate of Zoning Plan Approval and building permit, consistent with the approval as granted. All construction and development under any building permit shall comply with the approved Site Plan Review and Development Plan, and any other approval, as applicable.

(3) Certificate of Zoning Plan Approval

A Certificate of Zoning Plan Approval issued by the Director verifying compliance with all applicable zoning requirements is required prior to modification, extension, or alteration of sites and structures, and/or change of use in BSC districts.

(4) Code Administration

The Planning and Zoning Commission and the Architectural Review Board may evaluate and monitor the application of the requirements and standards of §§153.057 through 153.066 by the ART. The Commission and the Architectural Review Board may advise the ART as to whether it finds that the requirements or standards (including requests for Administrative Departures) are being applied correctly, and recommend to City Council any changes needed in the BSC district standards and requirements to better implement the Bridge Street District Plan.

(5) Time Extensions

(a) Where the provisions of §153.066 require that an action be

taken by the City within a stated period of time, that time may be extended with the written consent of both the applicant and the Director prior to expiration of the required time period.

(b) If the applicant submits a revised application during any required review period, and the Director determines that the revised application differs substantially from the previous application, a new review period shall begin and additional meetings of the required reviewing body may be scheduled if deemed necessary by the Director.

(6) Duration of Approvals

(a) An application shall be filed for a Development Plan and/or Site Plan Review within one year following the completion of the Basic Plan Review. If a Development Plan and/or Site Plan Review application is not filed within this period a new Basic Plan Review shall be required in accordance with the requirements of §153.066(D).

(b) All Development Plan, Site Plan Review, and Minor Project approvals made pursuant to §153.066 shall be valid for a period of two years. If an initial building permit and/or Certificate of Zoning Plan Approval for the approved development has not been issued within that two year period, the applicant shall be required to apply for a new Development Plan, Site Plan Review, or Minor Project approval, as applicable, pursuant to §153.066 before obtaining a building permit.

(c) Abandonment

1. Once a final approval is granted by the required reviewing body, if significant construction is not started within two years and meaningfully continued, or the Director of Building Standards determines that work has been abandoned for a continuous period of six months, the approval shall lapse and cease to be in effect.

2. The Director of Building Standards shall make the determination of abandonment based on the presence of one or more of the following conditions:

A. Removal of construction equipment or supplies;

B. Expiration of an active building permit issued by the City;

C. Evidence of a failure to maintain the property, such as overgrown weeds, failure to secure buildings, broken windows, or other evidence of lack of maintenance;

D. Other actions documented by the Director of Building Standards and/or Director evidencing an intent to abandon the construction of the project.

3. Once the Director of Building Standards makes a determination of abandonment, if a new Bridge Street District application is not submitted within 90 days from the date of the determination, the owner shall restore the site to its previous condition, and/or remove any structures or other evidence of work on the site, within 180 days from the date of the determination of abandonment. If the owner fails to restore the site to its

previous condition within 180 days, the City may take any and all actions necessary to restore the site to its previous condition, including removing any structures or other evidence of work, and the costs of removal shall be assessed against the property.

(7) Administrative Review Team (ART)

(a) The purpose of the Administrative Review Team is to provide for review and approval authority for certain applications as defined by §153.066. The Administrative Review Team is responsible for the comprehensive review of each application, and making recommendations to the Planning and Zoning Commission, Architectural Review Board, or Board of Zoning Appeals where required. The ART is also responsible for making decisions in an efficient and timely manner based on evaluation of objective development standards and specific review criteria. While these objective standards and criteria must guide the decisions of the ART, it is recognized that some degree of subjectivity may be part of the ART's deliberations.

(b) The Administrative Review Team shall consist of the Director (Chair), City Engineer, Fire Chief, Economic Development Manager, Parks and Open Space Director, Police Chief, and Chief Building Official, or their representatives, and any other members appointed by the City Manager as deemed necessary, either as permanent or temporary members.

(c) The ART may use the services of other professionals, such as architectural, engineering, and other consultants as they deem necessary, to advise the ART on the application of the provisions of this Chapter.

Section 2. This ordinance shall be effective on the earliest date permitted by law.

Passed this _____ day of _____, 2013.

_____

Mayor - Presiding Officer

ATTEST:

_____

Clerk of Council

§ 153.066 REVIEW AND APPROVAL PROCEDURES AND CRITERIA

(A) Intent

The intent of §153.066 is to provide an efficient and predictable review process for ~~applications for~~ rezoning and/or development applications within the Bridge Street Corridor districts and to enhance Dublin's reputation for high quality development while allowing property owners to compete for development consistent with the Vision Principles and direction articulated in the Bridge Street ~~Corridor Vision Report.~~District Plan. The review and approval procedures and criteria ~~are also intended to~~help ensure that new development and redevelopment is served by adequate and efficient infrastructure so as not to burden the fiscal resources of the City, and ~~generally~~ to protect the health, safety, and general welfare of residents, occupants, and users of property in the BSC districts and surrounding areas of the city.

(B) Required Reviews

(1) This section outlines the requirements and procedures for development review specifically within the BSC districts. The review ~~types~~procedures of §153.066 shall be used for all development applications in a BSC district. Table 153.066-A, Summary Procedure Table, describes the review procedures applicable in all BSC districts.~~(a) Refer to Table 153.066-A, Summary Procedure Table, for the list of reviews and procedures applicable in all BSC districts.~~

~~(b) Refer to Figure 153.066-A, Review and Approval Procedures for Planning and Zoning Commission Reviews.~~

~~(c) Refer to Figure 153.066-B, Review and Approval Procedures for Architectural Review Board Reviews.~~

~~(d) Refer to Figure 153.066-C, Other Review and Approval Procedures, illustrate the review and approval procedures for development in all Bridge Street Corridor districts.~~

(2) The following abbreviations and terms are used in §153.066:

ART – Administrative Review Team
ARB – Architectural Review Board
BZA – Board of Zoning Appeals
PZC or Commission – Planning and Zoning Commission
CC or Council – City Council
Director – Planning Director

TABLE 153.066-A: SUMMARY PROCEDURE TABLE

R = Recommendation D = Decision A = Administrative Appeal RF =

Type of Application	ART	ARB	BZA	Commission	Council	~~City~~Zoning Code
Zoning Code Approvals						
Zoning Map or Text Amendment	R	R		R	D	§153.234
Conditional Use	R	R		D		§153.236
Special Permit	~~R~~		D		A	§153.231(G)

Use Variance		R		R		D	§153.231(H)(3)
Non-Use (Area) Variance		R		D			§153.231(H)(2)
~~Subdivision Reviews~~							
~~Preliminary Plat~~		~~R~~			~~R~~	~~D~~	~~Chapter 152~~
~~Final Plat~~		~~R~~			~~R~~	~~D~~	~~Chapter 152~~
Other Approvals							
Administrative Appeals				D		A	§153.231(F)
Building Code Appeal				D			§153.231(I)
Bridge Street Corridor Districts							
Pre-Application Review		RF					§153.066(C)
~~ARB~~ Basic Plan~~-~~ Review~~-~~	Architectural Review District	R	~~RF~~ D				§153.066(~~D)(3~~J)
	~~Basic Plan Review~~	R			~~R~~		§153.066(D)
~~ARB~~ Development~~-~~	Architectural Review District	R	D	A		A	§153.066(~~E)(6~~J)
~~Development Plan Other BSC Districts~~		~~D~~		~~A~~		~~A~~	~~§153.066(E)~~
~~Development Plan Elective Review~~		~~R~~		~~A~~	~~D~~	~~A~~	~~§153.066(E)(3)~~
~~Development Plan Waiver Review~~		~~R~~		~~A~~	~~D~~	~~A~~	~~§153.066(E)(4)~~
~~ARB Site Plan Review~~		~~R~~	~~D~~	~~A~~		~~A~~	~~§153.066(F)(6)~~
~~Site Plan Review Other BSC Districts~~		~~D~~		~~A~~		~~A~~	~~§153.066(F)~~
~~Site Plan Review Elective Review~~		~~R~~		~~A~~	~~D~~	~~A~~	~~§153.066(F)(3)~~
~~Site Plan Review Waiver Review~~		~~R~~		~~A~~	~~D~~	~~A~~	~~§153.066(F)(4)~~
~~Minor Projects~~		~~D~~		~~A~~		~~A~~	~~§153.066(G)~~

TABLE 153.066-A: SUMMARY PROCEDURE TABLE							
R=Recommendation D=Decision A=Administrative Appeal RF=Review & Feedback							
Type of Application		ART	ARB	BZA	Commission	Council	Zoning Code Reference
	Other BSC Districts*	R/D		A	D	A	§153.066(E)(2
Site Plan Review	Architectural Review District	R	D	A		A	§153.066(J)
	Other BSC Districts*	R/D		A	D	A	§153.066(F)(2)
Minor Project Reviews	Architectural Review District	D		A		A	§153.066(J)
	Other BSC Districts	D		A		A	§153.066(G)
Waivers	Architectural Review District	R	D	A		A	§153.066(J)
	Other BSC Districts	R		A	D	A	§153.066(I)
Master Sign Plan Review	Architectural Review District	R	D	A		A	§153.065(H)(L)(8)/ §153.065(H)(2)(c)6
	Other BSC Districts	R		A	D	A	§153.065(L)(8) / §153.065(H)(2)(c)6
Administrative Departure		D		A		A	§153.066(H)
Open Space Fee in Lieu		R		A	D	A	§153.066(L)(1)/ §153.064(D~~) and ()~~
Director Approval	Minor ~~Modification to Approved~~	~~D~~		A		A	§153.066(~~I~~K)
	Certificate of Zoning Plan Approval (Building and Site Modifications)	~~D~~		A		A	§153.233/ §153.066(~~L~~N)(3)
* As determined by the Planning and Zoning Commission at Basic Plan Review							§153.066(D)(3)
~~Master Sign Plan Other BSC Districts~~		~~R/D~~		~~A~~	~~D~~	~~A~~	~~§153.065(H)(2)~~

(C) Pre-Application Review~~-~~

(1) Purpose and Applicability~~(a) A~~

(a) The purpose of the Pre-Application Review is to provide a potential applicant with a non- binding review of a development proposal and to provide information on the procedures and policies of the City, including application review procedures.

(b) Pre-Application Review with the Administrative Review Team (ART) is required for any proposal that requires Development Plan or Site Plan Review ~~approval under the provisions of §153.066(E) and (F). The purpose of the Pre-Application Review is to provide a potential applicant with a non-binding review of a development proposal and to provide information on the procedures and policies of the City, including the application review procedures that may be used.~~under the provisions of §153.066(E) and (F). ~~(b)~~

(c) Pre-Application Reviews may be submitted and processed simultaneously with a request for a Basic Plan Review as provided in §153.066(D).~~-~~

(d)~~(c)~~ Pre-Application Reviews do not result in a development decision

or permit, and shall not obligate the City or the developer to take any action on the proposal.

(2) Review Procedure

(a) A request for a Pre-Application Review shall be made in accordance with the provisions of §153.066(L). N)(1).

(b) The City shall notify the applicant in writing at least five days prior to the Pre-Application Review meeting.

(c) The ART and other applicable departments shall be promptly notified of the ART Pre-Application Review meeting. Prior to the meeting the Director shall distribute the submitted materials to the ART and other applicable City departments for input and recommendations.

(d) The ART shall review the submitted materials and provide non-binding input and recommendations. The ART shall complete its review of the application not more than 14 days from the date the request was submitted.

(e) A written summary of comments and suggestions made during the Pre-Application Review meeting shall be provided to the applicant not more than 10 days after the Pre-Application Review meeting.

(f) Prior to filing an application for the Basic Plan Review, the applicant shall be given the opportunity to revise the application in response to the ART's comments. The applicant may schedule additional Additional Pre-Application Review meetings with the ART may be requested prior to filing a request for a Basic Plan Review.

(g) The written summary of the Pre-Application Review shall be forwarded to the required reviewing body with the application for a Basic Plan Review.

(D) Basic Plan Review

(1) Purpose and Applicability

(a) Purpose

1. The purpose of the Basic Plan Review is to outline the scope, character, and nature of the proposed development. The process is intended to allow the required reviewing body to evaluate the proposal for its consistency with the Bridge Street Corridor Vision Report and this Chapter. It is also intended to provide clear direction to the applicant and the ART in its review of an application for Development Plan or Site Plan Review. and, for those projects outside the boundaries of the Architectural Review District, to determine the applicable review process.(b)

2. The Basic Plan Review is also intendedallows the required reviewing body to provideevaluate the proposal for its consistency with commonly accepted principles of walkable urbanism as described in §§153.057 and 153.058, the Community Plan, including the Bridge Street District Plan, and

other related policy documents adopted by the City, and to consider the proposal within the context of existing and planned development within the vicinity of the project.

3. The Basic Plan Review provides an opportunity for public input at the earliest stages of the development process. (c) Except as provided in §153.066(D)(

4. The Basic Plan Review provides clear direction to the applicant and the required reviewing body in its evaluation of an application for Development Plan and/or Site Plan Review.

(b) Applicability

1)(d), a . Basic Plan Review withby the Planning and Zoning Commission is required for any proposal that requires Development Plan and/or Site Plan Review approval under the provisions of §153.066(E) and (F).

2. (d) A Basic Plan Review withis optional for any proposal that requires Development Plan and/or Site Plan Review by the Architectural Review Board for applications involving property within the boundaries of the Architectural Review District is at the option of the applicant,under the provisions of §153.066(J), or may be required by the ART if it concludes that the application includes major site or building improvements that would benefit from a Basic Plan Review by the ARB.

(2) Review Procedure

(a) An application for a Basic Development Plan Review or Basic Site Plan Review shall be made in accordance with the provisions of §153.066(LN)(1).

(a) Public Review

(b) A public review of a Basic Plan application shall be held in accordance with the provisions of §153.066(LN)(1)(f).

The Planning and Zoning Commission shall approve, approve(c) Applications for Basic Plan Review shall be approved, approved with conditions, or deny the Basic Plan Reviewdenied based on the Development Plan Review Criteriacriteria of §153.066(E)(53) and/or the Site Plan Review Criteriacriteria of §153.066 (F)(5). 3). If denied, the applicant shall be permitted to submit an application for another Basic Plan Review.

(d) The decision on the Basic Plan Review shall be provided not more than 28 days from the filing of thea complete Basic Plan Review application. The Commissionrequired reviewing body shall schedule meetings as necessary to meet the review period requirement. If denied, the applicant shall be permitted to reapply for another Basic Plan Review.

(b) The applicant may request additional Basic Plan Reviews, which shall be subject to a 28 day review period and the required public review.

(e) The Basic Plan Review decision provided by the required reviewing body shall be forwarded in writing to the applicant not less than 10 days following the review.

(f) The decision ~~on~~and findings of the Basic Plan Review shall be incorporated into the Development Plan and/or Site Plan Review application.

(g) If a Development Plan and/or Site Plan Review application is not submitted within one year from the date of the ~~last~~approved Basic Plan Review~~ for a site~~, the applicant shall be required to ~~obtain an additional~~submit a new application for a Basic Plan Review by the required reviewing body prior to submitting an application for a Development Plan and/or Site Plan Review involving the same site~~ in accordance with §153.066(L).~~.~~(E) Development Plan Review~~

~~(1) Purpose and Applicability~~

~~(a)~~

(3) Required Reviewing Body Determination

(a) As part of the Basic Plan Review conducted by the Planning and Zoning Commission, the Commission shall determine the required reviewing body for the subsequent Development Plan and/or Site Plan Review applications. In making its determination, the Commission will consider any of the following factors:

1. Whether the application raises complex issues, including but not limited to, the need for major infrastructure improvements and other neighborhood or community-wide effects that would benefit from a Commission decision.

2. Whether the application is generally consistent with the principles of walkable urbanism as described in §§153.057 and 153.058, the five Bridge Street District Vision Principles, the Community Plan or other applicable City plans.

3. Whether the application involves a substantial number of Waivers or the scope of requested Waivers would result in a significant deviation from the requirements of §§153.059 through 153.065.

(b) The Commission's determination shall be forwarded in writing to the applicant not less than five days following the determination.

(c) Following the Commission's determination, an application for Development Plan Review and/or Site Plan Review may be submitted as provided in §153.066(N).

1. Applications to be reviewed by the Planning and Zoning Commission shall be reviewed in accordance with the provisions of §§153.066(E)(2)(c) and 153.066(F)(2)(c).

2. Applications for which the Administrative Review Team is the required reviewing body shall be reviewed in accordance with

§§153.066(E)(2)(d) and 153.066(F)(2)(d).

(d) Applications for which the Architectural Review Board is the required reviewing body shall be reviewed in accordance with §153.066(J).

(E) Development Plan Review

(1) Purpose and Applicability

(a) The purpose of the Development Plan Review is to ensure:

1. Ensure that the street network and block framework meet the requirements of §§153.060 and, 153.061, and §153.063, as applicable,;

2. Ensure that proposed street types are consistent with the principles of walkable urbanism as described in §§153.057 and to ensure153.058;

3. Ensure that planned open spaces and building types, when known, will meet the applicable general siting requirements of §§153.062 and 153.064;

4. Ensure that the proposed development is consistent with the general development requirements of the City with respect to such elements as infrastructure, transportation, and environmental considerations. ; and

5. Ensure that the proposed development will contribute to the creation of signature places in the city consistent with the Bridge Street District Plan through an evaluation of long-term phasing plans, transitional development conditions, and planned placemaking elements.

6. The Development Plan review process is not intended to be a review of the individual development regulations of §153.059 and §§153.062 through 153.065, which isare intended for the Site Plan Review process.

(b) An application for a Development Plan Review is required in the following conditions:

1. The application involves the construction of more than one principal structure on one or more parcels; or

2. The application includes five or more gross acres of land; or

3. The application involves the design or construction of new streets, or a proposed realignment or relocation of any other street in the general pattern of street development conceptualized by the Bridge Street Corridor Street Network map in §153.061 that is required or permitted by the City.

(2) Review Procedure Procedures

(a) An application Applications for a Development Plan Review shall

be ~~made~~submitted in accordance with the provisions of §153.066(~~L).~~ N)(1).~~(b) The~~

(b) The required reviewing body for a Development Plan Review application shall be determined under the provisions of §153.066(D)(3) and the application shall be reviewed under the provisions of §153.066(E)(2)(c), (d) or (e) as applicable.

(c) Planning and Zoning Commission Review

1. Administrative Review Team Recommendation

A. The ART shall ~~review the~~ base its recommendation to the Planning and Zoning Commission for approval, approval with conditions, or denial of the Development Plan application under the criteria of §153.066(E)(~~5) and render a decision~~ 3). The recommendation shall be made not more than 28 days from the receipt of a completed application~~, except as provided for in §153.066(E)(6). A written summary of the~~. The ART's ~~decision~~recommendation shall be provided to the applicant in writing not more than ~~10~~5 days after the ~~Development Plan Review meeting.~~ ART's recommendation.

~~(c)~~B. Following the review, the applicant shall be given the opportunity to revise the application in response to the ART's comments~~ if the application is not approved by the ART.~~. The applicant may request additional subsequent meetings with the ART, which ~~shall also~~may be subject to ~~a~~up to an additional 28 day time limit for a decision.

~~(3) Development Plan Elective Review~~

~~(a) Rather than reaching a final determination under the provisions of §153.066(E)(~~2~~), the ART may elect to forward any Development Plan application to the~~. The Planning and Zoning Commission ~~for a decision if it concludes that the application raises complex issues, such as the need for major infrastructure improvements and other neighborhood or community-wide effects, that would benefit from a Commission decision.~~

~~(b) The ART~~ shall ~~submit its~~ review the Development Plan application and the recommendation ~~for consideration by the Commission under the procedures of §153.066(E)(2).~~

~~(c) Public Review~~of the ART ~~A public review of a Development Plan Elective Review application shall be held in accordance with the provisions of §153.066(L).~~

~~(d) The Commission shall consider the application~~ and render ~~a~~its decision ~~under~~based on the criteria of §153.066(E)(~~5) not more than 28 days from the recommendation of the ART.~~3) for ~~(4) Development Plan Waiver Review~~

(a) Except for those applications provided for in §153.066(E)(6), applications for Development Plan approval that deviate from one or more of the requirements of §§153.060 and 153.061, and that do not qualify for an Administrative Departure under the provisions of §153.066(H), may be reviewed by the Planning and Zoning Commission as a Development Plan Waiver. , (b) The applicant shall submit a list of proposed Waivers with the Development Plan application. Should other necessary Waivers be identified by the ART during its review, those Waivers may be included for review by the Commission. The ART shall review the requested Waivers and make recommendations to the Commission for their approval, deniapproval with conditions in accordance with §153.066(E)(2). , or denial not more than 14 days after the date of the determination by the ART. The Commission's decision shall be provided to the applicant in writing not more than 14 days after the date of the decision.

(d)(c) Administrative Review Team (ART) Review

1. The CommissionART shall review the recommendation of the ART and the specificapplication for Development Plan Waivers usingReview and render a determination based on the criteria of §153.066(E)(4)(e). Should other Waivers be necessary to resolve conflicts with other requirements of this Chapter resulting from the requested Waivers, those Waivers shall also be reviewed by the Commission.

(d) The Commission shall approve, deny, or approve3) for Development Plans for approval, approval with conditions the specific Development Plan Waiver request(s) , or denial.

2. The ART shall make a decision on the application not more than 28 days from the recommendation of the ARTdate of the submission of a complete application for a Development Plan Review.(e)

(e) Applications for which the Architectural Review Board is the required reviewing body shall be reviewed in accordance with §153.066(J).

(3) Review Criteria for Development Plan WaiversPlans

Each required reviewing body shall make its recommendation or its decision on an application for Development Plan WaiversReview based on each of the following criteria and the recommendation of the required reviewing body during the Basic Plan Review:

1. The need for the Development Plan Waiver is caused by unique site conditions, the use of or conditions on the property or surrounding properties, or other circumstance outside the control of the owner/lessee, including easements and rights-of-way;

2. The Waiver, if approved, will generally meet the spirit and intent of the Vision Report;

The Waiver is not being requested solely to reduce cost or as (a matter of general convenience; and

~~The other elements of the Development Plan not affected by the Waiver will be generally consistent with §153.060(A) and §153.061(A).~~) ~~(5) Review Criteria for Development Plans~~

~~Each required reviewing body shall make its recommendation or its decision on an application for Development Plan approval based on each of the following criteria and the recommendation of the required reviewing body during the Basic Plan Review:~~

The Development Plan shall be substantially similar to the approved Basic Development Plan~~.~~;

(b) The lots and blocks proposed are consistent with the requirements of §153.060;

(c) The application is consistent with the general pattern of street development conceptualized by the BSC Street Network as shown in §153.061, and the expected traffic from the development can be accommodated on existing or proposed streets consistent with that system;~~-~~

(d) The proposed street types are consistent with the principles of walkable urbanism as described in §§153.057 and 153.058 and are designed to coordinate with the scale, intensity and character of development planned on adjacent lots and blocks;

(e) The proposed buildings and open spaces are appropriately sited and consistent with the requirements of §§153.062 and 153.064;

(f) The application is consistent with the requirements of §153.063, Neighborhood Standards, if applicable;~~-~~

(g) If the development is to be implemented in phases, each phase is able to be considered independently, without the need for further phased improvements;

(h) The application demonstrates consistency with the five Bridge Street District Vision ~~Report~~Principles, Community Plan and other related policy documents adopted by the City; and

(i) The application provides adequate and efficient infrastructure to serve the proposed development, consistent with the City's most recently adopted Capital Improvements Program.~~-~~

~~(6) Architectural Review Board (ARB)~~

~~(a) Applications for Development Plan approvals for property within the boundaries of the Architectural Review shall be reviewed by the ART and then forwarded to the ARB with a recommendation for approval, approval with conditions, or denial. Applications for ARB approval shall be reviewed in accordance with §153.066(E)(5), as well as the provisions of §153.170 through §153.180.(b) Public Review~~

~~A public review of a Development Plan application by the ARB shall be held in accordance with the provisions of §153.066(L).~~

~~(c) The ARB shall make a decision on the application not more than 28 days from the date of the ART's recommendati(d) As part of the Development Plan approval, the ARB may review any Development Plan Waivers from the requirements of §§153.060 and 153.061 and approve, deny, or approve with conditions the specific provisions under review. Should other Waivers be necessary to resolve conflicts with other requirements of this Chapter resulting from the requested Waivers, those Waivers shall also be reviewed by the ARB in accordance with §153.066(E)(4)(e).~~

-(F) Site Plan Review

(1) Purpose and Applicability-

(a) The purpose of the Site Plan Review is to confirm that the proposed development of an individual site~~ and~~, building, and/or open space is consistent with the BSC district regulations.

(b) -The Site Plan Review process is intended as a review of the individual development regulations of §153.059 and §§153.062 through 153.065. Approval of the Site Plan Review includes assuring that the dimensions of a parcel meet the lot size requirements for the applicable building type(s) and that the surrounding street network meets the applicable requirements of §§153.060 and 153.061.~~(b~~

(c) A Site Plan Review is required for any development application within the BSC districts, including those applications for which a Development Plan is required, with the exception of ~~any application~~applications meeting the requirements for a Minor Project as provided in §153.066(G)(2).

(2) Review ~~Procedure~~Procedures

~~An application~~(a) Applications for ~~a~~ Site Plan Review shall be ~~made~~submitted in accordance with the provisions of §153.066(~~L).~~ N)(1).

(b) The ~~ART shall review the~~required reviewing body for a Site Plan Review application shall be determined under the provisions of §153.066(D)(3) and the application shall be reviewed under the provisions of §153.066(F)(2)(c), (d) or (e) as applicable.

(c) Planning and Zoning Commission Review

1. The ART shall base its recommendation to the Planning and Zoning Commission for approval, approval with conditions, or denial of the Site Plan Review application under the criteria of §153.066(F)(~~5) and render a decision~~ 3). The recommendation shall be made not more than 28 days from the receipt of a completed application~~, except for those applications provided for in §153.066(F)(6). A written summary of the~~. The ART's ~~decision~~recommendation shall be provided to the applicant in writing not more than ~~10~~5 days after the ~~Site Plan Review meeting.~~ ART's recommendation.~~(c)~~

2. Following the review, the applicant shall be given the opportunity to revise the application in response to the ART's comments if the

application is not ~~approved~~recommended for approval by the ART. The applicant may request additional subsequent meetings with the ART~~,~~ which may be subject to ~~the same~~up to an additional 28 day time ~~limits of §153.066(F)(5)(b).~~limit for a decision.~~(~~

3~~)~~. The Planning and Zoning Commission shall review the Site Plan ~~Review Elective Review~~

~~(a) A Site Plan Review Elective Review shall be conducted by the Planning and Zoning Commission under the following conditions:~~

~~1. The ART may forward any Site Plan Review~~ application ~~to the Planning and Zoning Commission for a decision if it concludes that the application raises complex issues, such as the need for major infrastructure improvements and other neighborhood or community-wide effects that would benefit from a Commission decision.~~

~~2. Should the ART determine that the number and scope of Site Plan Review Waivers requested by the applicant would have a detrimental effect on the intent of the district in which it is located and/or the Vision Report, it may forward the Site Plan Review application for Commission review, provided that any elements of the application meeting this Chapter remain unchanged.~~

~~3. Any applicant may request a Site Plan Review by the Commission to modify any provisions of §153.059 and §§153.062 through 153.065. The Commission shall approve the requested modifications only after reaching findings that all of the following are met:~~

~~A. The development proposal as modified will otherwise meet the spirit and intent of the district in which it located and the Vision Report;~~

~~B. The requested modification will result in a development of equal or greater quality with respect to design, material, and other similar development features;~~

~~C. The requested modification would better be addressed through an individual modification rather than an amendment to the requirements of this Chapter; and~~

~~D. The request for a modification is caused by unique site conditions or conditions on surrounding properties, and is not being requested simply to reduce cost or as a matter of general convenience.~~

~~(b) Public Review~~

~~A public review of a Site Plan Review Elective Review application shall be held in accordance with the provisions of §153.066(L).~~and the ~~(c) Review Determination~~

~~1. The ART shall review the Site Plan Review Elective Review application and submit its~~ recommendation ~~for consideration by the Commission under the procedures of §153.066(F)(2).~~ of the ART ~~2.~~

~~The Commission shall consider the application~~ and render ~~a~~its decision ~~under~~based on the criteria of §153.066(F)(~~5) not more than 28 days from the recommendation of the ART.~~

~~(4) Site Plan Review Waiver Review~~

~~(a) Except for those applications provided for in §153.066(F)(6), applications for Site Plan Review~~ 3) for approval ~~that deviate from one or more of the requirements of §153.059 and §§153.062 through 153.065, and that do not qualify for an Administrative Departure under the provisions of §153.066(H), shall be reviewed by the Planning and Zoning Commission.~~

~~(b) The applicant shall submit a list of proposed Waivers with the Site Plan Review application. Should other necessary Waivers be determined by the ART during its review, those Waivers may be included for review by the Commission. The ART shall review the requested Waivers and make recommendations to the Commission for their~~, approval~~,~~ with conditions, or denial~~, or approval with conditions under the procedures of §153.066(F)(2).~~ not more than 14 days from the date of the determination by the ART. The Commission's decision shall be provided to the applicant in writing not more than 14 days after the date of the decision.~~(c)~~

(d) Administrative Review Team (ART) Review

1. The ~~Commission~~ART shall review the ~~recommendation of the ART and the specific~~application for Site Plan Review ~~Waivers using~~and render a determination based on the criteria of §153.066(F)(~~4)(e). Should other Waivers be necessary to resolve conflicts with other requirements of this chapter resulting from the requested Waivers, those Waivers shall also be reviewed by the Commission.~~ 3) for Site Plans for approval, approval~~(d) The Commission shall approve, deny, or approve~~ with conditions ~~the specific Site Plan Review Waiver request(s)~~, or denial.

2. The ART shall make a decision on the application not more than 28 days from the ~~recommendation of the ART~~date of the submission of a complete application for a Site Plan Review.~~(e) Criteria for Site Plan~~

(e) Applications for which the Architectural Review ~~Waivers~~Board is the~~Each~~ required reviewing body shall ~~make its recommendation or its decision on an application for a Site Plan Review Waiver approval based on each of the following criteria, and with due consideration of the recommendation of the ART:~~ be reviewed in accordance with §153.066(J).

~~1. The need for the Site Plan Review Waiver is caused by unique site conditions, the use of or conditions on the property or surrounding properties, or other circumstance outside the control of the owner/lessee, including easements and rights-of-way;~~

~~2. The Site Plan Review Waiver is not being requested solely to reduce cost or as a matter of general convenience;~~

(3~~. The Site Plan Review Waiver does not have the effect of authorizing any use or open space type that is not otherwise permitted in that BSC district; and~~

~~4. The Site Plan Review Waiver, if approved, will ensure that the development is of equal or greater development quality with respect to design, material, and other similar development features than without the Waiver.~~

~~(5)~~) Review Criteria for Site ~~Plan Review~~Plans

Each required reviewing body shall make its recommendation or its decision on an application for Site Plan Review ~~approval~~ based on each of the following criteria and the recommendation of the required reviewing body during the Basic Plan Review:

(a) The Site Plan Review shall be substantially similar to the approved Basic Site Plan.

~~(a)~~(b) If a Development Plan has been approved that includes the property, the application is consistent with the Development Plan;~~-~~

~~(b)~~(c) The application meets all applicable requirements of §153.059 and §§153.062 through 153.065 except as may be authorized by Administrative Departure(s) or Waiver(s) pursuant to §153.066(H~~);~~) and §153.066(I), respectively;

~~(c)~~(d) The internal circulation system and driveways provide safe and efficient access for residents, occupants, visitors, emergency vehicles, bicycles, and pedestrians;~~-~~

~~(d)~~(e) The relationship of buildings and structures to each other and to other facilities provides for the coordination and integration of the development within the surrounding area and the larger community and maintains the image of Dublin as a high quality community with a commitment to exemplary planning and design;

(f) The application is consistent with the requirements for types, distribution, and suitability of open space in §153.064 and the site design incorporates natural features and site topography to the maximum extent practicable;~~-~~

~~(e)~~(g) The scale and design of the proposed development allows the adequate provision of services currently furnished by or that may be required by the City or other public agency including, but not limited to, fire and police protection, public water and sanitary sewage services, recreational activities, traffic control, waste management, and administrative services;

~~(f)~~(h) Stormwater management systems and facilities will not cause alterations that could increase flooding or water pollution on or off the site, and removal of surface waters will not adversely affect neighboring properties;

~~(g)~~(i) If the development is to be implemented in phases, each phase is able to be considered independently, without the need for further phased improvements; and

~~(h)~~(j) The application demonstrates consistency with commonly accepted principles of walkable urbanism as described in §§153.057 and 153.058, the ~~BSC~~ five Bridge Street District Vision ~~Report~~Principles, Community Plan and other related policy documents adopted by the City.

~~(6) Architectural Review Board (ARB)~~

~~(a) Applications for Site Plan Review approvals for property within the boundaries of the Architectural Review shall be reviewed by the ART and forwarded to the ARB with a recommendation for approval, approval with conditions, or denial. Applications for ARB approval shall be reviewed using the criteria of §153.066(F)(5), as well as the provisions of §153.170 through §153.180.~~

~~(b) Public Review~~

~~A public review of a Site Plan Review by the ARB shall be held in accordance with the provisions of §153.066(L).~~

~~(c) The ARB shall make a decision on applications for Site Plan Review approval not more than 28 days from the date of the ART's recommendation.~~

~~(d) As part of the Site Plan Review approval, the ARB may review any requests for Site Plan Review Waivers from the requirements of §153.059 and §§153.062 through 153.065 and approve, deny, or approve with conditions the specific provisions under review. Should other Waivers be necessary to resolve conflicts with other requirements of this Chapter resulting from the requested Waivers, those Waivers shall also be reviewed by the ARB.~~

~~(e) In the event of a conflict between the requirements of §153.059 and §§153.062 through 153.065 and the provisions of §153.170 through §153.180, the ARB shall determine the most appropriate provisions to apply to the specific application based on the criteria of §153.066(F)(5).~~

(G) Minor ~~Projects~~Project Review

(1) Purpose and Applicability~~(a)~~

The purpose of the Minor Project ~~review~~Review is to provide an efficient review process for smaller projects that do not have significant community effects. The Minor Project review is necessary to ensure that applications meet the requirements of this ~~chapter~~Chapter.~~(b)~~

(2) The following ~~improvements are~~shall be considered Minor Projects:~~Single~~

(a) Individual single family detached dwelling units.

~~(a)~~(b) Multiple family and townhouse buildings of 8 or fewer dwelling units in a single building on an individual lot and not part of a larger development complex.

~~(b)~~(c) Development of mixed use and non-residential principal structures of 10,000 square feet or less gross floor area, and associated site development requirements.

~~(c)~~(d) Additions to principal structures that increase the gross floor area by not more than 25%, or not more than 10,000 square feet gross floor area, whichever is less, existing as of the effective date of this amendment, or

when first constructed, and associated site development requirements.

(e) Exterior modifications to principal structures involving not more than 25% of ~~the total~~any individual façade ~~area~~elevation of the structure.

~~(d)~~(f) Signs, landscaping, parking, and other site related improvements that do not involve construction of a new principal building. Parks when used to meet requirements as an open space type, as provided in§153.064, shall require Site Plan Review.

~~(e)~~(g) Accessory structures and uses.

~~(f)~~(h) Modifications to Existing Structures in accordance with §153.062(B).

~~(2)~~(3) Review Procedure

(a) An application for a Minor Project Review shall be made in accordance with the provisions of §153.066(~~L).~~ N)(1).~~(b) After accepting~~

(b) Following acceptance of a complete application for a Minor Project, the ART shall approve, deny, or approve with conditions the application not more than 14 days from the date the request was submitted~~, provided that the applicant has provided all materials required by the City.~~. The City shall notify the applicant in writing not less than five days prior to the review meeting.~~(c)~~

(c) The ART shall review the application and approve, ~~deny, or~~ approve with conditions, or deny the application based on the criteria of §153.066(F)(~~5)(e~~3) applicable to Site Plan ~~Review approvals~~Reviews. A written summary of the ART decision shall be provided to the applicant not more than 10 days after the Minor Project ~~review~~Review meeting.~~(d)~~

(d) Alternatively, the ART may forward any Minor Project Review application to the Planning and Zoning Commission for a decision at their next available meeting if it concludes that the application raises complex issues, including but not limited to, the need for public infrastructure improvements and/or other neighborhood or community-wide effects that would benefit from a Commission decision. These applications shall be reviewed under the provisions of §153.066(F)(2)(c) and shall not require a Basic Plan Review.

~~(a)~~(e) Following the ~~review~~decision, the applicant shall be given the opportunity to revise the application in response to the ART's comments if the application is not approved by the ART. The applicant may request additional subsequent meetings with the ART, which shall also be subject to the 14 day time limit for a decision.

(H) Administrative Departures

(1) Purpose and Applicability

The intent of §153.066(H) is to provide an administrative process to allow minor deviations from the strict application of the BSC district requirements caused by unusual site or development conditions or conditions unique to a particular use or other similar conditions that require reasonable adjustments, but remain consistent with the intent of this ~~chapter~~Chapter. Examples include, but are not limited to, minor adjustments to building setbacks, parking requirements,

landscaping, building materials, or other similar features or elements.

(2) Review Procedure (a) An application

(a) A request for an Administrative Departure may be submitted with an application for a Development Plan, Site Plan Review, or Minor Project approvalReview, or at any time after those applications have been submitted and before a decision or recommendation by the ART has been made. If an applicationa request for Administrative Departure is made after anany application for a Development Plan, Site Plan Review, or Minor Project has been filed,which a time limit is provided the Director may require that the time period for ART review start over on the day the request for an Administrative Departure is received. (b) An application

(a)(b) A request for an Administrative Departure may be processed simultaneously with the Development Plan, Site Plan Review, or Minor Project applicationReview to which it relates. The ART shall determine whether each requested Administrative Departure is approved, approved with conditions, or denied. Decisions on Administrative Departures shall be reported to the required reviewing body if athat approved the Development Plan, and/or Site Plan Review Waiver or Elective Review is conducted.

(b)(c) (c) Should the ART find that the request does not meet the criteria for an Administrative Departure, the applicant may file for a Development Planrequest a Waiver under the provisions of §153.066(E)(4I) or a Site Plan Review Waiver under the provisions of §153.066(F)(4), or submit a new application for Development Plan or, Site Plan, or Minor Project Review.

(3) Criteria for Administrative Departure Approval

The ART shall make its decision on the requested Administrative Departure based on the following criteria: (a)

(a) The need for the Administrative Departure is caused by unique site conditions, conditions on surrounding properties, and/or otherwise complies with the spirit and intent of the Vision ReportBridge Street District Plan, and is not being requested simply to reduce cost or as a matter of general convenience; (b)

(b) The Administrative Departure does not have the effect of authorizing any use, sign, building type, or open space type that is not otherwise permitted in that BSC district; (c)

(c) The Administrative Departure does not modify any numerical zoning standard related to building dimensions, lot dimensions or coverage, open space, landscaping, parking, fencing, walls, screening, or exterior lighting by more than 10% of the requirement; and (d)

(a)(d) The Administrative Departure, if approved, will ensure that the development is of equal or greater development quality with respect to design, material, and other development features than without the Administrative Departure.

(I) Waiver Review

(1) Requests for Waivers shall be submitted for any project elements that deviate from one or more of the requirements of §§ 153.059 through 153.065, and that do not qualify for an Administrative Departure under the provisions of §153.066(H). The Waiver request may be submitted with any application for Development Plan, Site Plan, or Minor Project Review.

(2) The ART shall review the requested Waivers and make recommendations to the Commission or ARB, as applicable, for their approval, denial, or approval with conditions. Should additional necessary Waivers be determined by the ART during its review, those Waivers may be included for review by the required reviewing body.

(3) The Commission or the ARB, as applicable, shall review the requested Waivers using the criteria of §153.066(I)(6). Should other Waivers be necessary to resolve conflicts with other requirements of this Chapter resulting from the requested Waivers, those Waivers shall also be reviewed by the required reviewing body.

(5) The Commission or ARB, as applicable, shall approve, approve with conditions, or deny the specific Waiver request(s) not more than 28 days from the recommendation of the ART.

(6) Criteria for Waiver Review

Each required reviewing body shall make its recommendation/decision on an application for proposed Waivers based on all of the following criteria and with consideration to the recommendation of the ART:

(a) The need for the Waiver is caused by unique site conditions, the use of or conditions on the property or surrounding properties, or other circumstance outside the control of the owner/lessee, including easements and rights-of-way;

(b) The Waiver, if approved, will generally meet the spirit and intent of the Bridge Street District Plan and supports the commonly accepted principles of walkable urbanism;

(c) The Waiver is not being requested solely to reduce cost or as a matter of general convenience;

(d) The Waiver, if approved, will ensure that the development is of equal or greater development quality with respect to design, material, and other similar development features than without the Waiver;

(e) The requested modification would better be addressed through the Waiver rather than an amendment to the requirements of this Chapter;

(f) For Development Plans, the other Development Plan elements not affected by the Waiver will be generally consistent with §153.060(A) and

§153.061(A); and

(g) For Site Plan Reviews and Minor Project Reviews, the Waiver does not have the effect of authorizing any use or open space type that is not

otherwise permitted in that BSC district.

(J) Architectural Review Board (ARB) Review

(1) Applications for Basic Plan (if conducted), Development Plan, Site Plan, Minor Project Reviews and Waiver Reviews for property within the Architectural Review District shall be reviewed by the ART within the timeframes specified in §§153.066(D)(2), 153.066(E)(2)(a), or 153.066(F)(2)(a), as applicable and then forwarded to the ARB with a recommendation for approval, approval with conditions, or denial.

(2) Applications for Basic Plan, Development Plan, Site Plan, Minor Project Reviews and Waiver Reviews by the ARB shall be reviewed in accordance with the standards of §§153.066(E)(3), 153.066(F)(3), 153.066(G), and/or 153.066(I), as applicable, as well as the provisions of §153.170 through §153.180.

(3) Public Review

A public review of applications for Basic Plan (if conducted), Development Plan, Site Plan, Minor Project Reviews and Waiver Reviews by the ARB shall be held in accordance with the provisions of §153.066(N)(1)(f).

(4) The ARB shall make a decision on the application not more than 28 days from the date of the ART's recommendation.

(5) In the event of a conflict between the requirements of §153.059 and §§153.062 through 153.065, and the provisions of §153.170 through §153.180, the ARB shall determine the most appropriate provisions to apply to the specific application based on the criteria of §153.066(E)(3) for Development Plans and §153.066(F)(3) for Site Plan and Minor Project Reviews.

(K) Minor Modifications-

(1) Purpose and Applicability

(a) The Director may authorize Minor Modifications to ~~an~~ approved Development ~~Plan or~~Plans, Site ~~Plan Review~~Plans and Minor Projects that are required to correct any undetected errors or omissions, address conditions discovered during the permitting process or construction, or that are necessary to ensure orderly and efficient development. Any approved Minor Modifications must be ~~generally~~ consistent with the approved Development Plan ~~or~~, Site Plan or Minor Project Review~~.~~, as applicable.

(b) The Director may also authorize Minor Modifications to Existing Structures and associated site improvements that are necessary to complete ordinary maintenance, refurbishment or Zoning Code compliance.

(c) The following are considered Minor Modifications~~.~~:

1. Adjustments to lot lines, provided no additional lots are created ~~and~~, required setbacks and/or RBZs are maintained, and the boundaries to any approved Development Plan are not altered;

2. Adjustments to the location and layout of parking lots provided the perimeter setbacks, yards and buffers, and required parking are

maintained;

3. Adjustments for buildings up to 10% in total floor area of the originally approved building, building height(s) or floor plans, that do not alter the character of the use;

4. Substitution of landscaping materials specified in the landscape plan with comparable materials of an equal or greater size;

5. Redesigning and/or relocating stormwater management facilities provided that general character and stormwater capacities are maintained;

6. Relocating fencing, walls or screening~~-~~ (not including screening walls), provided that the same level and quality of materials and screening are maintained;

7. Modifications to sign location, sign face, landscaping and lighting, provided the general sign design, number of signs, and dimensional requirements are maintained;

8. Changes in building material or colors that are similar to and have the same general appearance comparable to or of a higher quality as the ~~material~~previously approved ~~on the Site Plan Review~~material;

9. Changes required by outside agencies such as the county, state, or federal departments; and/or

10. Other modifications deemed appropriate by the Director that do not alter the basic design or any specific conditions imposed as part of the original approval.

(2) Review Procedure

(a) An application for a Minor Modification shall be made in accordance with the provisions of §153.066(~~L).~~N)(1) for Certificates of Zoning Plan Approval.

(b) The Director shall review the ~~application~~ request for a Minor Modification and make a decision on the request ~~for a Minor Modification~~ not more than 14 days after receiving a complete application~~.~~ for Certificate of Zoning Plan Approval.

(c) ~~Following the decision~~ If denied, or approved with conditions, the applicant shall be given the opportunity to revise the ~~application~~request in response to the Director's comments and resubmit for further consideration. If a revised application for Certificate of Zoning Plan Approval is submitted, the 14 day review period shall start over on the day the revised request is received.

(d) Requests not meeting the requirements for a Minor Modification shall require the filing and approval of a new application for a Development Plan Review, Site Plan Review, Minor Project Review, or other review, as applicable, in accordance with §153.066.

~~(J)~~(L) Other Applicable Reviews

(1) Open Space Fee in Lieu ~~The~~

After a recommendation from the ART, the Planning and Zoning Commission shall determine whether a request for a payment of a fee in lieu of open space dedication ~~is appropriate~~may be approved, as provided in §153.064(D) and (E~~), after recommendation from the ART.~~),.

(2) Conditional Uses

The Conditional Use approval procedures in §153.236 shall apply in the BSC districts. In addition, a recommendation from the ART and the ARB, as applicable, shall be submitted for consideration by the Planning and Zoning Commission.

(3) Zoning Map or Text Amendment

The amendment procedures of §153.234 shall apply in the BSC districts. In addition, a recommendation from the ART and the ARB, as applicable, shall be submitted for consideration by the Planning and Zoning Commission and City Council.

(4) Preliminary and Final Plats

Reviews of Preliminary and Final Plats shall be governed by Chapter 152 of the Dublin Code of Ordinances.

(5) Special Permit

The Special Permit procedures in §153.231(G) shall apply in the BSC districts.

(6) Zoning Variance

The zoning ~~Variance~~variance procedures in §153.231(H) shall apply in the BSC districts. In addition, a recommendation from the ART shall be submitted for consideration by the Board of Zoning Appeals, and for City Council in the instance of a Use Variance.

(7) Public Tree Permit

The tree permit requirements of §153.134(G) shall apply in the BSC districts.

(8) Master Sign Plan

The Planning and Zoning Commission or Architectural Review Board shall review all master sign plans in the BSC districts, as provided in §153.065(H). A recommendation from the ART shall be submitted to the Planning and Zoning Commission or Architectural Review Board for consideration.

~~(K)~~ (M) Administrative Appeal

(1) The Administrative Appeal provisions of §153.231(F) apply in the BSC districts.

(2) Decisions on appeals are limited to those specific provisions or approvals that are the subject of the appeal. No other part of an application shall be modified by the Board of Zoning Appeals.

(3) The decision of the BZA may be further appealed to City Council within 10 days of the BZA ~~decision~~hearing date.

(4) City Council must determine whether or not to hear the appeal, in its sole discretion and by a motion passed by a majority vote, no later than 21 days following the Clerk of City Council's receipt of the written notice of appeal, unless an extended time is agreed upon by City Council and the applicant.

(5) City Council shall decide the appeal no later than 28 days following the date of Council's decision to hear the appeal, unless an extended time is otherwise agreed upon by City Council and the applicant. In considering the appeal, City Council may consider any evidence and may affirm, reverse, or otherwise modify the decision of the BZA or any other part of the application.

(L)N) General Provisions

(1) Applications

(a) Each application required by §153.066 shall be made in writing on a form provided by the City and shall be accompanied by the fee as established by City Council.

(b) Applications for approvals in the BSC districts shall include all information required by the City, unless some information is deemed unnecessary by the Director based on the nature and scale of the proposed development. No application shall be accepted by the City until it is complete. Any applicable time limits noted in §153.066 shall not begin until a complete application is accepted by the City. If found to be incomplete, the Director shall inform the applicant of any additional materials required to complete the application.

(c) After acceptance of a complete application, the Director and/or required reviewing body may request additional materials if deemed necessary to evaluate the proposal.

(d) Resubmission

No application for a Development Plan or Site Plan Review which has been denied by the required reviewing body shall be resubmitted for a period of one year from the date of the decision, unless permitted by the Director after a demonstration by the applicant of a change of circumstances from the previous application that may reasonably result in a different decision.

(e) Simultaneous Processing

1. In cases where a Development Plan application is submitted, a Site Plan Review and/or a Minor Project may be reviewed simultaneously with that Development Plan, but a subject to Director approval.

2. The Site Plan Review or Minor Project approval shall not be effective until the Development Plan has been approved. If appropriate, other required reviews as provided in this section may be processed jointly with a Development Plan and/or Site Plan Review application.

(f)__ Public Reviews

Where public reviews are required by this section, a written notice of the public meeting shall be sent, not less than 10 days prior to the meeting, to the applicant, property owner, and owners of parcels of land within 300 feet of the subject parcel(s), as listed on the County Auditor's current tax list, not less than 10 days prior to the meeting.. The notice shall, at a minimum, indicate the property that is the subject of the request, describe the nature of the request, the time, date and location of the meeting at which the application will be considered, and indicate when and where written comments will be received concerning the request.

(2)__ Decisions

(a)__ Any application required to be reviewed under §153.066 shall be approved, approved with conditions, or denied by the required reviewing body based on the applicable review criteria as provided in §153.066. and other applicable provisions of this Chapter. The recommending body and required reviewing body shall state the reasons for their decisions in the minutes and provide a written record of the decision to the applicant not more than 10 days after a recommendation or decision is made, unless otherwise provided in this section.

(b)__ Prior to reaching a decision, if the required reviewing body determines that an application does not meet the applicable review criteria as provided in §153.066 and other applicable provisions of this Chapter, but determines that the application could meet those criteria with modifications that could not be reasonably conditioned, the applicant may request that the decision on the application be tabledpostponed to provide the opportunity to make those modifications. If the request for tablingpostponement is granted, a new review period shall begin on the date the applicant submits a complete application with revised materials.

(c)__ Following the approval of a Site Plan Review or Minor Project application, the applicant may proceed with the process for obtaining a Certificate of Zoning Plan Approval and building permit, consistent with the approval as granted. All construction and development under any building permit shall comply with the approved Site Plan Review and Development Plan, and any other approval, as applicable.

(3)__ Certificate of Zoning Plan Approval

A Certificate of Zoning Plan Approval issued by the Director verifying compliance with all applicable zoning requirements is required prior to modification, extension, or alteration of sites and structures, and/or change of use in BSC districts.

(4)__ Code Administration

The Planning and Zoning Commission and the Architectural Review Board may evaluate and monitor the application of the requirements and standards of §§153.057 through 153.066 by the ART. The Commission and the Architectural Review Board may advise the ART as to whether it finds that the requirements or

standards (including requests for Administrative Departures) are being applied correctly, and recommend to City Council any changes needed in the BSC district standards and requirements to better implement the ~~Vision Report~~Bridge Street District Plan.

(5)__ Time Extensions

(a)__ Where the provisions of §153.066 require that an action be taken by the City within a stated period of time, that time may be extended with the written consent of both the applicant and the Director prior to expiration of the required time period.

(b)__ If the applicant submits a revised application during any required review period, and the Director determines that the revised application differs substantially from the previous application, a new review period shall begin and additional meetings of the required reviewing body may be scheduled if deemed necessary by the Director.

(6)__ Duration of Approvals

(a)__ An application shall be filed for a Development Plan and/or Site Plan Review ~~approval~~ within one year following the completion of the Basic Plan Review. If a Development Plan and/or Site Plan Review application is not filed within this period a new ~~application for a~~ Basic Plan Review shall be required in accordance with the requirements of §153.066(D).

(b)__ All Development Plan, Site Plan Review, and Minor Project approvals made pursuant to §153.066 shall be valid for a period of two years. If an initial building permit and/or Certificate of Zoning Plan Approval for the approved development has not been issued within that two year period, the applicant shall be required to apply for a new Development Plan, Site Plan Review, or Minor Project approval, as applicable, pursuant to §153.066 before obtaining a building permit.

(c)__ Abandonment

1. Once a final approval is granted by the required reviewing body, if significant construction is not started within two years and meaningfully continued, or the Director of Building Standards determines that work has been abandoned for a continuous period of six months, the approval shall lapse and cease to be in effect.

2. The Director of Building Standards shall ~~establish~~make the ~~date~~determination of abandonment based on the presence of one or more of the following conditions:

A.__ Removal of construction equipment or supplies;

B.__ Expiration of an active building permit issued by the City;

C.__ Evidence of a failure to maintain the property, such as overgrown weeds, failure to secure buildings, broken windows, or other evidence of lack of maintenance;

D. Other actions documented by the Director of Building Standards and/or Director evidencing an intent to abandon the construction of the project.

3. ~~If~~Once the Director of Building Standards makes a determination of abandonment, if a new Bridge Street District application is not submitted within ~~–~~90 days from the date of ~~abandonment as determined by the Director of Building Standards~~the determination, the owner shall restore the site to its previous condition, and/or remove any structures or other evidence of work on the site, within 180 days from the date of ~~abandonment~~the determination of abandonment. If the owner fails to restore the site to its previous condition within 180 days, the City may take any and all actions necessary to restore the site to its previous condition, including removing any structures or other evidence of work, and the costs of removal shall be assessed against the property.

(7) Administrative Review Team (ART)~~-~~

(a) The purpose of the Administrative Review Team is to provide for review and approval authority for certain applications as defined by §153.066. The Administrative Review Team is responsible for the comprehensive review of each application, and making recommendations to the Planning and Zoning Commission, Architectural Review Board, or Board of Zoning Appeals where required. The ART is also responsible for making decisions in an efficient and timely manner based on evaluation of objective development standards and specific review criteria. While these objective standards and criteria must guide the decisions of the ART, it is recognized that some degree of subjectivity ~~must~~may be part of the ART's deliberations.~~-~~

(b) The Administrative Review Team shall consist of the Director (Chair), City Engineer, Fire Chief, Economic Development Manager, Parks and Open Space Director, Police Chief, and Chief Building Official, or their representatives, and any other members appointed by the City Manager as deemed necessary, either as permanent or temporary members.~~-~~

(c) The ART may use the services of other professionals, such as architectural, engineering, and other consultants as they deem necessary, to advise the ART on the application of the provisions of this ~~chapter.~~ Chapter.

§ 153.066 REVIEW AND APPROVAL PROCEDURES AND CRITERIA

(A) Intent

The intent of §153.066 is to provide an efficient and predictable review process for applications for rezoning and/or development within the Bridge Street Corridor districts and to enhance Dublin's reputation for high quality development while allowing property owners to compete for development consistent with the Vision Principles and direction articulated in the Bridge Street Corridor Vision Report. The review and approval procedures and criteria are also intended to ensure that new development and redevelopment is served by adequate and efficient infrastructure so as not to burden the fiscal resources of the City, and generally to protect the health, safety, and general welfare of residents, occupants, and users of property in the BSC districts and surrounding areas of the city.

(B) Required Reviews

(1) This section outlines the requirements and procedures for development review specifically within the BSC districts. The review types of §153.066 shall be used for all development applications in a BSC district.

(a) Refer to Table 153.066-A, Summary Procedure Table, for the list of reviews and procedures applicable in all BSC districts.

(b) Refer to Figure 153.066-A, Review and Approval Procedures for Planning and Zoning Commission Reviews.

(c) Refer to Figure 153.066-B, Review and Approval Procedures for Architectural Review Board Reviews.

(d) Refer to Figure 153.066-C, Other Review and Approval Procedures, illustrate the review and approval procedures for development in all Bridge Street Corridor districts.

(2) The following abbreviations and terms are used in §153.066:

ART – Administrative Review Team
ARB – Architectural Review Board
BZA – Board of Zoning Appeals
Commission – Planning and Zoning Commission
Council – City Council

TABLE 153.066-A: SUMMARY PROCEDURE TABLE

R = Recommendation D = Decision A = Administrative Appeal RF = Review & Feedback

Type of Application	ART	ARB	BZA	Commission	Council	City Code Reference
Zoning Code Approvals						
Zoning Map or Text Amendment	R	R		R	D	§153.234
Conditional Use	R	R		D		§153.236
Special Permit	R		D			§153.231(G)
Use Variance	R		R		D	§153.231(H)
Non-Use (Area) Variance	R		D			§153.231(H)
Subdivision Reviews						
Preliminary Plat	R			R	D	Chapter 152

TABLE 153.066-A: SUMMARY PROCEDURE TABLE						
R = Recommendation D = Decision A = Administrative Appeal RF = Review & Feedback						
Type of Application	**ART**	**ARB**	**BZA**	**Commission**	**Council**	**City Code Reference**
Final Plat	R			R	D	Chapter 152
Other Approvals						
Administrative Appeals			D		A	§153.231(F)
Building Code Appeal			D			§153.231(I)
Bridge Street Corridor Districts						
Pre-Application Review	RF					§153.066(C)
ARB Basic Plan Review	R	RF				§153.066(D)(3)
Basic Plan Review Other BSC Districts	R			RF		§153.066(D)
ARB Development Plan Review	R	D	A		A	§153.066(E)(6)
Development Plan Other BSC Districts	D		A		A	§153.066(E)
Development Plan Elective Review	R		A	D	A	§153.066(E)(3)
Development Plan Waiver Review	R		A	D	A	§153.066(E)(4)
ARB Site Plan Review	R	D	A		A	§153.066(F)(6)
Site Plan Review Other BSC Districts	D		A		A	§153.066(F)
Site Plan Review Elective Review	R		A	D	A	§153.066(F)(3)
Site Plan Review Waiver Review	R		A	D	A	§153.066(F)(4)
Minor Projects	D		A		A	§153.066(G)
Administrative Departure	D		A		A	§153.066(H)
Open Space Fee in Lieu	R		A	D	A	§153.064(D) and (E)
Minor Modification to Approved Plans	D		A		A	§153.066(I)
Certificate of Zoning Plan Approval (Building and Site Modifications)	D		A		A	§153.066(L)(3)
ARB Master Sign Plan Review	R	D	A		A	§153.065(H)(2)
Master Sign Plan Other BSC Districts	R/D		A	D	A	§153.065(H)(2)

(C) Pre-Application Review

(1) Purpose and Applicability

(a) A Pre-Application Review with the Administrative Review Team (ART) is required for any proposal that requires Development Plan or Site Plan Review approval under the provisions of §153.066(E) and (F). The purpose of the Pre-Application Review is to provide a potential applicant with a non-binding review of a development proposal and to provide information on the procedures and policies of the City, including the application review procedures that may be used.

(b) Pre-Application Reviews may be submitted and processed simultaneously with a request for a Basic Plan Review as provided in §153.066(D).

(c) Pre-Application Reviews do not result in a development decision or permit, and shall not obligate the City or the developer to take any action on the proposal.

(2) Review Procedure

(a) A request for a Pre-Application Review shall be made in accordance with the provisions of §153.066(L).

(b) The City shall notify the applicant in writing at least five days prior to the Pre-Application Review meeting.

(c) The ART and other applicable departments shall be promptly notified of the ART Pre-Application Review meeting. Prior to the meeting the Director shall distribute the submitted materials to the ART and other applicable City departments for input and recommendations.

(d) The ART shall review the submitted materials and provide non-binding input and recommendations. The ART shall complete its review of the application not more than 14 days from the date the request was submitted.

(e) A written summary of comments and suggestions made during the Pre-Application Review shall be provided to the applicant not more than 10 days after the Pre-Application Review meeting.

(f) Prior to filing an application for the Basic Plan Review, the applicant shall be given the opportunity to revise the application in response to the ART's comments. The applicant may schedule additional Pre-Application Review meetings with the ART prior to filing a request for a Basic Plan Review.

(g) The written summary of the Pre-Application Review shall be forwarded to the required reviewing body with the application for a Basic Plan Review.

(D) Basic Plan Review

(1) Purpose and Applicability

(a) The purpose of the Basic Plan Review is to outline the scope, character, and nature of the proposed development. The process is intended to allow the required reviewing body to evaluate the proposal for its consistency with the Bridge Street Corridor Vision Report and this Chapter. It is also intended to provide clear direction to the applicant and the ART in its review of an application for Development Plan or Site Plan Review.

(b) The Basic Plan Review is also intended to provide an opportunity for public input at the earliest stages of the development process.

(c) Except as provided in §153.066(D)(1)(d), a Basic Plan Review with the Planning and Zoning Commission is required for any proposal that requires Development Plan or Site Plan Review approval under the provisions of §153.066(E) and (F).

(d) A Basic Plan Review with the Architectural Review Board for applications involving property within the boundaries of the Architectural Review District is at the option of the applicant, or may be required by the ART if it concludes that the application includes major site or building improvements that would benefit from a Basic Plan Review by the ARB.

(2) Review Procedure

(a) An application for a Basic Plan Review shall be made in accordance with the provisions of §153.066(L).

(b) Public Review

A public review of a Basic Plan application shall be held in accordance with the provisions of §153.066(L).

(c) The Planning and Zoning Commission shall approve, approve with conditions, or deny the Basic Plan Review based on the Development Plan Review Criteria of §153.066(E)(5) and/or the Site Plan Review Criteria of §153.066 (F)(5). The decision on the Basic Plan Review shall be provided not more than 28 days from the filing of the Basic Plan Review application. The Commission shall schedule meetings as necessary to meet the review period requirement. If denied, the applicant shall be permitted to reapply for another Basic Plan Review.

(d) The applicant may request additional Basic Plan Reviews, which shall be subject to a 28 day review period and the required public review.

(e) The Basic Plan Review decision provided by the required reviewing body shall be forwarded in writing to the applicant not less than 10 days following the review. The decision on the Basic Plan Review shall be incorporated into the Development Plan and/or Site Plan Review application.

(f) If a Development Plan and/or Site Plan Review application is not submitted within one year from the date of the last Basic Plan Review for a site, the applicant shall be required to obtain an additional Basic Plan Review by the required reviewing body prior to submitting an application for a Development Plan and/or Site Plan Review involving the same site in accordance with §153.066(L).

(E) Development Plan Review

(1) Purpose and Applicability

(a) The purpose of the Development Plan Review is to ensure that the street network and block framework meet the requirements of §§153.060 and 153.061, and §153.063 as applicable, and to ensure that the proposed development is consistent with the general development requirements of the City with respect to such elements as infrastructure, transportation, and environmental considerations. The Development Plan review process is not intended to be a review of the individual development regulations of §153.059 and §§153.062 through 153.065, which is intended for the Site Plan Review process.

(b) An application for a Development Plan Review is required in the following conditions:

1. The application involves the construction of more than one principal structure on one or more parcels; or

2. The application includes five or more gross acres of land; or

3. The application involves the design or construction of new streets, or a proposed realignment or relocation of any other street in the general pattern of street development conceptualized by the Bridge

Street Corridor Street Network map in §153.061 that is required or permitted by the City.

(2) Review Procedure

(a) An application for a Development Plan Review shall be made in accordance with the provisions of §153.066(L).

(b) The ART shall review the Development Plan application under the criteria of §153.066(E)(5) and render a decision not more than 28 days from the receipt of a completed application, except as provided for in §153.066(E)(6). A written summary of the ART's decision shall be provided to the applicant not more than 10 days after the Development Plan Review meeting.

(c) Following the review, the applicant shall be given the opportunity to revise the application in response to the ART's comments if the application is not approved by the ART. The applicant may request additional subsequent meetings with the ART, which shall also be subject to a 28 day time limit for a decision.

(3) Development Plan Elective Review

(a) Rather than reaching a final determination under the provisions of §153.066(E)(2), the ART may elect to forward any Development Plan application to the Planning and Zoning Commission for a decision if it concludes that the application raises complex issues, such as the need for major infrastructure improvements and other neighborhood or community-wide effects, that would benefit from a Commission decision.

(b) The ART shall submit its recommendation for consideration by the Commission under the procedures of §153.066(E)(2).

(c) Public Review

A public review of a Development Plan Elective Review application shall be held in accordance with the provisions of §153.066(L).

(d) The Commission shall consider the application and render a decision under the criteria of §153.066(E)(5) not more than 28 days from the recommendation of the ART.

(4) Development Plan Waiver Review

(a) Except for those applications provided for in §153.066(E)(6), applications for Development Plan approval that deviate from one or more of the requirements of §§153.060 and 153.061, and that do not qualify for an Administrative Departure under the provisions of §153.066(H), may be reviewed by the Planning and Zoning Commission as a Development Plan Waiver.

(b) The applicant shall submit a list of proposed Waivers with the Development Plan application. Should other necessary Waivers be identified by the ART during its review, those Waivers may be included

for review by the Commission. The ART shall review the requested Waivers and make recommendations to the Commission for their approval, denial, or approval with conditions in accordance with §153.066(E)(2).

(c) The Commission shall review the recommendation of the ART and the specific Development Plan Waivers using the criteria of §153.066(E)(4)(e). Should other Waivers be necessary to resolve conflicts with other requirements of this Chapter resulting from the requested Waivers, those Waivers shall also be reviewed by the Commission.

(d) The Commission shall approve, deny, or approve with conditions the specific Development Plan Waiver request(s) not more than 28 days from the recommendation of the ART.

(e) Criteria for Development Plan Waivers

Each required reviewing body shall make its recommendation or its decision on an application for Development Plan Waivers based on each of the following criteria and the recommendation of the required reviewing body during the Basic Plan Review:

1. The need for the Development Plan Waiver is caused by unique site conditions, the use of or conditions on the property or surrounding properties, or other circumstance outside the control of the owner/lessee, including easements and rights-of-way;
2. The Waiver, if approved, will generally meet the spirit and intent of the Vision Report;
3. The Waiver is not being requested solely to reduce cost or as a matter of general convenience; and
4. The other elements of the Development Plan not affected by the Waiver will be generally consistent with §153.060(A) and §153.061(A).

(5) Review Criteria for Development Plans

Each required reviewing body shall make its recommendation or its decision on an application for Development Plan approval based on each of the following criteria and the recommendation of the required reviewing body during the Basic Plan Review:

(a) The Development Plan shall be substantially similar to the approved Basic Plan.

(b) The lots and blocks proposed are consistent with the requirements of §153.060;

(c) The application is consistent with the general pattern of street development conceptualized by the BSC Street Network as shown in §153.061, and the expected traffic from the development can be accommodated on existing or proposed streets consistent with that system;

(d) The application is consistent with the requirements of §153.063, Neighborhood Standards, if applicable;

(e) If the development is to be implemented in phases, each phase is able to be considered independently, without the need for further phased improvements;

(f) The application demonstrates consistency with the Vision Report, Community Plan and other related policy documents adopted by the City; and

(g) The application provides adequate and efficient infrastructure to serve the proposed development, consistent with the City's most recently adopted Capital Improvements Program.

(6) Architectural Review Board (ARB)

(a) Applications for Development Plan approvals for property within the boundaries of the Architectural Review District shall be reviewed by the ART and then forwarded to the ARB with a recommendation for approval, approval with conditions, or denial. Applications for ARB approval shall be reviewed in accordance with §153.066(E)(5), as well as the provisions of §153.170 through §153.180.

(b) Public Review
A public review of a Development Plan application by the ARB shall be held in accordance with the provisions of §153.066(L).

(c) The ARB shall make a decision on the application not more than 28 days from the date of the ART's recommendation.

(d) As part of the Development Plan approval, the ARB may review any Development Plan Waivers from the requirements of §§153.060 and 153.061 and approve, deny, or approve with conditions the specific provisions under review. Should other Waivers be necessary to resolve conflicts with other requirements of this Chapter resulting from the requested Waivers, those Waivers shall also be reviewed by the ARB in accordance with §153.066(E)(4)(e).

(F) Site Plan Review

(1) Purpose and Applicability

(a) The purpose of the Site Plan Review is to confirm that the proposed development of an individual site and building is consistent with the BSC district regulations. The Site Plan Review process is intended as a review of the individual development regulations of §153.059 and §§153.062 through 153.065. Approval of the Site Plan Review includes assuring that the dimensions of a parcel meet the lot size requirements for the applicable building type(s) and that the surrounding street network meets the applicable requirements of §§153.060 and 153.061.

(b) A Site Plan Review is required for any development application within the BSC districts, including those applications for which a Development Plan is required, with the exception of any application meeting the requirements for a Minor Project as provided in §153.066(G).

(2) Review Procedure

(a) An application for a Site Plan Review shall be made in accordance with the provisions of §153.066(L).

(b) The ART shall review the Site Plan Review application under the criteria of §153.066(F)(5) and render a decision not more than 28 days from the receipt of a completed application, except for those applications provided for in §153.066(F)(6). A written summary of the ART's decision shall be provided to the applicant not more than 10 days after the Site Plan Review meeting.

(c) Following the review, the applicant shall be given the opportunity to revise the application in response to the ART's comments if the application is not approved by the ART. The applicant may request additional subsequent meetings with the ART, subject to the same time limits of §153.066(F)(5)(b).

(3) Planning and Zoning Commission Site Plan Review Elective Review

(a) A Site Plan Review Elective Review shall be conducted by the Planning and Zoning Commission under the following conditions:

1. The ART may forward any Site Plan Review application to the Planning and Zoning Commission for a decision if it concludes that the application raises complex issues, such as the need for major infrastructure improvements and other neighborhood or community-wide effects that would benefit from a Commission decision.

2. Should the ART determine that the number and scope of Site Plan Review Waivers requested by the applicant would have a detrimental effect on the intent of the district in which it is located and/or the Vision Report, it may forward the Site Plan Review application for Commission review, provided that any elements of the application meeting this Chapter remain unchanged.

3. Any applicant may request a Site Plan Review by the Commission to modify any provisions of §153.059 and §§153.062 through 153.065. The Commission shall approve the requested modifications only after reaching findings that all of the following are met:

A. The development proposal as modified will otherwise meet the spirit and intent of the district in which it located and the Vision Report;

B. The requested modification will result in a development of equal or greater quality with respect to design, material, and other similar development features;

C. The requested modification would better be addressed through an individual modification rather than an amendment to the requirements of this Chapter; and

D. The request for a modification is caused by unique site conditions or conditions on surrounding properties, and is not being requested simply to reduce cost or as a matter of general convenience.

(b) Public Review
A public review of a Site Plan Review Elective Review application shall be held in accordance with the provisions of §153.066(L).

(c) Review Determination

1. The ART shall review the Site Plan Review Elective Review application and submit its recommendation for consideration by the Commission under the procedures of §153.066(F)(2).

2. The Commission shall consider the application and render a decision under the criteria of §153.066(F)(5) not more than 28 days from the recommendation of the ART.

(4) Site Plan Review Waiver Review

(a) Except for those applications provided for in §153.066(F)(6), applications for Site Plan Review approval that deviate from one or more of the requirements of §153.059 and §§153.062 through 153.065, and that do not qualify for an Administrative Departure under the provisions of §153.066(H), shall be reviewed by the Planning and Zoning Commission.

(b) The applicant shall submit a list of proposed Waivers with the Site Plan Review application. Should other necessary Waivers be determined by the ART during its review, those Waivers may be included for review by the Commission. The ART shall review the requested Waivers and make recommendations to the Commission for their approval, denial, or approval with conditions under the procedures of §153.066(F)(2).

(c) The Commission shall review the recommendation of the ART and the specific Site Plan Review Waivers using the criteria of §153.066(F)(4)(e). Should other Waivers be necessary to resolve conflicts with other requirements of this chapter resulting from the requested Waivers, those Waivers shall also be reviewed by the Commission.

(d) The Commission shall approve, deny, or approve with conditions the specific Site Plan Review Waiver request(s) not more than 28 days from the recommendation of the ART.

(e) Criteria for Site Plan Review Waivers

Each required reviewing body shall make its recommendation or its decision on an application for a Site Plan Review Waiver approval based on each of the following criteria, and with due consideration of the recommendation of the ART:

1. The need for the Site Plan Review Waiver is caused by unique site conditions, the use of or conditions on the property or surrounding properties, or other circumstance outside the control of the owner/lessee, including easements and rights-of-way;
2. The Site Plan Review Waiver is not being requested solely to reduce cost or as a matter of general convenience;
3. The Site Plan Review Waiver does not have the effect of authorizing any use or open space type that is not otherwise permitted in that BSC district; and
4. The Site Plan Review Waiver, if approved, will ensure that the development is of equal or greater development quality with respect to design, material, and other similar development features than without the Waiver.

(5) Review Criteria for Site Plan Review

Each required reviewing body shall make its recommendation or its decision on an application for Site Plan Review approval based on each of the following criteria and the recommendation of the required reviewing body during the Basic Plan Review:

(a) The Site Plan Review shall be substantially similar to the approved Basic Plan.

(b) If a Development Plan has been approved that includes the property, the application is consistent with the Development Plan;

(c) The application meets all applicable requirements of §153.059 and §§153.062 through 153.065 except as may be authorized by Administrative Departure(s) pursuant to §153.066(H);

(d) The internal circulation system and driveways provide safe and efficient access for residents, occupants, visitors, emergency vehicles, bicycles, and pedestrians;

(e) The relationship of buildings and structures to each other and to other facilities provides for the coordination and integration of the development within the surrounding area and the larger community and maintains the image of Dublin as a high quality community;

(f) The application is consistent with the requirements for types, distribution, and suitability of open space in §153.064 and the site design incorporates natural features and site topography to the maximum extent practicable;

(g) The scale and design of the proposed development allows the adequate provision of services currently furnished by or that may be required by the

City or other public agency including, but not limited to, fire and police protection, public water and sanitary sewage services, recreational activities, traffic control, waste management, and administrative services;

(h) Stormwater management systems and facilities will not cause alterations that could increase flooding or water pollution on or off the site, and removal of surface waters will not adversely affect neighboring properties;

(i) If the development is to be implemented in phases, each phase is able to be considered independently, without the need for further phased improvements; and

(j) The application demonstrates consistency with the BSC Vision Report, Community Plan and other related policy documents adopted by the City.

(6) Architectural Review Board (ARB)

(a) Applications for Site Plan Review approvals for property within the boundaries of the Architectural Review District shall be reviewed by the ART and forwarded to the ARB with a recommendation for approval, approval with conditions, or denial. Applications for ARB approval shall be reviewed using the criteria of §153.066(F)(5), as well as the provisions of §153.170 through §153.180.

(b) Public Review
A public review of a Site Plan Review by the ARB shall be held in accordance with the provisions of §153.066(L).

(c) The ARB shall make a decision on applications for Site Plan Review approval not more than 28 days from the date of the ART's recommendation.

(d) As part of the Site Plan Review approval, the ARB may review any requests for Site Plan Review Waivers from the requirements of §153.059 and §§153.062 through 153.065 and approve, deny, or approve with conditions the specific provisions under review. Should other Waivers be necessary to resolve conflicts with other requirements of this Chapter resulting from the requested Waivers, those Waivers shall also be reviewed by the ARB.

(e) In the event of a conflict between the requirements of §153.059 and §§153.062 through 153.065 and the provisions of §153.170 through §153.180, the ARB shall determine the most appropriate provisions to apply to the specific application based on the criteria of §153.066(F)(5).

(G) Minor Projects

(1) Purpose and Applicability

(a) The purpose of the Minor Project review is to provide an efficient review process for smaller projects that do not have significant community effects. The Minor Project review is necessary to ensure that applications meet the requirements of this chapter.

(b) The following improvements are considered Minor Projects:

1. Single family detached dwelling units.
2. Multiple family and townhouse buildings of 8 or fewer dwelling units in a single building on an individual lot and not part of a larger development complex.
3. Development of mixed use and non-residential principal structures of 10,000 square feet or less gross floor area, and associated site development requirements.
4. Additions to principal structures that increase the gross floor area by not more than 25%, or not more than 10,000 square feet gross floor area, whichever is less, existing as of the effective date of this amendment, or when first constructed.
5. Exterior modifications to principal structures involving not more than 25% of the total façade area of the structure.
6. Signs, landscaping, parking, and other site related improvements that do not involve construction of a new principal building. Parks when used to meet requirements as an open space type, as provided in§153.064, shall require Site Plan Review.
7. Accessory structures and uses.
8. Modifications to Existing Structures in accordance with §153.062(B).

(2) Review Procedure

(a) An application for a Minor Project Review shall be made in accordance with the provisions of §153.066(L).

(b) After accepting a complete application for a Minor Project, the ART shall approve, deny, or approve with conditions the application not more than 14 days from the date the request was submitted, provided that the applicant has provided all materials required by the City. The City shall notify the applicant in writing not less than five days prior to the review meeting.

(c) The ART shall review the application and approve, deny, or approve with conditions, based on the criteria of §153.066(F)(5)(e) applicable to Site Plan Review approvals. A written summary of the ART decision shall be provided to the applicant not more than 10 days after the Minor Project review meeting.

(d) Following the review, the applicant shall be given the opportunity to revise the application in response to the ART's comments if the application is not approved by the ART. The applicant may request additional subsequent meetings with the ART, which shall also be subject to the 14 day time limit for a decision.

(H) Administrative Departures

(1) Purpose and Applicability

The intent of §153.066(H) is to provide an administrative process to allow minor deviations from the strict application of the BSC district requirements caused by unusual site or development conditions or conditions unique to a particular use or other similar conditions that require reasonable adjustments, but remain consistent with the intent of this chapter. Examples include, but are not limited to, adjustments to building setbacks, parking requirements, landscaping, building materials, or other similar features or elements.

(2) Review Procedure

(a) An application for Administrative Departure may be submitted with an application for a Development Plan, Site Plan Review, or Minor Project approval, or at any time after those applications have been submitted and before a decision or recommendation by the ART has been made. If an application for Administrative Departure is made after an application for a Development Plan, Site Plan Review, or Minor Project has been filed, the Director may require that the time period for ART review start over on the day the request for an Administrative Departure is received.

(b) An application for an Administrative Departure may be processed simultaneously with the Development Plan, Site Plan Review, or Minor Project application to which it relates. The ART shall determine whether each requested Administrative Departure is approved, approved with conditions, or denied. Decisions on Administrative Departures shall be reported to the required reviewing body if a Development Plan, and/or Site Plan Review Waiver or Elective Review is conducted.

(c) Should the ART find that the request does not meet the criteria for an Administrative Departure, the applicant may file for a Development Plan Waiver under the provisions of §153.066(E)(4) or a Site Plan Review Waiver under the provisions of §153.066(F)(4), or submit a new application for Development Plan or Site Plan Review.

(3) Criteria for Administrative Departure Approval

The ART shall make its decision on Administrative Departure based on the following criteria:

(a) The need for the Administrative Departure is caused by unique site conditions, conditions on surrounding properties, and/or otherwise complies with the spirit and intent of the Vision Report, and is not being requested simply to reduce cost or as a matter of general convenience;

(b) The Administrative Departure does not have the effect of authorizing any use, sign, building type, or open space type that is not otherwise permitted in that BSC district;

(c) The Administrative Departure does not modify any numerical zoning standard related to building dimensions, lot dimensions or coverage, open

space, landscaping, parking, fencing, walls, screening, or exterior lighting by more than 10% of the requirement; and

(d) The Administrative Departure, if approved, will ensure that the development is of equal or greater development quality with respect to design, material, and other development features than without the Administrative Departure.

(I) Minor Modifications

(1) Purpose and Applicability

(a) The Director may authorize Minor Modifications to an approved Development Plan or Site Plan Review that are required to correct any undetected errors or omissions, address conditions discovered during the permitting process or construction, or that are necessary to ensure orderly and efficient development. Any approved Minor Modifications must be generally consistent with the approved Development Plan or Site Plan Review.

(b) The following are considered Minor Modifications.

1. Adjustments to lot lines, provided no additional lots are created and required setbacks and/or RBZs are maintained;

2. Adjustments to the location and layout of parking lots provided the perimeter setbacks, yards and buffers, and required parking are maintained;

3. Adjustments for buildings up to 10% in total floor area of the originally approved building, building height(s) or floor plans, that do not alter the character of the use;

4. Substitution of landscaping materials specified in the landscape plan with comparable materials of an equal or greater size;

5. Redesigning and/or relocating stormwater management facilities provided that general character and stormwater capacities are maintained;

6. Relocating fencing, walls or screening (not including screening walls), provided that the same level and quality of materials and screening are maintained;

7. Modifications to sign location, sign face, landscaping and lighting, provided the sign number and dimensional requirements are maintained;

8. Changes in building material or colors that are similar to and have the same general appearance comparable to or of a higher quality as the material approved on the Site Plan Review;

9. Changes required by outside agencies such as the county, state, or federal departments; and/or

10. Other modifications deemed appropriate by the Director that do not alter the basic design or any specific conditions imposed as part of the original approval.

(2) Review Procedure

(a) An application for a Minor Modification shall be made in accordance with the provisions of §153.066(L).

(b) The Director shall review the application and make a decision on the request for a Minor Modification not more than 14 days after receiving a complete application.

(c) Following the decision, the applicant shall be given the opportunity to revise the application in response to the Director's comments and resubmit for further consideration. If a revised application is submitted, the 14 day review period shall start over on the day the revised request is received.

(d) Requests not meeting the requirements for a Minor Modification shall require the filing and approval of a new application for a Development Plan Review, Site Plan Review, Minor Project Review, or other review, as applicable, in accordance with §153.066.

(J) Other Applicable Reviews

(1) Open Space Fee in Lieu

The Planning and Zoning Commission shall determine whether a request for a payment of a fee in lieu of open space dedication is appropriate, as provided in §153.064(D) and (E), after recommendation from the ART.

(2) Conditional Uses

The Conditional Use approval procedures in §153.236 shall apply in the BSC districts. In addition, a recommendation from the ART shall be submitted for consideration by the Planning and Zoning Commission.

(3) Zoning Map or Text Amendment

The amendment procedures of §153.234 shall apply in the BSC districts. In addition, a recommendation from the ART shall be submitted for consideration by the Planning and Zoning Commission and City Council.

(4) Preliminary and Final Plats

Reviews of Preliminary and Final Plats shall be governed by Chapter 152 of the Dublin Code of Ordinances.

(5) Special Permit

The Special Permit procedures in §153.231(G) shall apply in the BSC districts.

(6) Zoning Variance

The zoning Variance procedures in §153.231(H) shall apply in the BSC districts. In addition, a recommendation from the ART shall be submitted for consideration

by the Board of Zoning Appeals, and for City Council in the instance of a Use Variance.

(7) Public Tree Permit

The tree permit requirements of §153.134(G) shall apply in the BSC districts.

(8) Master Sign Plan

The Planning and Zoning Commission or Architectural Review Board shall review all master sign plans in the BSC districts, as provided in §153.065(H).

(K) Administrative Appeal

(1) The Administrative Appeal provisions of §153.231(F) apply in the BSC districts.

(2) Decisions on appeals are limited to those specific provisions or approvals that are the subject of the appeal. No other part of an application shall be modified by the Board of Zoning Appeals.

(3) The decision of the BZA may be further appealed to City Council within 10 days of the BZA decision.

(4) City Council must determine whether or not to hear the appeal, in its sole discretion and by a motion passed by a majority vote, no later than 21 days following the Clerk of City Council's receipt of the written notice of appeal, unless an extended time is agreed upon by City Council and the applicant.

(5) City Council shall decide the appeal no later than 28 days following the date of Council's decision to hear the appeal, unless an extended time is otherwise agreed upon by City Council and the applicant. In considering the appeal, City Council may consider any evidence and may affirm, reverse, or otherwise modify the decision of the BZA or any other part of the application.

(L) General Provisions

(1) Applications

(a) Each application required by §153.066 shall be made in writing on a form provided by the City and shall be accompanied by the fee as established by City Council.

(b) Applications for approvals in the BSC districts shall include all information required by the City, unless some information is deemed unnecessary by the Director based on the nature and scale of the proposed development. No application shall be accepted by the City until it is complete. Any applicable time limits noted in §153.066 shall not begin until a complete application is accepted by the City. If found to be incomplete, the Director shall inform the applicant of any additional materials required to complete the application.

(c) After acceptance of a complete application, the Director and/or required reviewing body may request additional materials if deemed necessary to evaluate the proposal.

(d) Resubmission

No application for a Development Plan or Site Plan Review which has been denied by the required reviewing body shall be resubmitted for a period of one year from the date of the decision, unless permitted by the Director after a demonstration by the applicant of a change of circumstances from the previous application that may reasonably result in a different decision.

(e) Simultaneous Processing

In cases where a Development Plan application is submitted, a Site Plan Review and/or a Minor Project may be reviewed simultaneously with that Development Plan, but a Site Plan Review or Minor Project approval shall not be effective until the Development Plan has been approved. If appropriate, other required reviews as provided in this section may be processed jointly with a Development Plan and/or Site Plan Review application.

(f) Public Reviews

Where public reviews are required by this section, a written notice of the public meeting shall be sent to the applicant, property owner, and owners of parcels of land within 300 feet of the subject parcel(s), as listed on the County Auditor's current tax list, not less than 10 days prior to the meeting. The notice shall, at a minimum, indicate the property that is the subject of the request, describe the nature of the request, the time, date and location of the meeting at which the application will be considered, and indicate when and where written comments will be received concerning the request.

(2) Decisions

(a) Any application required to be reviewed under §153.066 shall be approved, approved with conditions, or denied by the required reviewing body based on the applicable review criteria as provided in §153.066. The recommending body and required reviewing body shall state the reasons for their decisions in the minutes and provide a written record of the decision to the applicant not more than 10 days after a recommendation or decision is made, unless otherwise provided in this section.

(b) Prior to reaching a decision, if the required reviewing body determines that an application does not meet the applicable review criteria as provided in §153.066, but determines that the application could meet those criteria with modifications that could not be reasonably conditioned, the applicant may request that the application be tabled to provide the opportunity to make those modifications. If the request for tabling is granted, a new

review period shall begin on the date the applicant submits a complete application with revised materials.

(c) Following the approval of a Site Plan Review or Minor Project application, the applicant may proceed with the process for obtaining a Certificate of Zoning Plan Approval and building permit, consistent with the approval as granted. All construction and development under any building permit shall comply with the approved Site Plan Review and Development Plan, and any other approval, as applicable.

(3) Certificate of Zoning Plan Approval

A Certificate of Zoning Plan Approval issued by the Director verifying compliance with all applicable zoning requirements is required prior to modification, extension, or alteration of sites and structures, and/or change of use in BSC districts.

(4) Code Administration

The Planning and Zoning Commission and the Architectural Review Board may evaluate and monitor the application of the requirements and standards of §§153.057 through 153.066 by the ART. The Commission and the Architectural Review Board may advise the ART as to whether it finds that the requirements or standards (including requests for Administrative Departures) are being applied correctly, and recommend to City Council any changes needed in the BSC district standards and requirements to better implement the Vision Report.

(5) Time Extensions

(a) Where the provisions of §153.066 require that an action be taken by the City within a stated period of time, that time may be extended with the written consent of both the applicant and the Director prior to expiration of the required time period.

(b) If the applicant submits a revised application during any required review period, and the Director determines that the revised application differs substantially from the previous application, a new review period shall begin and additional meetings of the required reviewing body may be scheduled if deemed necessary by the Director.

(6) Duration of Approvals

(a) An application shall be filed for a Development Plan and/or Site Plan Review approval within one year following the completion of the Basic Plan Review. If a Development Plan and/or Site Plan Review application is not filed within this period a new application for a Basic Plan Review shall be required in accordance with the requirements of §153.066(D).

(b) All Development Plan, Site Plan Review, and Minor Project approvals made pursuant to §153.066 shall be valid for a period of two years. If an initial building permit for the approved development has not been issued within that two year period, the applicant shall be required to apply for a

new Development Plan, Site Plan Review, or Minor Project approval, as applicable, pursuant to §153.066 before obtaining a building permit.

(c) Abandonment

1. Once a final approval is granted by the required reviewing body, if significant construction is not started within two years and meaningfully continued, or the Director of Building Standards determines that work has been abandoned for a continuous period of six months, the approval shall lapse and cease to be in effect.

2. The Director of Building Standards shall establish the date of abandonment based on the presence of one or more of the following conditions:

   A. Removal of construction equipment or supplies;

   B. Expiration of an active building permit issued by the City;

   C. Evidence of a failure to maintain the property, such as overgrown weeds, failure to secure buildings, broken windows, or other evidence of lack of maintenance;

   D. Other actions documented by the Director of Building Standards and/or Director evidencing an intent to abandon the construction of the project.

3. If a new application is not submitted within 90 days from the date of abandonment as determined by the Director of Building Standards, the owner shall restore the site to its previous condition, and/or remove any structures or other evidence of work on the site, within 180 days from the date of abandonment.

(7) Administrative Review Team (ART)

(a) The purpose of the Administrative Review Team is to provide for review and approval authority for certain applications as defined by §153.066. The Administrative Review Team is responsible for the comprehensive review of each application, and making recommendations to the Planning and Zoning Commission, Architectural Review Board, or Board of Zoning Appeals where required. The ART is also responsible for making decisions in an efficient and timely manner based on evaluation of objective development standards and specific review criteria. While these objective standards and criteria must guide the decisions of the ART, it is recognized that some degree of subjectivity must be part of the ART's deliberations.

(b) The Administrative Review Team shall consist of the Director (Chair), City Engineer, Fire Chief, Economic Development Manager, Parks and Open Space Director, Police Chief, and Chief Building Official, or their representatives, and any other members appointed by the City Manager as deemed necessary, either as permanent or temporary members.

(c) The ART may use the services of other professionals, such as architectural, engineering, and other consultants as they deem necessary, to advise the ART on the application of the provisions of this chapter.

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PLANNING AND ZONING COMMISSION

RECORD OF ACTION

OCTOBER 10, 2013

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

1. Bridge Street District – Code Modification **Administrative Request 13-095ADMC**

Proposal:	Amending Chapter 153 of the Dublin Code of Ordinances (Zoning Code) including regulations applicable to the Bridge Street District zoning districts.
Request:	Review and recommendation regarding amendments to the Zoning Code under the provisions of Code Section 153.232 and 153.234.
Applicant:	Marsha Grigsby, City Manager, City of Dublin.
Planning Contact:	Justin Goodwin, AICP, Planner II
Contact Information:	(614) 410-4677, jgoodwin@dublin.oh.us

MOTION: To recommend approval to City Council of proposed modifications to Zoning Code Section 153.066, Review and Approval Procedures and Criteria as amended.

(Other Sections to Follow)

VOTE: 6 – 0.

RESULT: This Administrative Request was recommended for approval.

RECORDED VOTES:

Chris Amorose Groomes	Yes
Richard Taylor	Yes
Warren Fishman	Absent
Amy Kramb	Yes
John Hardt	Yes
Joseph Budde	Yes
Victoria Newell	Yes

STAFF CERTIFICATION

Justin Goodwin, AICP
Planner II

DRAFT

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PLANNING AND ZONING COMMISSION

MEETING MINUTES

OCTOBER 10, 2013

AGENDA

1. Bridge Street District – Code Modification
13-095ADM **Administrative Request**
(Approved 6 – 0)

Chair Chris Amorose Groomes called the meeting to order at 6:30 p.m. and led the Pledge of Allegiance. Other Commission members present were Richard Taylor, Amy Kramb, John Hardt, Joe Budde and Victoria Newell. Warren Fishman was absent recovering from surgery. City representatives were Steve Langworthy, Claudia Husak, Gary Gunderman, Justin Goodwin, Jennifer Readler, Dan Phillabaum, and Flora Rogers.

Ms. Amorose Groomes briefly explained the rules and procedures of the Planning and Zoning Commission. She announced to the students present that they could wait till the end of the meeting to bring forward their documentation for signature.

1. Bridge Street District – Code Modification
13-095ADM **Administrative Request**

Ms. Amorose Groomes introduced this administrative request to amend Chapter 153 of the Dublin Code of Ordinances (Zoning Code) including regulations applicable to the Bridge Street District. She explained that the Commission would be discussing and updating the Bridge Street Corridor Zoning Code approved approximately 18 months ago. She said that they have come to the conclusion that there might be some improvements that could be made to the Code.

Justin Goodwin said that three hard copy documents had been distributed tonight to the Commissioners in addition to the information staff submitted last week in DropBox which was a proposed set of revisions to Chapter .066, a clean version and a redlined markup. He said that Mr. Taylor has provided another alternate version of the proposed version that staff sent. He explained that Mr. Taylor's version essentially accepted the bulk of the changes recommended by staff, and included additional revisions to some of the language and grammatical fixes. Mr. Goodwin said that staff has taken a look at it, and generally agrees with nearly all those revisions, but there were a few items that they would like to have a little discussion on. He said that it seemed that the bulk of the discussion likely would revolve around language and the required reviewing body determination for the basic plan review that seemed to be one of the biggest changes in the copy provided by Mr. Taylor, and staff had some adjustments they would like to discuss regarding that.

John Hardt thanked Mr. Taylor for his work. He said that he read Mr. Taylor's version and was generally happy with it. He said it would be useful to him to go through the changes that staff has made since then.

Ms. Amorose Groomes confirmed that was acceptable to the Commissioners. She asked that they begin with page 1 and make comments.

Mr. Goodwin said that some of the technical changes deal with some reorganization done by staff, partially based on recommendations from Mr. Taylor and in conversations with him during the week.

Ms. Amorose Groomes confirmed that there were no Commissioner or staff comments regarding pages 1 through 3.

Mr. Goodwin explained that page 4 got to the required reviewing body. He referred to (3)(a) at the bottom of the page, and said that Mr. Taylor's version read when making its determination, the Commission will consider factors *such as, but not limited to the following*. He said that he had discussed it with Mr. Taylor. He said that staff's thoughts were that by adding the language '*such as, but not limited to…*' perhaps made the set of review criteria too open. He said that staff also felt that the way the criteria were worded already were fairly broad and that if there are really issues or concerns with an application, likely these criteria should be sufficient for the Commission to be able to make that determination. Mr. Goodwin said that they certainly could discuss additional changes. He said in (1) they have added the words *'including but not limited to'* to make that a little more broad. He said the concern was that the Commission be in a position where reviewing an application found that it did not really legitimately meet one of these and could not really state an objective finding as to what its decision is being based on.

Mr. Taylor commented that under (3)(a) at the end of (2), there was 'and/or' and under (1), the word 'or' was stricken. He suggested removing the 'and/or' in (2) because it was not reading as a sentence.

Mr. Goodwin agreed to remove the 'and/or' from all of them.

Mr. Goodwin referred to 'c' on page 5, and said it was a technical item. He said that the applications that are reviewed by the Architectural Review Board really needed to be a separate item because those items go directly to the ARB and would not go through the basic plan determination by the Commission.

Mr. Goodwin said that Ms. Newell had pointed out the typo on page 6, in item 6 which should state 'which ~~is~~ <u>are</u> intended for the Site Plan.' He said the real substance of the changes on page 6 under the Development Plan Review section deal with Mr. Taylor's suggestion about doing some reorganization. He explained that what was originally drafted housed all of the review procedures and development plan review criteria under the Planning and Zoning Commission review track, and then the Administrative Review Team track referenced back. He said the suggestion was that it be split out separately and that was what staff had attempted to do. He said that now, the Planning and Zoning Commission has a section, and then the Architectural Review Team has a section. He said that the Development Plan Review criteria come after each of those and the criteria are the same.

Ms. Amorose Groomes confirmed that there were no comments regarding pages 7 or 8.

Mr. Hardt said that his comments straddled pages 9 and 10. He referred to the Review Criteria for Site Plans, (a) through (j) and said that there was absolutely nothing that speaks to architectural quality and he thought there should be. He asked the other Commissioners for their input.

Ms. Kramb asked what Code sections .059 through .062 were.

Mr. Goodwin said that would include .062 which was Building Types. He said it is referenced in that way, but he understood Mr. Hardt's suggestion.

Mr. Hardt asked if they were the prescriptive requirements. He said that .059 through .062 are the fairly descriptive requirements. He said he was after in some form or fashion, and maybe it was covered in .059 through .062, but the general statement about the expected quality of the architecture and the materials.

Mr. Taylor said he wondered if it was covered in the Vision Report.

Mr. Goodwin said it would be also the references that they have added to Walkable Urbanism that have yet to be added to the Code. He said that he thought some of those may touch on that, but perhaps not as directly in the General Intent statements throughout the Code. He said that criteria (e) was not quite what Mr. Hardt was describing as it talked more about the relationship of buildings and structure, that was maybe the one that got the closest.

Mr. Hardt said if they got to the point where they were relying on the caption under a photo in the Vision Report, he thought they were on thin ice.

Ms. Amorose Groomes said it might be worth restating, even if it is covered there.

Mr. Goodwin asked if they were referring to the last caption, 'Reinforce economic development strategies through an enduring commitment to exemplary planning and design which will help create places that make Dublin standout, stay competitive, and draw new generations of residents and employees'.

Mr. Hardt said just to include the part in the middle about planning and design. He said he was not looking for specifics, but for general statements that the bar is set high.

Ms. Amorose Groomes said that if Dublin is a high quality community, we could add something there like '…with exemplary architecture and design'.

Mr. Hardt said he was good with that added at the top of page 10.

Ms. Kramb clarified that on page 10 at the end of (e) should read, '…Dublin as a high quality community that exemplifies architecture and design.

Mr. Goodwin asked if the word 'planning' should be included.

Mr. Hardt said that 'planning and design' was fine with him.

Mr. Goodwin confirmed that (e) should read, '…image of Dublin with a commitment to exemplary planning and design'. He said that staff could certainly look at .057 as they introduce those other principles of urbanism.

Ms. Amorose Groomes said she would like to stay with what they have. She said maybe when they revisit .057, she would be more inclined to not have it be memorable.

Ms. Amorose Groomes noted that (F) was deleted.

Mr. Goodwin said that (F) had been moved and reorganized to the end of the Development Plan and Site Plan.

Mr. Hardt referred to the top of page 11, 'The following shall be considered Minor Projects. He asked about staff's thoughts about changing that to 'may be' instead of 'shall be'.

Mr. Goodwin said the comment included in the version Mr. Taylor sent eluded that this was more a set of guidelines, for instance. He said staff's thoughts were that then they were not sure how it got determined if something needs one of these. He said if something met one of these criteria, it was unclear why it would not then be considered a minor project.

Mr. Hardt said he was not sure the comment was provided from him. He said he was thinking he could dream up some pretty convoluted scenarios that meet the requirements, and he would hate to see staff put in a corner. He said the ridiculous example he talked about with Mr. Taylor was if somebody proposes a multi-family building of eight dwelling units, and they are stacked on top of each other, they are eight stories tall. He said he would like staff to have the freedom to say, 'Hang on, this is not minor." He said if he was an attorney and he got his hands on this the way it is currently written; he would have a gun to their head.

Mr. Goodwin said one option was that they have removed the Development Plan and Site Plan elective review procedures previously which are unnecessary now with the dual track determination. He asked if that would be appropriate to add to Minor Projects for a case like that where the Administrative Review Team could kick up.

Mr. Hardt said he thought the determination should be made by the Administrative Review Team.

Jennifer Readler pointed out that this was just the threshold for what would be considered a Minor Project, and then the Administrative Review Team has criteria that they apply to grant or deny the application. She said that it was not automatic that you get whatever you propose.

Ms. Kramb asked if there was anything that said that if it fits the Minor Project, it does not have to follow the other review process.

Ms. Readler explained that it had to be reviewed by the Administrative Review Team which applies the criteria and conditions.

Mr. Goodwin said the Site Plan Review Criteria would apply.

Ms. Kramb asked if even it fits the Minor Project, the Administrative Review Team can move it over into the other track.

Mr. Goodwin said it was not a kick up, but it has to use those same review criteria that the Commission uses.

Ms. Kramb said she thought they should have the option to be able to move it into a different track if they do not think it really is minor, because maybe it does need to go to a public meeting because someone is trying to build a very large eight complex townhome in an environment where the surrounding residents are not happy. She said she guessed there was no fallback provision where it really should for one reason or another be presented to the public.

Ms. Amorose Groomes said the resident component is the most concerning because those are the ones they are most likely to see bumping up against neighbors that might have thoughts they would like to share about that being in their backyards.

Ms. Kramb said that if somehow they could add that the Administrative Review Team had an option to not classify it as a Minor Project, and put it through the regular process.

Mr. Goodwin said that would be essentially writing a kick up provision into the review procedure for Minor Projects, which he thought could be easily done, however he was not sure that staff could hash out all the specific language right now.

Mr. Hardt suggested that it could be as simple as saying, 'The following may be considered Minor Projects as determined by the Administrative Review Team'.

Ms. Kramb said that somewhere under (3) under the Review Procedure, they will have to add a kick up clause, and maybe at the beginning of (G)(2), it could say, 'Unless re-app applies, the following shall be considered Minor Projects.' She said she thought it would be the same three criteria that the Planning and Zoning Commission is using to determine if it should go to the Administrative Review Team.

Mr. Hardt referred to the old version, 'The Administrative Review Team might forward any Site Plan Review application to the Planning and Zoning Commission for a decision. If the Administrative Review Team concludes that the application raises complex issues such as the need for major infrastructure improvements, and/or other neighborhood or community-wide effects that would benefit the Commission.' He said to add the same paragraph under Minor Projects.

Mr. Goodwin said that was what he had in mind, as well. He asked if all three review criteria which were provided for the Commission waivers should be included. He said if it needs waivers, it already has to come to the Commission.

Mr. Hardt said yes.

Ms. Kramb agreed. She said the biggest criteria was the first, the complex issues.

Mr. Hardt clarified that was included on page 11, (3)(a1) of the original version in the center of the page.

Mr. Goodwin said that they could add to the Review Procedures for Minor Projects, 'The Administrative Review Team may forward any Minor Project Review Application to the Planning and Zoning Commission for decision if it concludes that the applications raises complex issues such as the need for major infrastructure improvements and/or neighborhood or community wide affects that would benefit from a Commission decision'.

Mr. Hardt and Ms. Amorose Groomes agreed that exact statement should be added.

Mr. Goodwin asked if that would kick it into a Basic Plan Review, or would it immediately become a Site Plan. He said he recommended that it immediately became a Site Plan.

Mr. Hardt said instead of, 'Forward any Site Plan or Development Plan Review…'

Mr. Goodwin confirmed that the Commissioners and Mr. Langworthy were comfortable with 'Forward any Minor Project Review application as a Site Plan Review'.

Mr. Hardt said that something that involves a Development Plan by definition already is not the Minor Project.

Mr. Goodwin said he did not think that would be an issue. He said that he thought that could be inserted as (c), between what is now (b) and (c) under Review Procedure.

Mr. Goodwin said as he read through (3) Review Procedures, it seemed that there might be an error in the lettering between (c) and (d) already which will be corrected.

Mr. Goodwin said that they will need to clarify what happens to the required review timeframes. He said it would essentially start the clock back so that we are not locked into 14 days and it would follow the

Site Plan Review time. He said language may be needed added subject to the applicable review timeframes for that every review procedure.

Mr. Taylor said that he thought that issue might be addressed in the initial review at the start of the whole process at the pre-application review.
Mr. Goodwin clarified that a Minor Project is the one type of application that is not required to go through, however, now in practice, we do generally have pre-application review.

Ms. Amorose Groomes confirmed that Mr. Goodwin understood the intent that the Commission was looking for and that he would finalize that language.

Ms. Amorose Groomes confirmed that there were no comments regarding pages 12, 13, or 14.

Ms. Amorose Groomes referred to the top of page 15, Item 4, 'Substitution of landscaping materials specified in the landscape plan with comparable materials of an equal or greater size'. She said she did not think that should apply to Street Trees and probably landscape characters of the design.

Mr. Goodwin explained that the Street Trees are ultimately determined by the City Forester, but he was not sure that they would fall under Item 4 anyway.

Ms. Amorose Groomes asked if a substitution for a Street Tree could be requested.

Ms. Goodwin said he did not believe that would happen actually as a Minor Modification since at that point, it was likely in plat of public right-of-way and it is handled by the City Forester directly.

Mr. Hardt asked if Street Trees was the only thing that Ms. Amorose Groomes was concerned about there.

Ms. Amorose Groomes said yes.

Mr. Hardt suggested it say, 'Substitution of landscape materials, except Street Trees, … He said maybe those were words that were not needed.

Ms. Amorose Groomes asked at what point the Street Trees were determined by the City Forester.

Mr. Goodwin said that he thought it could be a fairly fluid process, depending upon the status of the development.

Ms. Amorose Groomes said that as long as Street Trees were not subject to that, she was generally okay.

Mr. Taylor asked if Ms. Amorose Groomes was thinking that Street Trees were much more of an important element of creating the streetscape.

Ms. Amorose Groomes said that they needed to be as consistent as the street lamps, benches, etc. She said it is more of street character than it is landscaping.

Ms. Amorose Groomes confirmed that there were no comments regarding pages 16, 17, or 18.

Ms. Readler explained that the revisions on page 19 were to the Abandonment Section. She said that they had the opportunity to review those since it was adopted, and they thought that the language was a little unclear with regard to the date of abandonment. She said that the director of Building Standards is going to look and determine that they abandon, but that could be six months prior to the date that the

director makes a determination. She said that there are timelines that start to run from the date that the director makes the decision, and so that is the clarification language. She said that also, language was added that if the property owner does not restore the site, then the City can go in and completely eliminate the structures and assess the property value of those, taking those remedies.

Mr. Hardt asked if they would only kick in for applications that came through the Bridge Street process.
Ms. Kramb asked if it applied to existing structures in the Bridge Street Corridor.

Ms. Readler confirmed that it could apply to existing structures in the Corridor that were built before the Code.

Ms. Amorose Groomes said that this would help the Commission in some of their struggles and it was good to know.

Mr. Goodwin pointed out that staff made a revision on page 17 to Item (e) Simultaneous Processing that was not redlined on the hard copy distributed at the meeting. He explained that it was in response to some concerns heard from the Commission and staff about the potential for having very complicated cases with a large development plan that may also have site plans with it, and when is it appropriate to process them simultaneously. He said that staff feels that there are cases where a development plan may be fair straightforward and it might not be a big concern to have a site plan coupled with it, but they wanted to narrow down the number of times that might happen for very complicated ones. He said that (e)(1) states that if a development plan meets more than one of the three criteria that kick in a development plan review, it cannot have a simultaneous site plan review.

Ms. Kramb asked if separate application fees would be due for each.

Mr. Goodwin said if they were not filed concurrently, there would be separate fees. He said if they were filed concurrently, the higher of the two application fees would be due.

Mr. Hardt asked if that could be informally discussed at the Basic Plan Review stage.

Ms. Amorose Groomes asked if they could be filed concurrently, but not necessarily reviewed concurrently. She said that it only talks in the order of which whatever body would see it.

Mr. Goodwin said as worded, it was reviewed simultaneously, not filed. He said he believed, as it was written, someone could file concurrently and be charged a single fee.

Ms. Kramb said that they would save money by filing them together, but it would take more time.

Mr. Hardt said except for the time limits.

Ms., Kramb said that it was true that two different reviews in the same time period would be necessary if they were filed at the same time.

Mr. Goodwin said that could be a problem. He said although it said 'review,' he thought the intent was filed. He said that the idea was that if it met more than one of those development plan criteria then they would be handled separately.

Ms. Kramb said that would be great for the Commission because it makes it easier to review, but if the purpose is to make this less expensive and speedier for the applicant, then that messes that up for them.

Mr. Goodwin said that it was part of a large balancing act that they have.

Joe Budde asked if attention was paid to using the term Bridge Street District, versus Bridge Street Corridor. He pointed out that on page 19, Item 3 it was called Bridge Street District, but in other places especially on page 1 it was called the Bridge Street Corridor and then later, the BSC District.

Mr. Goodwin said that as they go through the entire Code review, they will probably do a comprehensive overhaul and begin referring consistently to it as the Bridge Street District.

Ms. Amorose Groomes asked what the thinking was about calling it a district instead of a corridor.

Mr. Goodwin explained that not too long after the Bridge Street Corridor Code was adopted, Planning, Economic Development, and Community Relations worked together to identify a number of business neighborhoods throughout the City of which the Bridge Street Corridor was one, and for consistency those have all been called districts. He said it was a branding consistency.

Ms. Amorose Groomes confirmed that before this went to City Council all those necessary changes would be made.

Mr. Goodwin said if this proceeds on a fast track, there may be at a later date some other minor tweaks that will be fixed. He said that staff wanted to put some more thought into what the consistent wording was used throughout the entire chapter.

Ms. Kramb pointed out that on page 17, Public Reviews, there were extra spaces and a period that needed to be deleted.

Ms. Readler referred to page 16, (M) Administrative Appeal process, and suggested that (3) BZA decision be changed to the BZA hearing date to make it clear when the ten days would begin. She explained that there was a case law that the minutes had to be adopted and have a record of action before a final decision is made and that could be a month later or more. She said that they wanted to make it clear that this is on a compressed timeline.

Mr. Taylor referred to page 17, (f) Public Reviews, and notifying property owners within 300 feet. He said he wondered, since this district is so well defined and compact and likely those 300 feet will not encompass many affected property owners, that they should not expand that number.

Mr. Langworthy that it is consistent and has been used throughout the Code. He said they are trying to be consistent with all the different types of applications together. He said that over time, as more properties get divided, that 300 feet will increase the number of people too.

Mr. Goodwin said for instance, for a Development Plan application, the 300-foot boundary would be from the outer boundary of that parcel or group of parcels.

Mr. Taylor said it should probably be consistent throughout the Code, but perhaps it could be dealt with at another time.

Ms. Amorose Groomes asked if Mr. Goodwin had the corrections on page 17 (1) (e), the simultaneous component they just discussed.

Mr. Goodwin asked if there was a determination to eliminate the change they proposed.

Ms. Amorose Groomes said yes.

Ms. Newell referred to the 300-foot provision. She said that on the Franklin County Auditors website, a property search for the surrounding property owners, will tag the 300 feet not from the property line, but from the center of the building. She said that most other communities will always say 300 feet and the immediately surrounding property owners because you can get a site large enough that you will not hit it from that radius. She said that thinking that the 300 feet is being measured from the property line, when you are actually using the tools that are available to do that, they are taking it from the center of the site, outwards.

Mr. Goodwin said that it does, but he saw that as the applicant would be using the wrong tool because the Code requires it be from the subject parcel.

Ms. Newell commented that someone has to catch that. She said that it would be easily cleaned up by still doing it 300 feet, clearly stating that they have to account for all the surrounding property owners as well. She said that was somewhat redundant, but it was a typical comment on any Zoning Code.

Mr. Langworthy said he would check with the City Clerk on that because some of Council's notices get affected by this as well, for example rezonings.

Ms. Amorose Groomes asked if Mr. Goodwin was clear about the change on page 17.

Mr. Goodwin asked if the Commission was suggesting that the new language, '…provided that not more than one of the three conditions outlined…' be removed.

Ms. Kramb said that she liked the provision because it helped the Commission. She said however, that it did not help the applicant which she knew was their intent.

Mr. Hardt asked if they had a Basic Plan Review, and staff reported at the meeting that the applicant has indicated that they would like to do a simultaneous review, the Commission could informally say it was okay given the nature of the application, would this prohibit it from happening.

Mr. Goodwin said there were two options.

Ms. Kramb asked if Mr. Goodwin was saying that instead of '…provided that not more than two…' it should say, 'unless the director decides that it needs to be separated because more than one applies'.

Mr. Hardt suggested it should read as it is, up to 'simultaneously with that development plan, subject to approval of the Planning Director'.

Mr. Goodwin asked if everything after 'development plan,' should be removed, and subject to director approval.

Mr. Hardt said yes.

Mr. Taylor said this began with the concerns about looking at a preliminary development plan and a final development plan in the same application. He said the difference is that it would be the first time the Commission would see a project, and here, they have already seen it in the Basic Plan Review and they would have kind of already said that they would look at both of them the next time it comes. He said it was less of a concern to him that they both would be processed at the same time.

Mr. Goodwin said he thought that could work if it was subject to director approval because it would have already have gone through the Basic Plan and the Commission could discuss it and provide some feedback.

Ms. Amorose Groomes said that the Director would know what the issues were.

Ms. Amorose Groomes confirmed that there were no comments on pages 18, 19, or 20, or any issues not described in the Code that someone would like to address.

Mr. Hardt thanked Mr. Goodwin for his work.

Mr. Goodwin said that should be extended to other staff members, including Rachel Ray who worked a lot on this as well.

Mr. Taylor referred to page 20, (7) Administrative Review Team (ART). He asked if the formation of the ART clause was included in a different section of the Code. He said he wondered if the language was repeated elsewhere in the Code.

Mr. Langworthy said it was, but it was specific to the areas that the ART is in like Chapter 99 and the West Innovation District. He said ultimately, Chapter 99 will stay where it is, but the other two will go into the Administrative chapter.

Mr. Taylor asked if the language here, given though that the ART is created elsewhere, is functioning in the Bridge Street District.

Mr. Langworthy explained that almost literally, there are three creations of the ART, they just happen to be the same thing, but they do three different things in the West Innovation District, Chapter 99 Wireless Communications, and here, but ultimately it will all get meshed together. He said that City Council created Bridge Street when they created this code.

Ms. Kramb asked if technically, there were three different ARTs, even though they are comprised of the same people.

Mr. Langworthy said that was correct. He explained that technically, there could be three different memberships if wanted, but there are three different authorities that they have.

Ms. Amorose Groomes invited public comments. [There were none.]

Mr. Taylor asked the Commissioners if they were comfortable with all these changes, although they have not seen a rewrite, and that Mr. Goodwin was comfortable.

Mr. Goodwin said that for the items that needed to be cleaned up, staff understood the direction.

Motion and Vote
Mr. Taylor moved, Mr. Hardt seconded, to recommend approval to City Council of proposed modifications to Zoning Code Section 153.066, Review and Approval Procedures and Criteria as amended.

The vote was as follows: Ms. Newell, yes; Mr. Budde, yes; Ms. Amorose Groomes, yes; Ms. Kramb, yes; Mr. Hardt, yes; and Mr. Taylor, yes. (Approved 6 – 0.)

Ms. Amorose Groomes asked when this would be placed on the City Council Agenda.

Mr. Langworthy said he had to work with the Clerk and the City Manager's Office to work it out.

Mr. Hardt requested that the Commissioners receive a final draft copy with the changes.

Ms. Amorose Groomes said she would like the goal to be for the First Reading to be on Council's October 28, 2013 agenda.

Mr. Langworthy said that he did not have much control over that, but he would check with the Clerk's Office to see if that was possible.

Mr. Taylor said earlier when they added the references to Walkable Urbanism and said they would have a definition of that in .057 and .058 at some point. He said with this passing this body with those changes not yet made, they are referring to something that does not quite exist yet.

Mr. Goodwin said that staff had that discussion also, and it was not clear to them a week or so ago, what the intent was in terms of how quickly this would get adopted by City Council. He said clearly the intent is as soon as possible, so it probably would be a good idea for the next thing for the Commission to focus on the amendment to .057 and .058. He said perhaps that should be the next item of discussion for the Commission, and that could be forwarded either with, if timing works out, or immediately on the heels of .066.

Mr. Taylor asked if this was approved by City Council and codified, but they did not have that yet, that would just simply mean that they could not use those criteria yet.

Mr. Goodwin said he thought they could because although in .057 and .058 the words commonly accepted principles of walkable urbanism are not there, he thought they all could interpret that those intent statements already do that.

Commission Roundtable

Ms. Amorose Groomes thanked staff and the Commission because she thought everyone worked really hard to get this done in an expedited timeline. She said that she had received significant pressure from City Council to get it done. She thanked everyone for coming to the extra meetings to do the things that they needed to do. Ms. Amorose Groomes said that the Commission was done. She said the few things that Mr. Goodwin had to clean up were minor in nature and she hoped this would be ready for City Council packets on October 25th so that the First Reading could be on October 28th to meet the notice requirements, and hopefully, the Final Reading would be on Council's November 4th Agenda.

Ms. Amorose Groomes adjourned the meeting at 7:34 p.m.

DRAFT

City of Dublin

Land Use and Long Range Planning
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Memo

To: Members of Dublin Planning and Zoning Commission

From: Steve Langworthy, Planning Director

Date: October 10, 2013

Initiated By: Justin Goodwin, AICP, Planner II

Rachel S. Ray, AICP, Planner II

Re: Bridge Street District Code Review - §153.066, Review and Approval Procedures and Criteria

Background

The Planning and Zoning Commission continued their discussion of the Bridge Street District Zoning Code regulations on September 19, with additional review of §153.066, Review and Approval Procedures and Criteria. Following the Commission's review and discussion, Planning has prepared a revised draft of the Review and Approval Procedures for consideration at the Commission's next meeting on October 10, 2013.

The following versions of §153.066, Review and Approval Procedures and Criteria, have been provided for the Commission's review:

- *"Clean" Copy*: Proposed draft; Planning recommends that the Commission review this version for content and discussion purposes.
- *Tracked Changes*: Proposed revisions; This version compares the proposed draft with the original Code text as approved by City Council. Please note that some text that appears as 'new' (blue) is actually pre-existing text that has been moved due to reorganization of subsections.
- *Original Copy*: Original version as approved by City Council on March 26, 2012.

Summary of Modifications

Planning revised §153.066 to address the issues raised by the Commission at their meetings on September 12 and 19, as well as other changes identified by Planning following analysis of the Code and experience with implementing the procedures. An overview of the modifications, including both technical and procedural, is provided below.

Content Modifications

- *Required Reviewing Body Determination*: Outlined in §153.066(D)(3); includes three criteria to be met to require future Development Plan and/or Site Plan Review by the Planning and Zoning Commission in lieu of the Administrative Review Team.
- *Basic Plan Review*: Required prior to both Development Plan and Site Plan Reviews (optional in the Architectural Review District). To clarify the nomenclature, the plans reviewed during the Basic Plan Review have been designated "Basic Development Plans" and "Basic Site Plans."

- *Development Plan Review*: Clarified the purpose of the Development Plan Review to reference planned open spaces, building types, and overall contribution to the creation of signature places in the Bridge Street District. Similarly, the review criteria include evaluation of the proposed street types, and building types and open spaces (when known).
- *Minor Project Review:* At the Planning and Zoning Commission meeting on September 19, the Commission discussed some modifications to the list of projects that qualify for Minor Project Review (rather than requiring Basic Plan Review followed by Development Plan and/or Site Plan Review) outlined in Code Section 153.066(F)(2) in the revised draft. Planning clarified number 4 to include site development requirements associated with new buildings (under 10,000 square feet) and building additions. Planning also clarified 5 to limit Minor Project Review to apply to exterior modifications to principal structures involving not more than 25% of <u>any individual façade elevation</u>, rather than the total façade area.

  No changes were made to 8, which states that any modification to an Existing Structure is a Minor Project Review. The Commission may wish to discuss when the magnitude of such improvements suggests that reviews beyond Minor Project Review may be appropriate. It should be noted that §153.062(B)(2) states that enlargements or expansions to Existing Structures are limited to 50% of the existing gross floor area before they are required to fully comply with all applicable Bridge Street District regulations, including building types. Planning also recommends a modification to the Existing Structures provisions in §153.062(B)(2) to require that modifications to Existing Structures not result in buildings that are any "less compliant" with the Bridge Street District regulations.
- *Minor Modifications:* Minor modifications, requiring Director approval through a Certificate of Zoning Plan Approval, has been modified to include minor modifications to Existing Structures and associated site improvements when minor site and building modifications are necessary for ordinary maintenance, refurbishment, or Zoning Code compliance (such as repainting, screening service structures, installing new sidewalks and landscaping, etc.).
- *Simultaneous Processing:* §153.066 currently allows applications for Development Plan and Site Plan Reviews to be processed simultaneously. While this may be appropriate for smaller projects, for more significant projects, some of the site details may hinge on determinations on larger site considerations, such as street type, block size, etc. Planning has drafted a provision limiting simultaneous processing when any more than one of the three criteria requiring a Development Plan Review in addition to a Site Plan Review have been met.

Technical Modifications

- Many of the changes to the text are the result of clarifications to the review timelines and procedures between the Administrative Review Team and the Planning and Zoning Commission and/or the Architectural Review Board.
- *Elective Review:* Procedures have been eliminated in lieu of the Required Reviewing Body Determination.
- *Waiver Review*: Has been relocated as a separate type of review (rather than as a sub-component of the Development Plan and Site Plan Reviews), since Waivers may be requested separately, or as part of the Basic Plan or Minor Project Reviews. Review criteria for Development Plan and Site Plan Review Waivers have been combined.

Other Notes and Considerations

- References to "commonly accepted principles of walkable urbanism" have been added throughout this Section. Planning recommends adding these principles to §§153.057 and 153.058, General Purpose and BSC Districts Scope and Intent.
- Cross-references are subject to change with further modifications to other Code Sections, and may need to be "cleaned up" in this section at a later date.
- References to the Bridge Street Corridor (now the Bridge Street "District") and the Vision Report (now adopted as part of the Community Plan) will need to be modified at a later date, following changes to §§153.057 and 153.058, General Purpose and BSC Districts Scope and Intent.
- Review procedures for Parking Plans, Master Sign Plans, Open Space Fees-in-Lieu requests, and Subdivision Reviews (Preliminary and Final Plats) may change following further discussion and analysis of the respective Code Sections.

Recommendation

Planning recommends the Commission review and discuss the proposed revisions and provide further feedback. If the Commission feels that the proposed revisions are appropriate, Planning will forward the draft to City Council for review and direction.

City of Dublin

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Memo

To: Members of Dublin City Council

From: Marsha I. Grigsby, City Manager

Date: September 19, 2013

Initiated By: Steve Langworthy, Director of Land Use and Long Range Planning

Re: Bridge Street District Zoning Regulations Evaluation and Update

Summary

Planning provided a memo to Council for the August 12, 2013 Council meeting outlining a proposed process and timeline for evaluating and updating the Bridge Street District Zoning Regulations. At that meeting, the chair of the Planning and Zoning Commission also communicated directly to Council with a proposed Commission-led review of the Code. The Commission and staff evaluation processes have since been combined. This memo provides an update of the Code evaluation process thus far.

Planning and Zoning Commission Review

At their August 22 meeting, the Planning and Zoning Commission discussed their areas of interest in reviewing the Code and outlined an intended order of review:

1) § 153.066 – *Review and Approval Procedures and Criteria*
2) § 153.065 – *Site Development Standards*
3) § 153.062 – *Building Types*
4) § 153.061 – *Street Types*
5) Other Remaining Code Sections

The Commission has scheduled two special meetings in September dedicated to the Code review process. This item has also been scheduled for review at the Commission's regular meetings.

The Planning and Zoning Commission began formal discussion of the Code on September 5, with an initial focus on Code Section 153.066 – *Review and Approval Procedures and Criteria*. Commission members expressed concerns with the current Administrative Review Team (ART) process and discussed potential alternatives for consideration. Planning has provided information about the ART review process and past ART approvals as requested by the Commission for consideration at their September 12 and September 19 meetings.

The Commission continued discussion of Code Section 153.066 at their September 12 meeting. The Commission discussed with Planning various issues with both the Commission (*i.e.* PUD) and Administrative Review Team (ART) processes with regard to the goal of creating an expedited and predictable review process. Commission members felt that additional opportunities for Commission review and public input for proposed development projects should be incorporated into the Code. Specifically, the Commission discussed the potential for a 'dual

track' review process, in which the Commission would review a project early in the process (*e.g.* Basic Plan) and determine whether the project should proceed through an administrative (ART) approval process, or should proceed through a Planning and Zoning Commission approval process. This would be based on the scale and complexity of the proposal along with other review criteria.

A version of this approach was considered during the original review of the Code in 2012. The Commission requested that Planning draft a revised version of Section 153.066 that incorporates the dual track concept along with other technical revisions identified by Planning. Discussion of potential amendments to this Code section is scheduled to continue at the September 19 Commission meeting. The Commission has indicated a desire to forward recommended amendments for this Code section for Council's consideration as soon as possible. The Commission will then proceed with evaluating the remaining Code sections.

Architectural Review Board Discussion

The Bridge Street District Code evaluation has been scheduled as a discussion item at the September 25 Architectural Review Board meeting. Planning will introduce the Code review and amendment process and invite Board members to provide feedback on items of interest related to the application review process and specific development requirements. Planning will gather information and draft potential Code amendments as requested by the Board.

Recommendation

Information only. Planning will provide additional information on the Code evaluation and update process as it proceeds, including potential amendments for consideration following the recommendation of the Planning and Zoning Commission and/or Architectural Review Board.

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PLANNING AND ZONING COMMISSION

RECORD OF DISCUSSION

SEPTEMBER 19, 2013

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

3. Bridge Street District – Code Modification
13-095ADM **Administrative Request**

Proposal:	Amending Chapter 153 of the Dublin Code of Ordinances (Zoning Code) including regulations applicable to the Bridge Street District zoning districts.
Request:	Review and recommendation regarding amendments to the Zoning Code under the provisions of Zoning Code Section 153.232 and 153.234.
Applicant:	Marsha Grigsby, City Manager, City of Dublin.
Planning Contact:	Justin Goodwin, AICP, Planner II.
Contact Information:	(614) 410-4677, jgoodwin@dublin.oh.us.

RESULT: The Planning and Zoning Commission continued their review of the Bridge Street District Zoning Code Section 153.066. The Commission discussed the proposed "dual" review track following Basic Plan Review to determine whether a project will require final Development Plan and/or Site Plan Review by the Planning and Zoning Commission or the Administrative Review Team. The Commission also discussed Minor Projects and general "urban design principles" that should be incorporated into the Bridge Street District General Purpose and District Intent sections of the Zoning Code (153.057 and 153.058). The Commission requested a final draft version of 153.066, Review and Approval Procedures and Criteria, be prepared for review and determination at the October 10, 2013 Planning and Zoning Commission meeting with the changes discussed.

COMMISSIONERS PRESENT

Chris Amorose Groomes	Yes
Richard Taylor	Yes
Warren Fishman	Yes
Amy Kramb	Yes
John Hardt	Yes
Joseph Budde	Yes
Victoria Newell	Yes

STAFF CERTIFICATION

Justin M. Goodwin

Justin Goodwin, AICP
Planner II

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PLANNING AND ZONING COMMISSION

MEETING MINUTES

SEPTEMBER 19, 2013

[EXCERPT]

3. Bridge Street District – Code Modification
13-095ADM **Administrative Request**

Ms. Amorose Groomes introduced Case 3 and confirmed the Commissioners received the February 2, 2012 version to review. She stated Mr. Hardt had indicated the process issues were resolved in the February version. She asked Mr. Goodwin if he had any additional follow-up.

Mr. Goodwin said the February version resolves a number of the issues noted in the email. He said Planning would like to discussion some different ways to accomplish the same goal. He said 153.066 may have a better flow if the two review tracks are separated once a development plan and a site plan are submitted. He said if an applicant is on the Planning Commission track it would make the process clearer then it would be as previously drafted, but it wouldn't change the intent of what was previously reviewed.

Ms. Amorose Groomes asked if the technical issues listed for the Commissioners were still outstanding. Mr. Goodwin said yes. He noted the version provided by Planning via email was similar to the February version, but with slightly different language, specifically in regards to the third criterion. He said the criterion has now been directly linked to the scope or number of waivers, whereas before it was worded more generally in terms of the appropriateness of the proposal.

Mr. Hardt stated subsection 3 sent by Mr. Goodwin was consistent with what he was looking for and he thought accomplished what the Commission wanted. He said subsection 1 moves the review and determinations into the public realm, which he felt was important. He said it allows for compromise in that both options of either Planning and Zoning Commission (PZC) or Administrative Review Team (ART) review exist and can be applied as appropriate on a case by case basis rather than a one size fits all solution. He said the ART process is appropriate for certain cases, such as simple projects or straightforward applications where it is appropriate to have a quick review for a potential applicant. He said there are also complex projects that require conversation in the public setting. Mr. Hardt stated he thought it best not to try to make the distinction between those types of cases at this point, but he found the proposed process allows for variations of gray going forward and goes a long way towards meeting the Commission's goals.

Ms. Newell said she concurs the public review process is important. She said she respects staff and appreciates the intent of the Code, but she said she fears with larger projects that are taken out of the public realm the opportunity for one particular individual to have the ultimate authority of what happens. She said then this can be used against the applicant. She said our residents should have a say in how our community develops.

Mr. Budde asked what Planning's position on the proposed amendments. He asked whether it was workable and made sense. Mr. Goodwin said Planning finds the proposal workable with the additional revisions noted in his email.

Mr. Goodwin said one specific point to look at are the timeframes associated with project reviews. He said if a case were to go through the PZC track additional review time will be necessary, which could add two weeks to ensure initial ART review and recommendation to the Commission. He said a significant

amount of staff review happens behind the scenes and we need to maintain the same level of staff review before an application is presented to the Commission. He said public notice time has to be taken into account as well.

Ms. Amorose Groomes asked if he had those timelines generated. Mr. Goodwin said Planning had discussed extending the review times from 28 days to 42 days, to allow for the two week public notice. He said timeframe would allow for the 28 days currently established through the ART review process to gain a recommendation and then would allow for the public notice requirements for the Planning and Zoning Commission agenda.

Ms. Kramb asked if the notice could occur half way through the 28 days or at the end of the 28 days. Mr. Goodwin replied it would be at the end of the 28 days.

Mr. Hardt asked if the Planning and Zoning Commission date should be established when an applicant is submitted for ART review. Mr. Goodwin said they could determine a meeting date at 42 days out, if the applicant was amenable, but if for any reasons through the review the entire 28 day ART review wasn't necessary, it could get complicated.

Ms. Amorose Groomes asked what happened if there was a problem identified during the review process or certain documents weren't provided or updated in the timeframes. Mr. Goodwin said a time extension would be necessary at the applicant's request.

Ms. Kramb said the revised version included the option for additional Planning and Zoning Commission meetings. She asked how those additional meetings are established. Mr. Langworthy said the Code provision states the Commission will establish extra meetings as necessary to meet the time deadlines, but it would take action by the Commission.

Ms. Kramb added she wouldn't want to delay the review process because we have to wait to vote to schedule a special meeting. Mr. Langworthy agreed and said that was a concern raised by Planning because there are many factors and details that have to happen in this specific time period. He said these unforeseen circumstances are the reason for the extended timeframe. He said we may not need all 42 days, and often the ART doesn't need the full 28 days, but the proposed timeframe gives extra cushion to make sure we can meet all the notice and review deadlines.

Mr. Hardt said Planning provided examples from other communities and he noted Grandview and the Columbus Downtown Commission both only meet once a month. He said if we are comparing ourselves to what other communities are able to do, we are already ahead of them.

Ms. Amorose Groomes said we have nearly committed to weekly meetings, if necessary.

Mr. Fishman commented he was happy Planning was open to the proposed amendments and noted that staff has the education and skill to complete the reviews. He said the Commission's request is not because we lack faith in them, but the idea that more eyes to review a project was better. He said they received an email from Mr. Taylor with a different concept on moving Riverside Drive, which was an example of looking at an idea with fresh eyes regardless of the outcome.

Ms. Kramb said she compared the February 2, 2012 version to the revised version provided by Planning and she noted the three criteria for the kick-up provision remain, but she found one is the same, but two and three are slightly different. She asked for clarification about these changes.

Mr. Goodwin said their concern with the previous language was that an application could include a building or use that is permitted within the zoning district, but the criterion could be used to determine that it was not appropriate even though it was already permitted by Code. He said this could be

problematic and Planning thought that switching the language to focus on waivers, which are essentially deviations from the Code, would be more objective.

Ms. Kramb said she liked the proposed changes because it seemed to fit better.

Mr. Taylor said the proposed version is more concise and addressed the items the Commission wanted, and he suggested it be reviewed line by line. Mr. Goodwin agreed.

Mr. Taylor stated he provided a two-page modification to Ms. Readler for her review. He said his intent was to provide future Commissions members the background of the Bridge Street District. He said the modifications provide a big picture of the intent behind the regulations.

Mr. Langworthy said he did not want to confuse the approval process with the review track determination process. He asked if Mr. Taylor intended for the proposed language to state "all of the following criteria" have to be met or only some.

Mr. Taylor said he did not intend for this to be an exhaustive list. He said the intent was to include a larger context for review, because with the Edwards Project the Commission had frustration about only seeing the immediate environs of the building. He said he would like to build a map or a series of maps that would start with a figure-ground drawing, which includes everything existing and everything that is planned. He said an example of this could include streets. He said as every project comes forward we would keep adding to it to see how it fits in the larger context to make sure all the pieces fit together.

Mr. Hardt said we currently don't see the whole project in context.

Mr. Taylor said the second two things on the list would be to make sure we see beyond the existing buildings within a certain number of blocks to make sure we understand how these pieces fit together.

Mr. Langworthy said he understood the intent and suggested Planning work on minor revisions to Mr. Taylor's proposed language.

Mr. Hardt agreed with Mr. Taylor in principal, but said it is difficult when reviewing a single site within the Bridge Street District and not understanding the overall context. He said within the Bridge Street District, all pieces are supposed to be linked together and he said that would be helpful information to have during the review. He said he would like to find a way that we could see the context, even if it is provided in a conceptual nature.

Mr. Langworthy agreed and said we have also expressed frustration with the lack of an overall Master Plan for this last project and not knowing what was intended beyond the immediate area. Ms. Amorose Groomes said even the applicant was unable to tell us what is planned adjacent to the site.

Mr. Langworthy said there will be some circumstances where we would have a better idea of how that may happen, but there will be others when we won't know. He said there are plans that are sometimes shown to staff, but we don't get to keep. He said Planning heard the Commission's concern about the contextual aspect of it and has talked about it at some length. He said in some respects it is unfortunate this project had to be the first one because we were not able to show much context. He said he hoped in the future that would be different.

Ms. Newell asked if the applicant presented more to Planning than what was provided to the Commission, because the applicant made a comment during the review about the proposal being very different than what they originally showed. She said she wondered if staff was left with the same dilemma as the Commission and not knowing what was to come forward in the future.

Mr. Langworthy said the issue lies with the type of applicant submitting an applicantion. He said we have some who want to do something different that we would not accept, others who ask what we want them to do, and others who do not have a specific interest. He said anyone of those applicants could change their minds midway through the meeting, as the discussion goes on. He said it is difficult to deal with those applicants. He said we would sooner deal with an applicant who absolutely knows what they want or absolutely don't want, than an applicant who does not care.

Mr. Hardt stated it was important for the Commission to understand what the City wants and that there may be a compromise in the middle. Mr. Langworthy agreed.

Ms. Amorose Groomes said there seems to be general support of the Commission of the proposed language provided by Mr. Goodwin. She said she does not want to wait until the entire Code has been reviewed before taking it to City Council. She said wants to get Council's temperature on the review process first, because what is decided in the subsequent chapters of the Code is dependent on the review and approval procedures. She said she would like to wrap up 153.066 and provide it to Council. She said then we can finish the balance of the sections.

Ms. Kramb asked about the status of the applicant guide discussed as part of the original Code adoption process.

Mr. Goodwin stated as part of this process we will incorporate our observations and ideas of items that could be better explained or clarified within an applicant guide. He said Planning has reviewed the current Code and identified material that should be incorporated into the guide and as they proceed through the Code sections, they would like to have that conversation with the Commission. Mr. Goodwin said there would be separate sections within one applicant guide, with the exception of the *Historic District Design Guidelines* that will happen separately.

Ms. Kramb asked if this was consultant driven. Mr. Goodwin said it is being developed at staff level with the potential for graphics provided by a consultant.

Ms. Kramb asked about the timing for completing the guide. Mr. Goodwin answered it depended on how quickly the Code is reviewed and impact of the changes proposed.

Mr. Hardt asked about submittal requirements and whether there was a checklist for Bridge Street District application. Mr. Goodwin said yes, the application requirements are available online and Planning could send the link.

Mr. Hardt said Mr. Taylor's request could be potential submittal requirements that an applicant provides with an application. He said he did not prefer these requirements to be provided in the Code, because they change and evolve with more experience. He said an addition to the submission requirement may be helpful. Ms. Amorose Groomes agreed.

Mr. Hardt asked if that could be provided in the applicant guide or with the application.

Ms. Amorose Groomes said maybe those are questions need to be addressed by the applicant when submitting the application. Mr. Goodwin said that was an option. He said a compromise approach could be to make the intent of the review clearer in the Code.

Ms. Amorose Groomes asked if the Commissioners felt the February 2012 version with the clarifications made by Mr. Goodwin were getting close to a draft they could recommend for approval.

Ms. Kramb asked if a draft could be ready for the September 26th meeting. Mr. Goodwin indicated that would not provide Planning with enough time to revise the language and have it ready for a packet that would need to be delivered tomorrow.

Ms. Amorose Groomes indicated the October 10th meeting would be the next available date.

Mr. Hardt confirmed with Ms. Amorose Groomes the intent was to leave tonight's meeting with enough input to have a final draft ready for review.

Ms. Amorose Groomes said she felt the Commission and Planning seem to be on the same page throughout these discussions and the language distributed by Mr. Goodwin is getting close.

Mr. Fishman said Mr. Goodwin indicated a draft would not be ready by the 26th and asked if the special meeting scheduled for September 26th should be cancelled. Mr. Goodwin said we could proceed with reviewing the other Codes sections, or finalize 153.066 first.

Ms. Kramb confirmed the packet would be distributed on October 4th for the October 10th meeting. She stated the information could be provided in Dropbox and then the Commission could review it prior to the meeting and provide comments to Planning to respond.

Ms. Readler indicated the Commissioners could submit comments to Planning, but she cautioned the group about exchanging emails back and forth about the topic outside of the meeting.

Ms. Kramb asked if the Commissioners commented would Planning have enough time to make changes and redistribute the revisions prior to the meeting. She said she would like to have more time to see any additional revisions without having to see it and vote on it in the same day.

Ms. Newell asked if the Commissioners are making an unreasonable request of Planning in terms of the amount time to revise and distribute the material. Mr. Goodwin responded it would be helpful to make sure an adequate amount of time is dedicated for the review, because we want to ensure we do not rush it and miss something in the process. He said Planning also needs to review the remaining sections of the Code to ensure we are not creating other issues with the proposed revisions.

Ms. Amorosa Groomes said if packets are distributed on the 4th we would have an entire week. Mr. Goodwin said they could meet that timeframe.

Ms. Kramb confirmed the review would be for the October 10th meeting.

Mr. Fishman said that would eliminate the September 26th meeting. Mr. Hardt said unless we want to talk about other sections of the Code on the 26th.

Ms. Amorose Groomes said we need to decide that tonight.

Ms. Amorose Groomes asked if the Commission wanted to start another section before we finish 153.066. She said the Commission had identified different sections to address. Ms. Kramb indicated site development, street types, and building types were on the list.

Ms. Amorose Groomes and Mr. Goodwin indicated site development standards were next.

Ms. Kramb said the biggest item to discuss within this section is the sign provisions.

Mr. Goodwin indicated that Planning found it helpful to hear the Commissioners' concerns and discussion regarding a particular section. He said it provided an opportunity to consider their discussion along with the items Planning has identified during their review.

Mr. Hardt asked if the Commissioners should have a roundtable discussion to highlight the items they have concerns. Mr. Goodwin said yes.

Ms. Amorose Groomes asked if the Commissioners wanted to do that next week at the September 26th meeting or save it for the October 10th meeting.

Mr. Hardt said he was willing to come to any meeting, but he wasn't sure if having a special meeting just for a roundtable feels like a good use of time.

Ms. Amorose Groomes stated that aside from their regular meeting business on the 10th, they will review a fully developed 153.066 and then be prepared for a roundtable discussion on 153.065 regarding site development standards. She confirmed everyone agreed and that there would be no meeting on September 26th.

Mr. Budde commended Mr. Taylor for the memo he provided, especially about the review procedure that would include additional background and context. He said that was currently missing and he was privileged yesterday to attend a presentation by the president of Columbus State Community College, where he discussed a 50-year master plan. He said it was well done and informative and the plan looked at a large area and plugged in the various pieces of the puzzle to form the grand vision. He said it was informative and he said if the Commission could have had something similar with the Edwards project it would have made a huge difference in the conversation. He said it would have cut time that was spent on unnecessary things because we just didn't understand the context. He said he appreciated Mr. Taylor's effort to include this.

Mr. Taylor thanked Mr. Budde for his comment. He said based on his prior experience with this group, he is certain everyone involved is going to see this approach gives more certainty at a very early stage of project and eliminate the big issues later.

Mr. Taylor stated the Heartland project looks fantastic and the building has made so much progress so quickly. He said this was the first building built to Bridge Street standards and people were concerned about it being located close to the road, but it has been detailed out and developed well. He said it is a nice building.

Mr. Goodwin asked the Commission to make a motion to cancel the September 26th meeting.

Motion and Vote
Mr. Hardt moved, seconded by Ms. Kramb, to cancel the September 26th Planning and Zoning Commission meeting. The vote was as follows: Ms. Amorose Groomes, yes; Mr. Taylor, yes; Mr. Fishman, yes; Mr. Budde, yes; Ms. Newell, yes; Ms. Kramb, yes; and Mr. Hardt, yes. (Approved 7 – 0.)

Ms. Amorose Groomes asked for any other communications for the Commissioners.

Mr. Langworthy asked Mr. Taylor to send Planning a copy of his memo.

Mr. Hardt said he had a couple of thoughts about how minor projects are defined; particularly that the numerical values seem to be a "one size fits all" approach, which may not be appropriate. He cited an example for number 4, which refers to 25% of the façade area. He said in a principal structure like Cardinal Health that wanted to increase the footprint by 10,000 square feet it would not have a great

impact, but on a building that is only 10,000 square feet to begin it is a huge deal. He asked if there is any modification to that language that ought to be discussed.

Ms. Kramb confirmed it would be a percentage of an existing size. Mr. Hardt said percentages tend to be the right way to approach the topic, but he wasn't sure what those percentages should be.

Ms. Amorose Groomes asked why we have to define them as a minor project. Mr. Goodwin said the list of all the projects that the ART has seen thus far have almost all been minor projects. He said from Planning's perspective, a significant number of them were truly minor in nature. He said Planning could to take another look at the list, but wouldn't want to remove the minor project entirely and have to have everything come through the basic plan review.

Mr. Hardt agreed and said some of the examples would not need to be reviewed by the Commission. He said however where the entire architectural appearance of a building is changing doesn't feel minor, such as Applebee's and KFC. Ms. Kramb agreed and questioned why KFC was not reviewed by the Commission.

Mr. Hardt asked what the criteria were that identified those two projects as a minor project. Mr. Goodwin said several criteria apply, but the main criteria are the Existing Structures provisions.

Ms. Amorose Groomes confirmed the site was rezoned into the Bridge Street District. Mr. Goodwin said yes, but the Code states these are Existing Structures as of the date of adoption of the Bridge Street District.

Ms. Kramb said she thought maybe it was Criterion 5 because there were exterior modifications. Mr. Goodwin said if those buildings had been built under the Bridge Street District and then Criteria 4 and 5 would apply.

Ms. Amorose Groomes said maybe 25% of any given façade, rather than 25% of the total building would be more appropriate.

Mr. Hardt asked if there was reason why Existing Structures couldn't be subjected to the same seven criteria above. Mr. Goodwin said not necessarily, but the intent with the Existing Structures within the Bridge Street District was the Code requirements do not necessarily apply. He said it was discussed as part of the original Code adoption and it could be further discussed with the building types section in terms of how to get Existing Structures into compliance over time. He said he felt the Code could be made stronger and eventually these structures would be in compliance with Code.

Mr. Hardt and Ms. Amorose Groomes thanked Mr. Goodwin for turning this text around and getting it out to the Commissioners.

City of Dublin

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Memo

To: Members of Dublin Planning and Zoning Commission
From: Gary Gunderman, Planning Manager
Date: September 13, 2013
Initiated By: Justin Goodwin, AICP, Planner II
Re: Bridge Street District Code Review

Background

The Planning and Zoning Commission continued discussion of the Bridge Street District Zoning Code on September 12, with additional review of Code Section 153.066 – *Review and Approval Procedures and Criteria.* Meeting minutes will be provided for Commission review at an upcoming meeting. The Commission discussed with Planning various issues with both the Commission (*i.e.* PUD) and Administrative Review Team (ART) processes with regard to the goal of creating an expedited and predictable review process. Commission members felt that additional opportunities for Commission review and public input for proposed development projects should be incorporated into the Code. Specifically, the Commission discussed the potential for a 'dual track' review process, in which the Commission would review a project early in the process (*e.g.* Basic Plan) and determine whether the project should proceed through an administrative (ART) approval process, or should proceed through a Planning and Zoning Commission approval process. This would be based on the scale and complexity of the proposal along with other review criteria. A version of this approach was considered during the original review of the Code in 2012. The Commission requested that Planning draft a revised version of Section 153.066 that incorporates the dual track concept along with other technical revisions identified by Planning. The Commission also requested that Planning follow up with additional information as discussed at the September 5 meeting.

September 19 Review Materials

Planning provided a portion of the information previously requested by the Commission in the September 6 packet. Additional requested materials are included in this packet:

1. Examples of projects comparing the original proposal to the final approved outcome. Where available, this material includes the earliest version of plans as presented at the pre-application stage. Approved plans are provided as reviewed by the ART; generally, these versions do not reflect revisions required to meet conditions of approval. Among the examples provided, the Edwards Apartment Project is the most complex, and includes additional requested information, such as Architectural consultant analysis, staff correspondence, and a record of the detailed Code review conducted for this proposal.

2. Examples of development review processes and related Code requirements used for urban mixed use developments in other local communities, including:
   - Columbus Downtown Development Commission
   - Upper Arlington Planned Unified Development Ordinance
   - Grandview Heights (Grandview Yard Planned Development)

Planning will begin drafting amendments to the Review and Approvals Procedures over the next week, with the goal of distributing a draft to Commission members in advance of the September 19 meeting.

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PLANNING AND ZONING COMMISSION

RECORD OF DISCUSSION

SEPTEMBER 12, 2013

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

1. Bridge Street District – Code Modification
13-095ADM **Administrative Request**

Proposal:	Amending Chapter 153 of the Dublin Code of Ordinances (Zoning Code) including regulations applicable to the Bridge Street District zoning districts.
Request:	Review and recommendation regarding amendments to the Zoning Code under the provisions of Code Section 153.232 and 153.234.
Applicant:	Marsha Grigsby, City Manager, City of Dublin.
Planning Contact:	Justin Goodwin, AICP, Planner II
Contact Information:	(614) 410-4677, jgoodwin@dublin.oh.us

RESULT: The Planning and Zoning Commission generally discussed the Bridge Street District sections of the Zoning Code, focusing on the review procedures used by the Administrative Review Team (ART). The Commission was interested to understand how architectural review takes place as part of the ART process. The Commissioners agreed that the lack of public input in the current review of Bridge Street Corridor applications should be addressed in moving forward.

MEMBERS PRESENT:

Chris Amorose Groomes	Yes
Richard Taylor	Yes
Warren Fishman	Yes
Amy Kramb	Yes
John Hardt	Yes
Joseph Budde	Yes
Victoria Newell	Yes

STAFF CERTIFICATION

Justin M Goodwin

Justin Goodwin, AICP
Planner II

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PLANNING AND ZONING COMMISSION

MEETING MINUTES

SEPTEMBER 12, 2013

AGENDA

1. Bridge Street District – Code Modification
13-095ADM **Administrative Request**
(Discussion only)

Chair Chris Amorose Groomes called the meeting to order at 6:30 p.m. Other Commission members present were Amy Kramb, John Hardt, Richard Taylor, Joe Budde and Victoria Newell. Warren Fishman arrived at 6:59 p.m. City representatives were Gary Gunderman, Justin Goodwin, Jennifer Readler, Dan Phillabaum, and Flora Rogers.

1. Bridge Street District – Code Modification
13-095ADM **Administrative Request**

Chair Chris Amorose Groomes introduced this Administrative Request for review and recommendation regarding amendments to the Zoning Code under the provisions of Sections 153.232 and 153.234. She said that the Commission appreciated Planning distributing the information in a timely fashion.

Ms. Amorose Groomes said she did not know what would be the best way for them to proceed through the materials provided. She suspected that they did not need to go through all the meeting minutes because they are general and were not necessarily representative of who said what when. She suggested beginning with a general discussion about the materials provided and questions. She asked if there was anything that someone was looking for, but did not see and if that is not the case, maybe some items they would like to bring forth for them to discuss. She said she did not want to go through the hundreds of pages, page by page.

Mr. Goodwin said that Planning will follow up with the other items they were unable to include in this packet in the next packet.

John Hardt said regarding the meeting minutes from the Administrative Review Team, he had a couple of things in terms of how things have been playing out and whether the Commissioners had any thoughts or concerns about any of that. He said he only had two notes himself. He said regarding the list of thoughts and corrections brought up by Planning, he thought they needed to discuss and consider it.

Mr. Hardt said he imagined that the Commission would need to discuss them either tonight or another night. He said he could make suggestions or comments regarding any or all of those.

Ms. Amorose Groomes asked what sections of the materials provided the Commissioners found most interesting.

Victoria Newell said that she had read all of the Administrative Review Team comments. She said she was curious when a decision is made with input from an architect, how they were invited into the process and how they provided input into the review. She said she totally lost when that happened when looking at the Administrative Review Team comments.

Dan Phillabaum referred to the Edwards case as an example, and said it would not necessarily be reflected in the Administrative Review Team minutes. He said that Planning will be bringing to the Commission the case information from that application, email attachments, and correspondence between Planning and the architectural consultant. He said that in the course of their review, Planning and the ART identified issues with the application related to architectural appropriateness or items more subjective in nature. He said the architectural consultant was requested to for input on those aspects. Mr. Phillabaum said that they also ask the consultant for his analysis at a broader level to determine whether the zoning provisions have resulted in a project that reinforces the objectives of the Vision Report.

Ms. Newell asked if there were specific questions based on a meeting that they were concerned with, and were they submitted to that one individual to say yea or nay or to make comments.

Mr. Phillabaum said that was correct.

Ms. Newell noted that none of that was reflected in the Administrative Review meeting minutes.

Mr. Phillabaum said it was not in the minutes, but it was in the emailed correspondence.

Mr. Goodwin said in the final Planning Report to the Administrative Review Team, that information is reflected and attached to it.

Ms. Newell said that there were other things missing besides the conversation.

Mr. Goodwin said that Planning would follow up with some of that information.

Ms. Newell said most of the conversation in the Administrative Review Team meeting minutes is, as she would describe it, the type of conversation that would sometimes occur hours before a Commission meeting with cases she was involved in professionally. She said that the day of the hearing, they would often get a very lengthy email about all the things that occurred at the staff meeting that occurred that morning that Planning thinks should be addressed by 5 p.m. on the day of the meeting. She said she realizes that they were not operating in that timeline, but the comments were just exactly those kind of comments that she has always seen come from staff. She said they were very focused upon each individual's responsibility such as the Fire Chief being concerned about life safety and the building official being concerned about Code items. Ms. Newell said what was completely lacking was any comments about the actual plan development and the architecture in the Administrative Review Team meeting minutes so she was concerned with how those decisions were being made. She said that she had asked several times how do you say no to something that is in front of you. Ms. Newell said that she perceived the result of the process is that you are always going to get a yes. She asked what would happen when the architectural consultant objected to something.

Ms. Amorose Groomes said she did not see any recording of the votes. She asked if it operated with an assumption of acceptance.

Gary Gunderman said it did because they go around the table pretty thoroughly so everyone has more than a chance to speak and frequently, they will bounce around quite a bit.

Ms. Amorose Groomes asked how you can say no if there is not a vote taken.

Mr. Goodwin said that all of the Administrative Review Team members are given an opportunity to object.

Ms. Amorose Groomes said that was frightening because that was all about attrition, like how long will we sit here until you nod your head.

Ms. Newell asked if there was anything put in place like a checklist as Mr. Taylor had suggested or parameters that are being used to review the architecture or potential architecture of larger projects.

Mr. Phillabaum said that Planning does have a checklist of all applicable Code requirements that is used when reviewing applications. He said that checklist is also included in the Report. He said he would not want to characterize it as bureaucratic as 'we've checked all the boxes and therefore the application is approved', because particularly with Building Type requirements there is subjectivity and the importance of the end product of the individual requirements. Mr. Phillabaum said that was another area where an architectural consultant is asked to take a step back and consider if these provisions are working to create the type of buildings that reinforce the environment we are trying to create and have identified in the Vision Report.

Ms. Newell said it would be nice for the Commission see an example of this process and dialogue on a case like the Edwards application.

Mr. Gunderman said that it would be in the next packet.

Ms. Newell said that looking at that, it looked like it got a very cursory review as opposed to a thorough review and discussion after her reading of the Architectural Review Team minutes.

Mr. Goodwin said that it may be a function of how the meeting minutes are more general.

Mr. Phillabaum said that Mark Ford was not able to attend the Administrative Review Team meeting, so he forwarded his comments via email and staff distributed that.

Ms. Newell said she did not even see anything in those minutes that there was any discussion about the architecture, except in terms if there was any siding, and she assumed they were discussing vinyl siding.

Mr. Hardt said he had some of the same concerns as Ms. Newell. He said he also wondered where the comments were from the architectural consultant, and rhetorically to himself, where is the obligation on the part of the Administrative Review Team to necessarily follow the consultant's suggestions. He said it seemed to him that with the process the way it is, they could have a case where Fire and the Building Official and everybody is perfectly happy with the project, but the architectural consultant thinks the aesthetics of the project is awful and does not approve. He said the architectural consultant does not have a vote, and actually it does not appear anyone has a vote if he understood the process in the room correctly.

Mr. Gunderman said if they ever had a case where someone was not in support, he thought it would be marked in the minutes. He said the way things have been done thus far, when in some cases there has been a lot of talking on particular issues, they reach a consensus.

Mr. Hardt said he also was a little worried to hear that Mr. Ford's input on that particular project was given via an email.

Mr. Phillabaum said that Planning and Building Department staff met with Mr. Ford prior to the ART meeting as well and went over the plans with him and to discuss his comments and recommendations.

Mr. Hardt asked if the applicant was present for that.

Mr. Phillabaum said no.

Mr. Hardt said he did not know how architectural criticism can be conveyed well via an email/telephone game that is one step removed from the person who has to respond to it. He said it did not seem like an adequate way to ensure that Dublin's built environment has the quality and sensitivity that we want.

Mr. Goodwin said that Planning has discussed getting the consultants present at the meetings, but to date, there has not been the opportunity for that to happen.

Amy Kramb asked if there were set checklists or review criteria for each member of the Administrative Review Team.

Mr. Goodwin said that it was the Code and the criteria in the Code. He said that it is a case by case basis, which sections of the Code are applicable.

Ms. Amorose Groomes said that the Commission has review criteria for the cases they review.

Mr. Goodwin said that they are in the Code as well.

Ms. Kramb said though, it was a very subjective review criteria. She said that the Commission has seen applications that totally meet Code, but there was no way they wanted to approve them based on meeting Code.

Mr. Goodwin explained that there are similar criteria for the development plan and site plan for the Administrative Review Team to review.

Ms. Kramb said that was not reflected in the meeting minutes. She asked if that was being done. She said if a different Engineering representative comes to a meeting, that person might have a different subjective view than the other representative and the applicant might submit what they think that representative wants to see, similar to choosing a judge to get the desired verdict.

Mr. Goodwin said ART attendance is generally consistent but sometimes a substitute representative attends the meeting. It said the ART reports be the best record of how the criteria are applied. He said if there are concerns with a proposal not meeting some of the review criteria, then there is a specific recommendation relative to that criteria which typically would result in a recommended condition.

Ms. Kramb said that was more helpful than the meeting minutes. She said if they could see those so that they can understand how the decisions are being made and where the consistency and decision-making is, that would be very helpful.

Mr. Hardt said that there were a couple of things that jumped out at him that were kind of related to this. He said he fully understood and respected that the Commissioners are reacting to a process that they have not seen. He said that they had not had the opportunity to attend the meeting and see how it works. He said regarding the Administrative Review Team minutes, he wanted to note a couple of things but he did not necessarily expect a response. He said the KOKO Fit sign, that many of the Commissioners thought lacked quality, generated no discussion at all according to the minutes. He said the only commentary on the whole application was a question from Jeff Tyler about whether the applicant had filed for a building permit before or after the meeting.

Ms. Amorose Groomes said they had to trust they are really the reflection of what happened in the meeting. She said that was all that they had.

Mr. Hardt said if that is truly indicative of what the meeting was like, then they clearly have a disconnect on what their expectations on signs are. He said that was just something to circle back to.

Mr. Hardt said the Bridge Pointe shopping center and the Infiniti Dealership both of which were significant architectural modifications to a building that came before the Commission were discussed at length and passed and then went back to the Administrative Review Team for changes to the architectural modifications that the Commission had approved. He said that struck him as being part of a backwards way of doing things. He said that it seems like if the Commission had voted on a project and for that decision to then be changed later, he certainly would like to understand how that decision was made and that those were supposedly minor issues.

Mr. Hardt said that he absolutely accepted that there are projects that the Commission is going to see that are relatively straightforward and simple, and the Administrative Review Team is a great process that can deal with things from an administrative standpoint, when the scope, scale, and nature of the project warrants that and applicants can be moved along expeditiously. He said that this entire conversation reinforces his thought that he did not believe that it should be the default, which is what we have right now. He said now, we have a Code that says that this expeditious administrative process with no public input is the track that virtually every project goes on, unless it meets some complicating threshold. Mr. Hardt said he thought that was backwards.

Ms. Kramb said that timeframes of projects reviewed were provided, but they were not compared to what the old process would have been.

Mr. Goodwin said that may be difficult to do for each individual case.

Ms. Kramb said she did not mean case by case. She said for instance, the signs took ten days at the Administrative Review Team and six days at the Architectural Review Board and how that would compare to the old process and if it was the expeditious process that they tried to get or is it the same.

Mr. Gunderman said that for those signs, he guessed most of them were pretty similar because the last step, the Architectural Review Board step, was the one that took the longest in any event. He said depending upon when the application was submitted, it may have been a little longer or shorter, but probably those signs ran about the same.

Ms. Kramb asked if everything that went to the Architectural Review Board was the same.

Mr. Goodwin said that there was another formal meeting, because of the Administrative Review Team, where cases might have to be pushed out another week or so to get on an Architectural Review Board agenda.

Ms. Kramb asked if the reason could be restated why the process was left the same in the Architectural that district

Mr. Gunderman recalled that a number of the Commissioners, particularly Mr. Taylor wanted it to be exactly the same and he thought members of City Council wanted it to be exactly the same.

Ms. Kramb said there are, or there is the potential for big projects now with the library and areas on the north side of Historic Dublin.

Mr. Hardt pointed out the demolition case.

Warren Fishman arrived.

Mr. Fishman said that he had read Mr. Taylor's email, and he thought it was right on.

Mr. Taylor said that he did not send his email to Planning.

Mr. Fishman said that he drove around Dublin, especially the Corridor District, and he noticed, after he read the Administrative Review Team minutes, that lots of people are using this district to get a bigger sign. He said that he personally had gotten three calls in the last three months from a church, an office building, and maybe retail wanting a large sign, and he referred them to Mr. Langworthy. He said the signs for Mellow Mushroom and GFS were signs that they would have never approved. He said that he was at the Commission when the Mellow Mushroom sign was reviewed and he recalled that they went back and forth to make sure that the colors, lamps, and the sign were right. He said now they have a sign sitting like a gas station sign on the mound. He said GFS has a giant sign sitting flat against the building.

Mr. Goodwin said he did not believe the GFS sign was reviewed by the Administrative Review Team. He said he thought it was a pre-existing sign.

Mr. Fishman said that GFS had a small sign and now it is giant. He said maybe it was not approved.

Mr. Goodwin said that Planning would check on that. He said generally, the sign requirements require smaller signs than what would have been previously.

Mr. Fishman said that he feared that this quadrant changes into something different than what we imagined, and mainly what they got out of it was more and bigger signs.

Mr. Fishman said that he misunderstood the process when they went through this. He suggested it would be simple to have applicants come to the Commission like a consent agenda to determine if it should go to the Administrative Review Team to handle. He said he thought the current process did not seem to be working.

Mr. Hardt said that is exactly what the Commission voted on and recommended to City Council initially.

Mr. Fishman said that was what he understood it would be, but it has gone away from that.

Mr. Fishman said that he disagreed with Mr. Taylor's suggested alternative in his email that everything be temporarily stopped. He said that there was a sewer problem many years ago, and it was terrible publicity for the City and developers threatened to go to Powell. He said that he thought that would be an extreme action that he disagreed with doing. Mr. Fishman said for everything else mentioned in the email, he was on board.

Mr. Budde said that he had no comments to make.

Richard Taylor said the thought this was a great conversation because it was something that the Commission had not had a chance to do since this whole thing started. He said that they were now 17 months into this. He said his email was sent to the Commissioners' public email.

Ms. Amorose Groomes corrected Mr. Taylor and said that his email was sent to the Commissioners' private emails.

Mr. Taylor apologized and noted that there had been issues with the public emails not working correctly. He said that he would make sure that everyone that should get a copy will get his email. He said that in his email, he pointed out that he recognized that none of the Commissioners are experts in the kind of urban planning that Dublin is talking about or had extensive experience in New Urbanism or form based codes. He said they all had learned a lot in the past couple of years, and he took it upon himself to try to learn as much as possible in the past six weeks. He said he found by looking at a couple of dozen other form based Codes specifically at the process that Dublin's process is comparable and that there are different names for the Administrative Review Team. He said sometimes it is called a Public Design

Review, Public Plan Review, or lots of different things. He said what is also common to all of those is that in every one of those cases, there is not only form based code or arbitrary code of some kind, but there is also a regulating plan.

Mr. Taylor said this city was built obviously with the PUD process, but when they look at hotels and office buildings and things out on large plots of land surrounded by parking and trees on the outer belt, the architectural context there is about zilch; make it big, tall, and make sure it has the identity of Holiday Inn or whatever the company is. He said there had been a lot of flexibility on what the architecture and the planning of those buildings are, because they are kind of classic architects like to make their buildings three-dimensional objects out in the field because they like them to stand out. He said what they are talking about in the Bridge Street District is the exact opposite. He said ideally, none of the buildings in the Bridge Street District are objects, they are all tied together. He referred to the existing buildings downtown and said if they were built independently, the colonial building with Starbucks was built and then someone else built the gothic arched building next to that. He said each did not matter on its own, but what matters is what they form altogether. He said that was a whole different way of looking at planning, streetscape, and all that that we have not done before.

Mr. Taylor said the purpose of the whole form based code was that there are some very specific rules about you achieve the goals of our vision. He said he thought the code that we have is all the ingredients we need, but we do not really have anything that says how the cake is supposed to turn out. He said that other than we hope it is really tasty we do not have the recipe of how to get there. He said he suggested that either they ought to have some way of creating that recipe, or at least, in the meantime, until we get there, we ought to be looking at these things in a more public venue so that we can openly and more subjectively discuss how we are going to achieve the goals of walkability.

Mr. Taylor said that Chris Leinberger presented a great talk about the Back to the Future movie, the town square, and the things that happened there. He said the image of that was the kind of feeling that they think they might want for a small town downtown. He said that was the whole essence of the New Urbanism thing which was walkable urbanism and all that. Mr. Taylor said that they went directly from there to 'here is the code,' and none of the Commissioners are really that familiar with how do we take the parts of that code and take our applicant who has a building and take a street that will be predesigned and actually do something that is going to result in that square working. He said that there are tons of examples of mistakes being made in this thing. He said that he recalled that it was not that long ago in the City that the previous planning director or city engineer proposed closing High Street for a pedestrian mall, and re-routing traffic around it. He said that this country is littered with that being done and it is the worst thing you can possibly do, except in very specific circumstances like in a college town in a warm climate, for example. Mr. Taylor asked if all seven Commissioners are changed to ones that have no experience with this code process and propose something like that to them, other than what is in the code, how do they know whether that actually achieves the goals of the Vision Plan or not.

Mr. Taylor suggested how they might start creating a process that is along with what Mr. Hardt wants to discuss that will allow this and future Commissions to say if that achieves the goal of walkability, and what is walkability and how do we define it in a more subjective way. He said if they can do that, they can start to get to defining that.

Mr. Taylor said the alarm that was going off in his head about the Bridge Street District is that they saw the Edwards building happening, and what they saw on the Commission was a building very much out of context. He said the Commission asked Kevin McCauley, what else was going on. He recalled Pete Edwards saying that you could not have bicycles because there is retail. Mr. Taylor said he did not see that. He said that the Commission and staff cannot properly evaluate how that building fits in the overall scheme without seeing a much larger context. He said at the same time, all the way down the hill, he saw a completely separate project moving very rapidly being presented to Council that the City actually wants to codify and lock that framework plan into that district. He said that they need to know how that

stuff connects. Mr. Taylor said that he understood the ultimate idea, which will never quite get there, is that everything is already planned. He said that we know which streets are going where and where the sidewalks are which are all things that are predesigned and we are just asking people to pop buildings down where we tell them we want the buildings to be and we have achieved our goals.

Mr. Taylor said that he worried that we are looking at a situation where we have already allowed too many holes to occur in this thing. He said the very first Bridge Street Corridor project was Vrable which was allowed to squeak in just before this Code was passed. He said it was a huge chunk of the Bridge Street Corridor that was gone. He said the second one was Wendy's which was zoned out of the District and the third was Edwards. Mr. Taylor said the fourth one is perhaps the River Project or the return of the Stavroff property, but we do not know how all those pieces connect.

Mr. Taylor said that unless we can stop and come up with a plan that really makes this work, he thought they need to look how the Commission can be the public's representative in making sure that we get what we think we are trying to get.

Ms. Amorose Groomes said she had a few comments to make about some very alarming reflections about this. She said that they have communicated that this development process is going to be long term, 50 years before this corridor is built out or longer. She said that they seem to be having all their ways and means designed around the people they have before them today. Ms. Amorose Groomes said that she heard Mr. Langworthy call Mr. Goodwin the "Keeper of the Code," but she wanted nothing but wonderful things for Mr. Goodwin for his whole life, however we are not always surrounded with wonderful things all of our lives. She said that we are all one breath away from not being here.

Ms. Amorose Groomes said she was very alarmed at the lack of public input. She said that we do not know who our next planning director is when Mr. Langworthy decides to retire. She said that they do not know their character, background, strengths, or weaknesses, yet we have entrusted this incredible process to them, where votes are not even being taken, but he has the opportunity to talk them into at length, agreeing with him until everyone is blue in the face and cries 'Uncle.' Ms. Amorose Groomes said that Mr. Langworthy would not do that, but it is so short-sided of the Commission to design this process by who is surrounded by them today, either for this Commission or staff or legal whomever it might be that plays a role in the process. She said any book you read about how to run a successful organization says you do not design jobs around the people that you have; you design the jobs around what needs to be done and you find the people to fill those roles.

Ms. Amorose Groomes said that they are all one breath away from losing the intellectual property that 90 percent of this code is really built on at this point in time. She said she was really uncomfortable with that. She said that she wanted them to see public meetings, community participation, and have all Dublin's residents to have the opportunity to engage. She said that whether they choose to or not is irrelevant. Ms. Amorose Groomes said that she wanted to operate by the light of day, with open doors, at times of the day that people are available to come. Ms. Amorose Groomes said that she felt like the rub is really a difference in a perception of government. She said that she read through Section 153.066 with the comments, and by and large, they were asking for more, and she was on the other side of the page from that. She said she did not know what all they want to talk about or really how to maneuver through this process, but she really wanted them all to put their cards on the table and start circling the wagons and see where they are.

Mr. Taylor said that they were all so naïve at the beginning of this process. He said it was the first time any of them heard of a form based process, but it sounded and is cool. He said that he thought it would work here in Dublin, eventually. He said the appeal of that lead him to at least think that if they got the code right, it is going to make it a lot easier to accomplish the goals. Mr. Taylor said from what he had been reading, this process should be much speedier if it is done right. He said he thought the pendulum has swung too far, so they need to end up crafting a process somehow, in lieu of having a good

regulating plan that allowed the Commission to determine the project is on the right track to achieve the goals of the code.

Ms. Amorose Groomes said that she thought they were led to belief that what they sent to City Council was what they were going to vote on and that alone. She said that the Commission did not know that there were going to be other options presented to them at that point of time that the Commission had not evaluated at any time. She said to that end, she thought her ignorance was that she thought if they wrote a really good Code, when they got through with it, it would be easy. She said she thought if they had this form based code a lot of the problems would be solved in the shortcomings of our existing Code, which has really lead us to the PUD process, and that this Code would be better, so when they go here, the Commission would be more efficient. Ms. Amorose Groomes said she never imagined that they would not come. She said that never really entered her mind.

Mr. Fishman emphasized that in all the years had had been on the Commission, many times he read his packet and said to himself that the case was a slam-dunk, piece of cake, with no problems. He said then he came to the meeting and there were 50 people in the audience who got their chance to speak and he completely changed his mind. He said that public input is incredibly important and is really what built this city. Mr. Fishman said it was something that they definitely include and if the Commission simply reviews a case then sends it to the ART or keeps it, it would simplify it and people in the audience would be there to hear that one.

Ms. Newell said that not only the City was based on public input, so was our nation, and so that aspect of it really bothered her. She said she was left with the decision that one person had made the decision about what was appropriate about the architecture of the building. She said she was not involved in the code rewriting process, but she is left with a quandary what the Code wants from her as an architect and what it is telling her that she should be producing as an architect. Ms. Newell said that when you start to lay out the Code, problems are going to exist and are going to get bigger the farther you get down the road, and there is nothing that is tackling them. She said long before she became a resident, she worked in Dublin and had great respect for the Planning department and City Council compared to a lot of other communities that she brought forward is that they took their task what the future was going to be. She said that they developed the roadway network system and the park system, looking for how that land was going to be developed in the future. Ms. Newell said that the one thing she thought was now missing in the form based Code is exactly what built Dublin into what Dublin is today because it does not have that direction in the form based code. She said that you can have one entity that comes in with a complete vision that fully develops something that could be wonderful, you could have something that is so pieced together in little parts that all of the sudden the train is gone and those little pieces of land are gone and you are not going to get the open space and it is not going to be connected. She said all of our really great cities started with a really good urban plan that gave it some direction to get it out of the box.

Mr. Hardt said he agreed 100 percent with what Mr. Fishman said. He said he had walked in countless times to a meeting thinking he knew what to he thought about a case, then listened to the public input and had his mind changed, or at the very least had an issue brought to his attention as something that needed to be resolved.

Ms. Amorose Groomes said another very important aspect of that is being able to clearly communicate to the residents why it was going like it was so that they understand what the process is.

Mr. Hardt said as much as the public has changed a Commissioner's mind, there have been a few instances where the Commission has actually changed the public's mind and maybe helped them understand why, although they may not love the thing that is about to happen in their backyard, having a disapproval could potentially be worse or here is a whole range of things that could happen there and this is the better in that respect. He said he had people come up to him after meetings to thank him for

identifying things that they did not realize. Mr. Hardt said that the public aspect of the process is essential to what the Commission does and essential for the community to understand what is going on around them.

Ms. Amorose Groomes said that they have come to the point in this meeting to say where they go from here. She said that she did not know that she had all the answers.

Ms. Newell asked staff since they had listened to some of the Commissioners' frustrations; they probably had some about the form based code and also have things that they really like about it. She asked what they were.

Mr. Goodwin said a lot of them were very specific things and as they get into the other pieces of the code they will provide comments. He said from a global perspective, they have yet to have a major project to go all the way through and get built, so it was hard to make a complete judgment call on it. He said that staff's discussions about the review process thus far have been that they recognize that there is likely some amendment that is going to happen to the process. He said that they want to make sure that they are going to retain the original goals of expediency and predictability, even if there is an alternative form of the review process. Mr. Goodwin said he did not think that staff had the answers for what that was either, and they would like to explore how to balance those things along with the concerns that the Commissioners have expressed as well.

Mr. Gunderman said that they did want predictability in the code. He said if the Commission gets to the desire to have a review, staff needs clarity on what aspect it is they want to gain from that. He said that is, if you keep the bulk of the standards, the rules, the things that are not in Section 066, but are in the rest of the chapters, what are they going to do with that. He asked if we are going to keep that level of predictability that we tried to put in the code, and if so is that going to interfere with the Commission's perception of what they would get from public input and things like that.

Ms. Amorose Groomes asked what Mr. Gunderman felt gives the predictability that they were looking for in the process. She asked if it was the code itself or was it the Administrative Review Team.

Mr. Gunderman said it is first the Code. He said they spent a lot of time with consultants and staff looking at those code standards.

Ms. Amorose Groomes asked if it was true would they not lose the predictability regardless of the body administering the code?

Mr. Gunderman said that he did not know. He said that was the question he was raising.

Ms. Kramb asked if Planning has received feedback from applicants that have gone through the process that it is more predictable.

Mr. Gunderman said that he did not think that they had enough track records because the test is for the big projects.

Mr. Goodwin said that Planning had asked that applicant from the Edwards project to provide comments. He said obviously, some things have happened since it has gone through the review that has interfered with their willingness to document comments at this time. He said that Planning may still get those.

Mr. Hardt said he disagreed on the definition of a big project. He said that was maybe something that they needed to refine.

Mr. Gunderman said that it at least was a project that hits most of the stops in the system.

Mr. Hardt said that was fair enough.

Mr. Hardt said he was not sure where the issue of predictability really lies and how we determine that. He asked why the presumption that a straight zoning model is automatically a good thing. He said when he looked around Central Ohio and identified areas that are 'straight zoned'; most of them are not pretty.

Mr. Gunderman said he thought that was true. He said that Mr. Hardt was right, that is at odds with certainly most straight zones and hopefully, this type of code would be different. He said that was the goal.

Mr. Goodwin said it was because of the standards that are in place more than the process, not that the process does not have anything to do with it, but they are typically the 1960s era outdated zoning standards that were not updated.

Ms. Kramb asked if any applicant had asked to use the PUD process in lieu of Bridge Street.

Mr. Goodwin recalled one applicant that suggested it, but did not actually go to the extent of it.

Ms. Kramb asked if the applicant was encouraged not to do it.

Mr. Fishman recalled that Stavroff said at a meeting that he wanted to be in a PUD.

Mr. Goodwin said that Stavroff retained standard zoning.

Mr. Fishman recalled that Oakland Nursery wanted to be in a PUD.

Mr. Goodwin said he had misunderstood the question. He said that since the Code was adopted there had not been any PUDs requested.

Ms. Kramb since now it exists, they put that in there that it was still open for an option and she was curious if anyone who wanted a PUD had been encouraged or discouraged.

Mr. Goodwin said he could not recall any discussions that had gone so far as someone coming in saying that they would like to zone out of Bridge Street into a planned district. He said that Wendy's went to Community Commercial District.

Ms. Newell asked what was improving the expediency of this process and why.

Mr. Gunderman said regarding the minor projects and the timelines there had not been a lot of feedback from the applicants in terms of how they feel they timelines work. He said he thought those timelines were pretty expeditious for those applicants.

Mr. Goodwin said that it comes down to the timelines that are built into the code. He said that in certain ways, those timelines could be applied to a number of different types of review processes, but having it codified, whoever the reviewing body and decision making body is, has to make an actual decision by a set time. He said that is what is really driving that.

Ms. Amorose Groomes said she thought what differed between the Administrative Review Team and the Commission is when the application is turned in for the Team, the clock starts clicking, but for the Commission, it is dependent upon the meeting schedule.

Ms. Newell said that was why she asked what was creating the expediency. She said that she had been on both sides of the table, and very early in the City of Dublin's history in the PUD process. She said that the City had, from a developer's side, a bad reputation about how lengthy and painful the process was because so much was required to be completely engineered. She said an entire storm engineering plan was needed before coming to the Commission, picking out where retention was going to be done, and then someone on the Commission said that they did not want the retention on the east corner of the site, we want it on the west corner of the site, and we want you to move it. She said the applicant had just spent $20,000 for a Civil Engineer to develop the plans and money to a lighting engineer to develop the fully engineered lighting plan. She said from her perspective, that really tremendously lengthened the process and it was very painful for people on the other side of the board. She said that was why she was asking where that perspective of this needs to be a quicker timing process. She said that when an applicant comes before the Commission, the first time that they see it is the day they get their packets. She said that a lot of those cases are decided on that evening when they came before the Commission, unless they cannot satisfy this then they have to wait two weeks or a month until the applicant is brought back to the Commission. She asked if what is creating this process quicker is that Planning can respond to that applicant quicker than what is set up currently in the public forum.

Mr. Goodwin said that was a piece of it.

Mr. Phillabaum said that because the Administrative Review Team meets weekly they do have the opportunity to respond to applicants and application revisions quicker.

Mr. Hardt said what Ms. Newell had described was exactly his experience when he was working on the other side of the table. He said he had a lot of clients complain half-heartily about the strictness of Dublin, but he also had many say that they knew what they were in for and it was absolutely predictable. He said that most of the people he worked with knew what they had to do and what kind of project they had to design. He said the issue with spending a lot of money on engineering, architecture and all those things before getting to the Commission is absolutely an issue. Mr. Hardt said he thought regardless of the process that can be resolved by bringing a basic planning review, or concept plan review, or informal which are options to developers today that did not used to be.

Ms. Amorose Groomes said she thought the Informal Review process was a result of that.

Mr. Hardt said to bring a case to the Commission and to the public early and ask what they think resolves 90 percent of that.

Ms. Newell said it was a great thing undertaken in the Zoning Code to allow applicants to come and ask those general questions of the Commission. She said to keep something in the public forum, if they need to respond back to potential applicants and to the community quicker, maybe the Commission needs to meet more often than twice a month to make this process quicker and equally predictable.

Ms. Kramb said that the Commission understood that this new process saved seven to ten days and public notice. She said she felt that an applicant can wait seven to ten days so that the public can come to the review. She said sometimes we do not think the public would care at all about an application they review in the packet and sure enough, there is a group of people present. She asked who are they to say it is important or not because it is something small. She said that was why one of the previous versions of the process suggested an informal Commission review to decide whether it can go to the Administrative Review Team.

Ms. Amorose Groomes recalled that was why the Commission allowed the Administrative Review Team to exist in the version of the code that they sent to City Council.

Ms. Kramb said she never agreed with everything on the list of what was considered a minor project that is in the Code which goes directly to the Administrative Review Team without any public comment.

Ms. Amorose Groomes said at the time, the Commission thought that they would determine where an application went.

Ms. Kramb said likewise, the code gives a couple examples for Administrative Departures, but then it specifically states that it is not limited to those things that can be administratively departed from. She asked how the Administrative Review Team has used those criteria and for examples of when they have determined it is acceptable to use those.

Mr. Goodwin said that case examples that will be sent to the Commission will include Administrative Departures.

Ms. Kramb said that there was a mention in the minutes here and there, but there were no checklist or standard criteria; someone just decided that it was small. She said that they created this new process because they were convinced that they had to make things faster and more predictable. She said with the material they have so far, she was not convinced that the new process is reaching the goal that we have.

Mr. Taylor said 'reaching the goals' was a big thing because in a way, no matter what the Commission does, they will not actually know that they have achieved critical mass and walkable urbanism until a lot of this is built out.

Ms. Kramb said she was narrowing it to the reason they changed the review and approval criteria was that they were given two goals which were to make it more predictable and make it faster. She said they changed the whole review process for those two goals. She said she was never convinced that the old process was unpredictable and slow, and she was not convinced that the new process is predictable and fast. Ms. Kramb asked if she could be given any data or hard evidence that it is better in changing it and it is meeting the intended goal that they set out to change it for.

Mr. Goodwin said that may be difficult to do because there have not been many very substantial projects.

Ms. Amorose Groomes said she thought the other elephant in the room is when they talk about this predictability, the predictability is indeed generated by the code, then she does not see what the difference is about who administers it. She said that the elephant in the room is that staff has felt that the Commission was highly unpredictable. Ms. Amorose Groomes said that was what she had heard in a lot of different meetings. She said she did not know that she would say that Steve Langworthy, Paul Hammersmith, Jeff Tyler, Heinz von Eckartsberg, Chief Woo, Fred Hahn and Colleen Gilger are any more predictable that the Commissioners are, except they are themselves and they do not have to deal with someone else. Ms. Amorose Groomes said it was kind of like her ordering her own lunch. She knows what she ordered and she knows what she wants versus her ordering lunch for Mr. Gunderman. She said that he does not know the predictability of what his lunch is going to be because he did not order it. She said that she thought that is where this concept of predictability came from and it is very subjective. She said that the Commissioners think they are pretty predictable and she was sure that staff thought they are predictable too. She said the Commissioners probably think that Planning is less predictable than the Commissioners because they are different.

Ms. Newell said she would imagine for all of them that are on the Commission that they have all had this thought as they go around making comments, that each one of them has their one particular subject matter that they feel really passionate about. She said she would know consistently what comment was going to come from other Commissioners because that was what they felt passionate about. She said that they are all people, and probably do the same thing. Ms. Newell said she saw that consistency for

the Administrative Review Team meant that consistently the same individual was concerned about the same thing. She said when they are talking about predictability; she thought they were talking about something that is just human nature for everyone. She said from staff's side, because they are working together as a group, they think that predictability is lacking from here, the Commission probably sees the same thing back from staff because they all have different things that they are passionate about.

Ms. Amorose Groomes said the more sets of eyes that get a look at something, the more opportunities there are to pick up perhaps errors in drawings or whatever it might be. She said that they have just doubled the opportunity of picking up misses, and by administering this; we are cutting in half the opportunity to pick up misses.

Ms. Kramb added that this also goes for things that they did not even think of, but they are not the neighbor that lives next door to it.

Mr. Goodwin said with regard to predictability, one of the things that staff has struggled with that they will have to address if we move forward with a PUD-style review process, is that the PUD process is also known as a negotiated review process. He said a form based code is the opposite of that, so if they are going to have a different form of a review process, they need to understand if there is some element of negotiation that is still a potential. He said that was the concern about predictability, at least on staff's side and he thought some on the applicants' side, that the code lays out what is expected, but is a curveball going to be thrown in some point of the process?

Mr. Hardt asked if Mr. Goodwin could honestly say that the negotiation is not happening at City Hall under the Administrative Review Team process.

Mr. Goodwin said no, and it was not his intent to suggest that.

Ms. Kramb said that was the whole reason they put all the waiver stuff in there too.

Ms. Amorose Groomes said that it was that they thought it would narrow it like when you are teaching your kid to golf, first you teach them to hit as hard as they possibly can, and then you try to bring it in like this. She said that by doing this code, they were just bringing it in like this, increasing their shots of starting in the middle of the fairway so that the negotiation list could be shorter.

Ms. Kramb said that the product that comes to the Commission to start with should start with a better product in theory.

Mr. Taylor said he was thinking the same thing. He said it seems sometimes like they have moved the negotiation out of the public eye, but it is still happening.

Ms. Amorose Groomes said the thought that someone from Economic Development has one-sixth of the say about development in the City is alarming to her. She said if in fact there was a vote, that one out of six of them would come from the office of Economic Development.

Mr. Hardt said given the way the City structure is set up, they are all economic development.

Ms. Amorose Groomes said she did not know how many of these people report to the Economic Development director, but a percentage of them for sure, and to her, that was a little alarming.

Ms. Kramb said that they did not want to lose the developer.

Ms. Amorose Groomes said she was not suggesting that was what was going on at the present, but that they are not insulating themselves from the possibility of that happening down the road.

Ms. Newell said she thought there was a lot of merit to Mr. Hardt's suggestion.

Mr. Hardt said as he recalled it and as he re-read it, the process that the Commission voted on and sent to City Council had all the same steps that the current process has. He said it had a basic plan review at the site plan review, and development plan review, and as far as predictability goes, in the current process there is still a determination that has to be made at point in time whether a given project goes to the Commission or to the Administrative Review Team. He said the only thing that the Commission's version did was that it moved that decision into this room into a public conversation.

Ms. Kramb said it was not necessarily that the Commission wants to make the decision.

Ms. Amorose Groomes said the deciding body was determined by the Commission.

Mr. Hardt said he wanted to hear from staff because he thought the criticism was what the Commission voted on and suggested was unpredictable, but the same determination is being made in either case. He said the question was where it was being made.

Mr. Taylor said when they talked about that fork in the road, one of things they discussed was that it potentially gave the applicant more options about how to proceed. He said he thought how some may have characterized what the Commission originally proposed was that the Commission would bring a project here and they would have a semi-arbitrary review along the lines of a PUD where everything is up for grabs, and that would slow it down and be a burden to an applicant. Mr. Taylor recalled what they talked about was that once they decided that the applicant had an option of taking the fork in the road to stay before the Commission, their choice was that they could come back with a project that the Commission could still refer to the Administrative Review Team. He said that they may or may not want to do that based on the project. He said for example, if on the Edwards project, if they decided what they really wanted to do was to move the building right up to the curb, and the Commission would have said if they really wanted to do that, it would have to go on the Planning and Zoning Commission track and be discussed at length. However, if they did not want to go through the process, pull it back to the Administrative Review Team.

Mr. Gunderman said he thought that was exactly what they ended up with in the code because those types of major deviations would be the waiver, and that would, under the current code bring it back to the Commission.

Mr. Taylor said right now, that happens behind the scene and what the Commission is saying is let that decision happen in front. He said the difference is that the decision gets made in a public venue. He said maybe if architecturally, a project is quite a bit different than what the Commission expects to see, it would give the public a chance through the Commission to say that they thought it had merit and thought they could work with the applicant and willing to give latitude on a lot of things and discuss it at the Commission meeting and work through it that way or the Commission would say that the project meets the goals as near as they can determine of the Vision Plan, the code and everything else, and go work out the details with the City and start building.

Mr. Hardt said the fundamental thought and original idea was that an applicant would come to the Commission very early with a concept of truly a basic plan review. He said although it has evolved into something else, the original intent of the basic plan review was that it would be a concept review or whatever which was inexpensive to deal with or have them come to show what they are thinking and say it is a slam dunk, a complicated mess, or somewhere in between. He said that same determination of Commission review versus Administrative Review Team would be made, but in a forum with the Commission, staff, the developer, and the public all participating. Mr. Hardt said when they do see relatively straightforward, simple projects that absolutely warrant expeditious review, the Commission could put them on that track with the public. He said he could easily envision a scenario where the public

shows up because they are interested in the project, and the Commission has the opportunity to say to the public if they have a deep concern, they should speak now, because the Commission is about to put it on an administrative path. He said that the public would understand that they would never get to see it again or conversely, they should sit tight because there is going to be a public review.

Ms. Amorose Groomes said that she thought they had 90 minutes of very good discussion.

Mr. Taylor said if someone came to the Commission with a building that they wanted to span across the road and there was no place in the code for that to happen, but there was the possibility that could happen through waivers to the code, that person is not going to want to start at the Administrative Review Team and go all the way through and ask for waivers, and the Commission does not want to let them put a bridge across the street, that was out of the question. He said however, if they came to the Commission with a sketch of the building with a bridge across it, the Commission might say that they think it was a good idea and might support a waiver. He said that then, the applicant could have a level of confidence that they could go through the Administrative Review Team process and come back with the proper waivers, and the Commission could say that they were on the right track.

Mr. Gunderman said in case he did not mention it, he did not know that we feel like there is a real impediment here between all the things they are talking about, but just to play devil's advocate a little with that point, they had something on that order with Pete Edwards in that their block lengths did not meet the code. He said their building was too big. He said it was like two blocks, so that was the big issue. He said when they came to the Commission with their basic plan, they had a waiver on that particular point.

Ms. Amorose Groomes said that they left with it.

Mr. Gunderman said he did not think they were that far removed from the type of imagery they were talking about.

Mr. Taylor said that what the Commission could have said at that meeting was, "yeah, but we have some other things we want to talk to you about with this building now that it is here, and we would like you to stay on this Planning and Zoning track just for these things further or if you want to keep it on this track, you have to make these corrections." He said all the Commission had a chance to chime in on was the things that were presented to them by staff.

Mr. Gunderman said that was absolutely true that there are a lot of relatively straight requirements in the code that limit the ability for the Commission to go off on a lot of different topics.

Ms. Amorose Groomes said that what the Commission said really never went to City Council.

Mr. Goodwin said that was not their intent to hide any particular viewpoint. He said they tried to relay the Commission's position in their memo to City Council regarding the plat. He said perhaps it could have been done more strongly.

Mr. Goodwin said another point was that there are a number of very specific requirements in the Code. He said there are other ones that are more subjective, particularly in the Building Type standards where there is phrasing such as 'architecturally appropriate' or 'as determined by the requirement reviewing body'. He said that may be an opportunity for them to take a look at how, in a modified process, those types of things are addressed where the Code is not exactly clear about what those items are.

Ms. Amorose Groomes said that was one of the four on their short list that they were going to look at.

Ms. Kramb said that kind of were the Commission gets their leeway now. She said a sign comes in that meets all that, but then they find that one little sentence about how it is supposed to be quality and things like that and that is what gives them leeway.

Ms. Amorose Groomes said she did not want the Commission to spend a lot of time rehashing it. She said she thought all of the points have been made excellently and she saw Mr. Goodwin taking notes. She said they have had a great hour and a half plus discussion. Ms. Amorose Groomes asked what was on the next meeting agenda in the packet the Commission will receive tomorrow.

Mr. Goodwin said that the agenda was not particularly long, but staff had assumed that there would be time to continue the Bridge Street discussion. He confirmed that the information promised at this meeting would be included in the packet tomorrow so that they could discuss it at the end of the meeting next Thursday.

Mr. Taylor noted that a September 19th meeting had been requested to discuss Chapters 153.233 and 153.234.

Mr. Goodwin explained that was the section of the Code that allowed them to review the Code amendments, which is what they are doing now.

Ms. Amorose Groomes said that they would look for those materials in their packets tomorrow and they will come prepared for further discussion.

Mr. Hardt said that the suggested edits provided by staff were not discussed, but he wanted to bring up one suggestion on which information from Jennifer Readler needed to come back to the Commission. He referred to the second page, the question about whether the Administrative Review Team should be making recommendations to the Commission for Conditional Uses. He said he did not believe that occurred now. Mr. Hardt asked if that was unique to the Bridge Street District or in general.

Mr. Goodwin said it was unique to the Bridge Street District. He said there had been a couple.

Mr. Gunderman said that the difficulty is that the Code did not say. He said that staff sort of assumed, like all conditional uses that the Commission probably wanted it, but this particular ordinance ended up not saying that.

Mr. Goodwin said to be clearer, that specific issue is that it does not say if the Administrative Review Team is the one making a recommendation. He said Conditional Uses absolutely come to the Commission. He said the issue is who makes the recommendation to the Commission.

Mr. Hardt said his general question is whether staff making a recommendation to the Commission has any legal implications in the event that the Commission does not follow staff's recommendation. He asked if that was something that got thrown back in the City's face in a legal proceeding.

Mr. Goodwin said there had been attempts to do that in a legal proceeding. He said it would not be any different than how we deal with a Conditional Use now. He said the question was just which body is it. He said the same group generally reviews the information anyway.

Mr. Hardt said that it was the same people, it was just what the title on the page says.

Ms. Amorose Groomes asked if the Commissioners had anything else they would like to bring on the table tonight, or had they brought all the issues to the front.

Ms. Newell asked what the expected outcome of this meeting was. She asked if the Commissioners were being asked to put something in writing, or make recommendations, then wait for staff to respond.

Ms. Amorose Groomes said that this is highly unusual or at least unprecedented to her. She said that staff has always written code, and the Commission has voted on it. She said she was under the impression that staff would write what it was that the Commission would ask them to write and they would bring it back for the Commission's review and vote.

Mr. Gunderman reminded her that the Commission has never had any qualms about changing on the spot whatever the staff drafts.

Mr. Goodwin said that staff had assumed that would be the process. He said based on their discussion, they would make an attempt to reflect that in the amended code and the Commission would review that.

Mr. Hardt said he would like to see a draft, at least for discussion next time, of Section 066 that returns to the version that the Commission originally passed on to City Council and also includes the technical corrections that staff has requested.

Mr. Goodwin said that draft would be difficult to get out in tomorrow's packets, but staff could bullet point some key thoughts on that. He said they have yet to fully address the specific technical items.

Mr. Hardt said he was asking to have the documents put together so that the Commissioners can react to something.

Mr. Gunderman said that would be helpful to know how to start looking at it. He said that staff may come back with some bullets to ask about before they get down to the draft.

Ms. Amorose Groomes asked if the information could be emailed to the Commissioners next Tuesday.
Mr. Goodwin said the information could be emailed if the Commissioners were okay with it coming later than the packets. He said he did not think there was any particular legal reason why it could not come later as long as the Commissioners felt they had sufficient time to review it.

Ms. Amorose Groomes said if they did not have time to review the information before the meeting, they could table it. She said that they did not have to vote on it.

Mr. Goodwin said that they have a version of the dual track process that was considered previously which he thought they would want to take a fresh look at it.

Ms. Amorose Groomes said for Mr. Goodwin to do that and send it to the Commissioners when he has finished, maybe on Tuesday. She said they may or may not have the opportunity to review it.

Mr. Fishman said to call him and he would pick the information up because his City email address is not working.

Mr. Fishman said he was confused at the beginning of this process. He said when the Bridge Street Code was presented to City Council, two options were presented. He said he had never heard of that happening previously. He said he thought the Commission had worked for two years to put it together, and they thought that was going to Council. He said he was confused that two versions were presented to City Council.

Ms. Amorose Groomes said that the City Code requires anything taken to City Council for a Code Amendment has had the required Planning and Zoning Commission review.

Mr. Fishman said it would be like staff recommended something to the Commission on a PUD, five units per acre, and the Commission wanted three units per acre, and then staff went to City Council and said that five units was better, but the Commission only wanted three units, so they want both versions considered.

Ms. Amorose Groomes said she did not know if that was legal by Dublin's Code.

Mr. Goodwin said that he thought similar things may have happened previously.

Mr. Hardt said that there were a number of instances where that may have happened.

Mr. Gunderman said there have been cases where there is more than one view at City Council.

Mr. Goodwin said that staff could ask Jennifer Readler to verify it. He said he believed that Legal would have prevented them if there was a legal impediment to staff providing an alternative. He said that City Council is ultimately the deciding body, and if there is a difference of opinion, they are the ones that have to weigh that.

Mr. Gunderman said in the case of the code, he thought City Council had some direction for staff that they wanted them to report on.

Ms. Amorose Groomes asked if their iPads would come with the packets.

Mr. Gunderman said if they are ready.

Mr. Goodwin asked how the Commissioners would feel if staff simply brought something for them to review at the meeting, given the concerns with email if a little more time was needed.

Mr. Hardt said that would be the least favorable option, but it was better than nothing. He said the ability to log onto a web portal to retreat the Commissioner's City email is something they do not have because the method has not been communicated to them.

Mr. Fishman said that he would like to be called when it is and he would pick it up at the 5800 Building.

Mr. Hardt said because he often spends weekends out of town, he misses the delivery and does not get the packets until late Sunday night. He requested that what is sent is also placed in the Dropbox.

Ms. Amorose Groomes adjourned the meeting at 8:18 p.m.

As approved by the Planning and Zoning Commission on October 17, 2013.

City of Dublin

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Memo

To: Members of Dublin Planning and Zoning Commission

From: Gary Gunderman, Planning Manager

Date: September 6, 2013

Initiated By: Justin Goodwin, AICP, Planner II

Re: Bridge Street District Code Review

Background

The Planning and Zoning Commission began discussion of the Bridge Street District Zoning Code on September 5, with an initial focus on Code Section 153.066 – *Review and Approval Procedures and Criteria*. Commission members expressed concerns with the current Administrative Review Team (ART) process and discussed potential alternatives for consideration. Meeting minutes will be provided for Commission review at an upcoming meeting. The Commission requested that Planning provide additional data and other information to assist in reviewing the effectiveness of the administrative review process, including:

- A list of the types of projects that have been reviewed by the ART
- Average timeframes for various types of projects as compared to a typical PZC review
- Information about how the ART review process works, including:
    - ART member composition and typical attendance
    - Meeting minutes
    - Supplemental materials used to assist project reviews (*e.g.* checklists, memos, *etc.*)
- Examples of projects comparing the original proposal to the final approved outcome
- Information about the use of non-staff consultants as part of the ART review
- Developer feedback regarding the review process
- Input from Planning staff regarding potential amendments to this Code section
- Copies of previous draft versions of this Code section prior to adoption

September 12 Review Materials

Planning has provided some of the requested materials (attached to this memo) for review and discussion at the September 12 Commission meeting. This packet includes:

- A City Council memo summarizing the ART process and list of applications reviewed to date
- ART meeting minutes for all meetings dating to June 28, 2012 (please note that ART minutes are general summaries of the ART discussion)
- An annotated copy of Code Section 153.066 highlighting technical revisions, interpretations and discussion items identified by Planning
- Copies of previous draft versions of Code Section 153.066 from the Code adoption process

Planning will continue to provide the additional requested materials for the Commission's consideration at upcoming comings.

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PLANNING AND ZONING COMMISSION

MEETING MINUTES

SEPTEMBER 5, 2013

[EXCERPT]

Commission Roundtable

Bridge Street District Review

Ms. Amorose Groomes said she wanted to start the Bridge Street District discussion tonight on 153.066, as the Commissioners had identified this section at the August 22 meeting. She said the goal tonight would be to identify issues and information they would like Planning to gather and discuss at a future meeting. She said her understanding was Council wanted to review the sections as they were completed by the Commission, rather than waiting until the entire Code was reviewed and sending it all. Mr. Taylor agreed.

Mr. Hardt said as it relates to Section 153.066, he went back and reviewed his notes as well as the minutes and commentary from the Commissioners when this was debated during the initial code review. He said there are a couple of key things in the existing section that gave him heartburn two years ago and continue to do so today. He said most significantly at the basic plan review level, we only see a very small piece of a project or we see an incomplete picture of it and then potentially a project can go on thru the ART process without us, or more importantly the public, ever seeing the whole thing.

Mr. Hardt said he had put some thought into what would put his mind at ease and he found an earlier draft of the code. He said that this version appears to him to be in line with what the Commission desires. He stated this version essentially allowed the Commission, at basic Plan Review, to determine whether a project was appropriate for a decision to be made by the Commission in an open forum with the public, the developer, staff and everybody participating in the conversation or be placed on an ART approval tract. Mr. Hardt recalled some discussion about criteria for such a determination such as to how significant a project was, what type of issues might warrant having a Commission review. He said he thinks the ART is a good process; but he had problem with the ART process being the default. His main concern was that every project goes on that track with the potential to be reviewed behind closed doors at City Hall versus having it be reviewed here in a public forum where the Commission could hear from residents like we did tonight.

Mr. Fishman said he would echo that but he would have said it a little differently. He said he was comfortable with sending minor projects to the ART and then the projects that the Commission felt would be a reflection of the public, which is what made Dublin great, would be decided here. Mr. Fishman said he was shocked to find out 50 cases have gone thru the ART process and the Commission knew nothing about them.

Mr. Fishman was contemplating the types of projects the Commission should review and the minor ones appropriate for an ART review process. He reiterated that he did not perceive this process as a hardship to an applicant or developer and that the public process is very important not just to him but to Dublin as a whole.

Mr. Budde said he felt like the Commission was acting hasty in discussing changing the process since he thought the process had not been in place long enough to thoroughly judge it. He said he had not had a chance to analyze the 50 ART cases, but thought that a majority was fairly minor with signs and things like that. He said he thought there had not yet been enough experience with projects to determine what to tell City Council what works and does not work in the Bridge Street Code.

Ms. Newell responded that she thinks when you do something at the ART and it is done behind closed doors, then you do lose track of what the public thinks about the project. She was concerned that a smaller group of people would sway each other's opinions. She feared that this could lead to the ART members being hesitant to turn an application down. She said she thought some of the concerns the Commissioners had with approved ART applications, for signs for example, may have also been shared by the general public and those would have been voiced if the Commission reviewed them. Ms. Newell said she understood Mr. Budde's comments but thought that the risks associated with waiting to gain more experience with the code and the process were simply too great.

Mr. Taylor asked once it became clear to him that the Commission would look at the code again he studied other form based codes, which he wished he had done four years ago. He said that all planners know that Duany Plater-Zyberk wrote the first form based code. He said he studied everything they had written to determine if anything would make sense for Dublin. He was particularly interested in how these codes were administered. Mr. Taylor found that what most had in common were two documents - a code and a regulating plan. He said that the regulating plans at the very simplest level are a strict street network, building footprints districts of use; not the blobs of space that we have, but actually prints of buildings drawn in.

Mr. Taylor shared his insights from reviewing these other form based codes. He stated that with the Bridge Street Code they added some language regarding the desire for high quality signs and in other codes he has reviewed there were regulating plans or master sign plans with very specific examples. He uses the Koko Fit sign as an example of where he thought the 2-D view might have been ok but the sign did not translate to 3-D.

Mr. Taylor continued by saying what he thinks Mr. Hardt was talking about really just two options at this point, either stop the whole thing in its tracks and hire someone who is a designer in urban planning and create the regulating plan or allowing another body to have a look at some of these things and look at it from a broader perspective. He said he desires more submission requirements at the basic plan stage so that the Commissioners would not just be looking at an isolated site but also have review of the larger context. Mr. Taylor also said that having a checklist for a review of things that are a little bit more subjective. He cited examples such the amount of mixed-use a project has, the streetscape, the diversity of housing types, the walkability of a project and many other more subjective aspects that are considered to contribute to walkable urbanism.

Ms. Kramb said she approached this a little bit differently. She has a list of things she would like to see to make an informed decision on how to go about changing things. She would be interested in seeing what the developers have said about the process; has it sped up the process for them; if so how much has it sped up the process; is it cumbersome because its new

or is it cumbersome because of the process; she would like to have a list of questions for them. She requested to see what has been the average time frame for the various types of projects to come thru. She requested to see what has gone through the ART process.

Ms. Amorose Groomes indicated that we have some great ideas on the table thus far. She said she knows just from the experience in how an application came in and how it went out. She said she was very interested to see what Koko Fit submitted and how it looked differently when it was installed. She was concerned that maybe the ART was just not pushing applicants enough. She said she would also like to know if we are pushing them at all to make high quality and best design choices. She said she has a grave concern over submittals; it was embarrassing in the Edwards case, when the Commission talked about streetscapes and were told that beyond the right-of-way would be sidewalks but they did not get to see these details. She said the Commission cannot accept submittals that are not relevant in terms of their surroundings. She also has some concerns about the street network of what Mr. Taylor was talking about related to the design. She said she was worried about not knowing where the street is going to go if we want urban walkable areas because they have to go where they have to go. Make urban and walkable areas. Not where the building makes it convenient for them to run.

Ms. Amorose Groomes asked staff to come back to them with addressing those concerns of where are we in the process. She was particularly concerned about the fact that this body had zero power in the basic plan review, zero authority, we have no power and she would also argue that the Commission was not terribly well represented at City Council in what their thoughts actually were. She asked that this be discussed at the meeting on September 12, 2013 and requested to hear from staff regarding their thoughts and concerns with this section of code and its implementation and some of the things they feel are right or wrong about it and why. She said she was hoping that we will be close to coming up with an implementation procedure that at least this body is comfortable with taking forward to Council.

Mr. Goodwin asked what information the Commission wanted to have for the next round of discussion on this particular section of code.

Ms. Kramb said that if we are really going to solve or come up with suggestions for City Council on how to improve the process, she would want to see the answers to those questions that she asked.

Mr. Goodwin said that there may be some pieces of detailed data we would not be able to out to the Commission in tomorrow's packet, and suggested to continue this discussion, staff could be prepared to have some discussion on the 12th and provide some materials by tomorrow.

Ms. Kramb indicated that she would really like to get some timeframes.

Ms. Amorose Groomes added that City Council already asked for all of that.

Mr. Goodwin said that there is some level of that material staff has prepared.

Mr. Fishman said that Mr. Taylor brought up some good points.

Ms. Amorose Groomes summarized the expectation that at the meeting on September 12, the Commission and staff will have those discussions and then if there are some outstanding things they could be picked up at a later meeting.

Mr. Hardt wanted to make one more point about all the projects that are under construction in the region that appear to be exactly the types of projects they want in the Bridge Street Corridor. He was curious to know what their review procedures are.

Mr. Goodwin said he wanted to clarify if the discussion is to begin on site development standards and possibly building types; are there any specific materials the Commission would like to go out in packets in advance or would they like to approach it in the same way; have a discussion and if there is additional follow-up materials we need to provide, do that after the fact.

Ms. Kramb reiterated that she was interested to review a checklist the ART might use in its review of applications. She said she was curious as to how they are making the decisions and how those decisions are documented for the next person who comes and might not know how the decision was made last time.

Ms. Newell added that relates to her question, how do you say no.

Mr. Hardt asked for those who were here will remember this well, as the Code was going to City Council, there was really two different versions of the review and approval process floating out there.

Mr. Goodwin said that they could provide the members with a copy of it.

Ms. Amorose Groomes stated that she thought that would get them off and running. She encouraged staff to bring forth things that you would like to see in the text in this section of the code and possible fixes for those.

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PLANNING AND ZONING COMMISSION

MEETING MINUTES

AUGUST 22, 2013

[EXCERPT]

Commission Roundtable

Ms. Amorose Groomes referred to the email sent to the Commissioners yesterday about going before City Council and asking for their blessing to look at the Bridge Street Corridor Code. She said she had asked them to identify some things that they would like to look at and review. She said she did not want to discuss those things tonight, she just wanted to know what it was that they want to look at because it was premature to discuss them without having a great deal of information and some research done. She said that they certainly wanted to give staff what it is that they want to look at and so they can bring forward the changes that they are interested in seeing as they pertain to these subjects, and then perhaps bring forward the information of the discussions the Commission had pertaining to those sections when they were initially looking at the Code, and then the Commission would come forth with some recommendations for the changes that they would like to see made.

Ms. Amorose Groomes said wanted to take bites of it and feel like they have thoroughly processed those and send them forward and keep taking additional bites until the Commission feels like they have accomplished all the tasks they were setting out to do.

Mr. Taylor said in the interest of being brief and keeping the categories of things that they want to look at broad so that they all as a group can decide how deep they want to dig, his top three sections of the Code that he would like to look at are Section 62 – Building Types; Section 65 – Site Development Standards; and Section 66 – Review and Approval.

Mr. Hardt said most of his comments were technical updates which he thought staff was already looking into. He said his three primary things that he had concerns about that he would want to delve into are Street Types and how details are handled in general; Building Types, particularly some of the architectural prescriptive solutions; and the Review and Approval procedures.

Ms. Kramb said first on her list was Street Types because there was nothing in the Code that defined Street Types, and there was going to be a guide that would go with the Code. She said she wanted to find out how and if the guide is working or what is being used. She said they were told by an applicant that certain things were prescribed in that street, such as on street parking on both sides. Ms. Kramb said she could not find that in the Code. She wanted information on how we are deciding what those standards are and if that relates to the application guide or whatever there is that the Commissioners do not know about. She said likewise, the Street Types fell into the typical street elements, the bicycle paths, the on street parking and that kind of things. She said she too had the Approval and Review procedures on her list. She said she had the Lots and Blocks on her list and the tables they set forth with the specific…they shall be __ many feet… She said she would like to revisit those specific numbers again to see how valid they were.

Mr. Budde recollected that the Commission had two cases before them and now they were going to undertake this endeavor. He said he felt like he would like to have more experience before they do this. He said he had nothing that he would like to revisit.

Mr. Fishman agreed that the Commission should take this piece by piece. He said he had problems with the Administrative Approval because he thought they were putting a terrific burden on Planning for them and he hated the surprises when they deviate for an approval. He said he would like to look at what should be approved administratively and what should not. He said he agreed that the Streets Types and

Building Types should be looked at closely to make sure that they come up with something that they do not deviate.

Ms. Kramb added that she would like to see a list of all the Administrative Approvals, including those in the Historic Section that goes to the Architectural Review Board.

Ms. Amorose Groomes asked Planning also to think about what they wanted the Commission to revisit. She asked how many cases had the Administrative Review Board had within the District.

Ms. Ray said it was approximately to 50 or 60 cases. She said a memo with the information was being prepared for City Council, and it could be forwarded to the Commission.

Ms. Amorose Groomes said that would be great. She said that the Commission wants to hear the things that staff wants to have them review also. She said everybody will have to work hard on the things they want to do and they will be brought collectively together to start.

Mr. Langworthy said that Planning would try to separate the technical, cleanup items.

Ms. Amorose Groomes said she did not want to wait until they are done to forward things.

Ms. Amorose Groomes said she would like to look at the Street Types, Site Development Standards, and the Review Process.

Ms. Amorose Groomes suggested identifying some for phase 1. She said if there were technical clarifications to send to City Council, she did not think it would generate much discussion or heartburn on Code reference sections.

Mr. Hardt said with Code, the devil is in the details and he thought changing part of it and sending it on to City Council while the Commission is still working on other parts might not work best.

Ms. Amorose Groomes said they could talk further about that.

Mr. Taylor noted that there were five votes for Review and Approval, four for Street Types, and a tie between Building Types and Site Development Standards. He suggested they might take them in that order.

Ms. Amorose Groomes said agreed. She asked if Mr. Langworthy had any thoughts or anything to add to the list.

Mr. Langworthy said he had thought a lot about the idea of having lists from Planning and the Commission, and said he would see how many of those fell together. He said he was intrigued about that because he thought the Commission would have a better sense of seeing the forest and Planning has a better sense of seeing the trees and how important the trees come together. He said that may be interesting.

Ms. Amorose Groomes asked Mr. Langworthy to meet with Planning and discuss the list. She said if he wanted to begin bringing technical things, she did not necessarily disagree with Mr. Hardt, but she did not know that technical things are going to unravel the sweater, so if they are Code references, typos, and those sorts of things, the Commission would go ahead with those at Mr. Langworthy's earliest convenience.

Ms. Amorose Groomes asked what would be the best way to do this, if the Commission wanted at the September 5, Commission Roundtable to start discussing this; take them one at a time beginning at the top, or assign several of them to different "mini-chairs".

Mr. Hardt said he thought that was fundamentally a good way to approach it with staff helping with research and information, but he thought before anyone can be a committee chair and dive into this, they probably have to have a dialogue about what exactly each of the Commissioners want to discuss.

Ms. Amorose Groomes requested that the Commissioners come to the next meeting with their concerns were on the Code sections on the list.

Mr. Taylor asked if the purpose would be to establish the protocol and agenda.

Ms. Amorose Groomes added …and what specifically in the Code sections they would like to review, so that some directive can be given to staff as to what information the Commission needs and what input they need from staff and where their perspective is on these issues that are being discussed.

Mr. Gunderman asked that at the next regular meeting the Commission would have some discussion to round out how to proceed.

Ms. Amorose Groomes said they would start discussing about what specifically about the Review Process, Street Types, and so on and so forth that they wanted to discuss Code Sections 066, 061, 062, and 065 at the next meeting. She said she did not think they wanted to go through them word by word and strike words, but identifies the general themes in the particular Code section that they would like to see addressed.

Mr. Taylor asked if special meeting dates would be set on September 5th.

Ms. Amorose Groomes said once they know how much information they have to cover, they can start to say long they thought that it might take to discuss those in light of the Commission schedule, and they would ask Planning to talk generally about upcoming case loads. She said that might spur additional meetings. She said when the Commission began this conversation, they committed that they would meet as often as necessary to expedite it in a timely fashion. She said that they originally talked about trying to keep their Thursdays free.

Mr. Hardt said that if the next time it is discussed is September 5th, by the time they arrive at that night, September 12, a date currently open will no longer be available.

Mr. Hardt said that they had previously discussed setting Special Meetings on September 12th and 26th.

Ms. Amorose Groomes asked if the Commission could meet in the Council Planning Room.

Mr. Gunderman said he thought they could do that.

Ms. Amorose Groomes reviewed the upcoming Commission meetings to be September 5th, a Special Meeting, September 12th, and regular meeting on September 19th, and another Special Meeting on September 26st. She said if any of the meetings needed to be cancelled because they were ahead of schedule, they would make those decisions at that time.

Mr. Fishman asked that staff include in the Meeting Packet the four sections and any comments they had about each one of the sections.

Ms. Amorose Groomes asked that a lead for this project be assigned for the Commission to work closely in the absences of Ms. Husak and Mr. Langworthy.

Mr. Langworthy said that it would be a team effort.

Ms. Amorose Groomes said at whatever point Planning had their list ready, the Commission would welcome that. She said they would want to have it ready at the next meeting.

Mr. Fishman requested a separate packet that would include anything that Planning had to add that the Commission could talk and think about the four Code sections.

Mr. Langworthy agreed to do that.

City of Dublin

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Memo

To: Members of Dublin City Council

From: Marsha I. Grigsby, City Manager

Date: August 22, 2013

Initiated By: Steve Langworthy, Director of Land Use & Long Range Planning

Re: City of Dublin Administrative Review Team (ART)

Summary

At their August 12, 2013 meeting, City Council members requested an overview of the City's Administrative Review Team (ART), including membership, the projects reviewed to date, and a general overview of the ART meeting and case review procedures.

Administrative Review Team (ART)

The Administrative Review Team was established as a reviewing body tasked with making determinations on specific development applications based on adherence to specific review standards. The Administrative Review process was designed to expedite project reviews within a time-limited review period, allowing projects to proceed quickly to building permitting and construction. The intent of the Administrative Review procedures is to provide an efficient and predictable review process for development applications in the Bridge Street District and the West Innovation District, and for wireless communications facilities.

First established in 2007, the ART is responsible for administrative reviews for certain development requests in the Bridge Street District, the West Innovation District, and for wireless communications facilities (regulated by Chapter 99 of the City of Dublin Code of Ordinances).

The ART is made up of Directors (or their designees) -- principally related to development in the city. The ART is chaired by the Director of Land Use and Long Range Planning (Steve Langworthy), with the City Engineer (Paul Hammersmith), Chief Building Official (Jeff Tyler), Police Chief (Heinz von Eckartsberg), Washington Township Fire Chief (Alan Woo), Parks and Open Space Director (Fred Hahn), Economic Development Manager (Colleen Gilger), and others as appointed by the City Manager as determined to be necessary as permanent or temporary members.

Architectural Consultant Services
In addition to the ART members listed above, the City has retained the services of three local architects (Mark Ford, Ford & Associates Architects; David Meleca, Meleca Architecture; and Jonathan Barnes, Jonathan Barnes Architecture and Design) to provide consulting expertise to the ART, as well as the Architectural Review Board and Planning and Zoning Commission, where appropriate. Three consultants were chosen to permit selection of various areas of expertise, as well as to allow the consultants to avoid conflicts of interest.

The architectural consultant services provided include (but are not limited to) conducting site visits; analyzing projects for compliance with applicable Zoning Code requirements; identifying relevant design precedents; determining the appropriateness of architecture and design based on

applicable Zoning Code requirements (and Historic Dublin Design Guidelines for projects in the Historic District) and other adopted guidelines. The consultants may also attend Administrative Review Team meetings and/or meetings with applicants.

To date, the most extensive use of architectural consultant services was for the Edwards apartment building as this involved the review of a major new building under the new Zoning Code provisions of the Bridge Street District.

ART Review Procedures (Bridge Street District)

The review and approval procedures for the Bridge Street District provide an efficient and predictable review process with timelines for decisions. The starting point for all development proposals is the ART, who ensures that the submitted plans meet all applicable requirements.

Minor Project Reviews
Most projects that have been reviewed by the ART are requests for Minor Project Review, which require the ART to make a determination within 14 days from the submission of a complete application. Projects that are considered to be "minor" include:

- Single-family detached dwelling units;
- Multiple-family and townhouse buildings of eight or fewer dwelling units; development of non-residential structures 10,000 square feet in area or less;
- Additions to principal structures by not more than 25% or 10,000 square feet;
- Exterior modifications to principal structures by not more than 25% of the total façade area;
- Signs, landscaping, parking, and other site improvements not involving a new principal structure;
- Accessory structures and uses; and
- Modifications to Existing Structures.

Many of these projects have also been located in the Historic District, in which the ART makes recommendations to the Architectural Review Board for final determination.

Basic Plan Review
Projects that do not qualify as Minor Projects or have the potential for greater community effects require additional reviews. These projects begin with a required Pre-Application Review with the ART within 14 days of a request. Applicants then must file for a Basic Plan Review by the Planning and Zoning Commission, which must be completed in 28 days. The Basic Plan Review allows the Commission and the public to provide feedback on an application in its early phases. Subsequent filings for Development Plan and Site Plan Reviews must be consistent with the approved Basic Plan.

Basic Plan Review is optional in the Architectural Review District, since the authority of the Architectural Review Board's is kept in its current form for proposals within the Architectural Review District boundaries.

Development Plan/Site Plan Review
Following the Basic Plan Review, the applicant may submit for a Development Plan or Site Plan Review, as necessary. Where both reviews are required, they may be filed and processed simultaneously.

The *Development Plan* is intended to ensure that the street network and block framework meet the Zoning Code requirements and to ensure that the proposed development is consistent with the requirements of the City for elements such as infrastructure and transportation. The *Site Plan Review* is intended to confirm that the proposed development of an individual site and building is consistent with all of the Bridge Street District regulations.

The ART must complete its review on Development Plan and Site Plan applications within 28 days of submission of a complete application, unless a time extension is mutually agreed upon.

Elective Reviews
Should the ART determine that the application involves complex issues and/or the potential for community-wide effects, the Development Plan and/or Site Plan Review must be reviewed and approved by the Planning and Zoning Commission. The Elective Review may also be used where the ART determines that an excessive number of requested waivers could impede the development intent of the district.

Administrative Departures/Waivers
Should the applicant find that some specific development requirements are difficult to meet, the ART is permitted to approve minor alterations, called "Administrative Departures." However, if the alteration requested does not meet the criteria for a Departure, the applicant must either alter the proposal, or request for *Waiver* for that specific issue, which may only be approved by the Planning and Zoning Commission.

Other Related Reviews
Parking Plan: Applicants who desire to depart from the parking requirements of the Zoning Code may apply for a Parking Plan. A Parking Plan is also required for certain uses that tend to have unusual or unpredictable (from a Code perspective) parking requirements. Parking Plan reviews are included in other required reviews, or approved by the ART where no other reviews are required.

Master Sign Plan: Similarly, should an applicant wish to depart from the sign requirements of the Zoning Code, an application for a Master Sign Plan may be submitted. Master Sign Plans are approved by the Planning and Zoning Commission or Architectural Review Board (for their appropriate jurisdictions).

Open Space: A fee in lieu of providing required open space may be requested by an applicant. Requests are reviewed by the Planning and Zoning Commission.

Conditional Uses: Conditional uses must be approved the Planning and Zoning Commission.

ART Review Procedures (West Innovation District)

Development Plan
Projects in the West Innovation Districts are required to submit a Development Plan for approval by the ART. All new development or additions to existing facilities follow this process.

Administrative Departures
Similar to the Bridge Street District, should the applicant find that some specific development requirements are difficult to meet, the ART is permitted to approve minor alterations, called "Administrative Departures."

Site Plan Approvals
The ART is the approval authority for development in the West Innovation Districts, with the following exceptions, which, when met, require a Site Plan approval by the Planning and Zoning Commission:

- The application fails to meet one or more requirements of the District and is ineligible for an Administrative Departure;
- The proposal has the potential for significant community effects; and
- The approval by the ART contains conditions with which the applicant disagrees.

Site plans rejected by the Planning and Zoning Commission may be appealed to City Council.

ART Review Procedures (Wireless Communication Facilities)

This process is governed by Chapter 99 of the City Code. The approval authorities are noted in the following table. All applications are submitted through the ART.

Zoning District	**Approval Procedures**		
	Co-Location	**New Tower**	**Alternative (Stealth) Structure**
Rural and Residential	ART	Not Permitted	Conditional Use PZC
Commercial (except Suburban Office and Institutional and Neighborhood Commercial)	ART	Conditional Use PZC	ART
Suburban Office and Institutional; Neighborhood Commercial	ART	Not Permitted	ART
Limited and General Industrial, Technology Flex	ART	Conditional Use PZC	ART
OLR and Restricted Industrial	ART	Not Permitted	ART
Innovation Districts	ART	Conditional Use PZC	ART
Bridge Street Districts	ART	Conditional Use	ART

Zoning District	Approval Procedures		
	Co-Location	New Tower	Alternative (Stealth) Structure
		PZC	
Planned Districts	ART	Not Permitted	ART or PZC (Development Text)
Architectural Review District	ARB	Not Permitted	ARB

ART Projects Reviewed

A summary of the approval process for the 52 projects reviewed in the Bridge Street District, Innovations Districts, and wireless communication facilities is attached. More specific information on cases may be found at these links:

Architectural Review Board

http://dublinohiousa.gov/arb/

Planning and Zoning Commission

http://dublinohiousa.gov/pzc/

Administrative Review Team

http://dublinohiousa.gov/zoning-review/administrative-review-team/

Recommendation

Information only.

CASES REVIEWED IN THE BRIDGE STREET DISTRICT, WEST INNOVATION DISTRICTS, AND WIRELESS COMMUNICATION FACILITIES				
Name	**Case Type**	**ART Decision Date**	**Final Approvals**	**# of Review Days**
Bridge Street District Cases Approved by the Architectural Review Board				
Winan's 52 S. High St.	Minor Project Sign and Parking Plan	7/25/2012	ARB 7/25/12	ART: 2 ARB: 27
Vesha Law Office 38 S. High St.	Minor Project Architectural Modifications	7/19/2012	ARB 8/29/12	ART: 14 ARB: 42 (Time Extension)
Frank Residence 85 Franklin St.	Minor Project Architectural Modifications	8/23/2012	ARB 8/29/12	ART: 10 ARB: 6
Rudy Residence 129 S. Riverview St.	Minor Project Addition	8/3/2012	ARB 9/26/12	ART: 34 ARB: 34 (Time Extension)
Dublin Community Church 81 West Bridge St.	Minor Project Awning	9/19/2012	ARB 9/26/12	ART: 8 ARB: 6
Temptations Yarn 35 S. High St.	Minor Project Addition	11/1/2012	ARB 11/15/12	ART: 13 ARB: 14
ReMax 106 S. High St.	Minor Project Sign	11/1/2012	ARB 11/15/12	ART: 10 ARB: 14
North Riverview Development North Riverview St.	Basic Plan Review Demolition Approval	11/1/2012	ARB 11/15/12	ART: 51 ARB: 14 (Time Extension)
Trovare Home - Furniture Store 113 S. High St.	Minor Project Sign	12/19/2012	ARB 12/19/12	ART: 18 ARB: 13
Tucci's 35 N. High St.	Minor Project Sign	2/26/2013	ARB 2/27/13	ART: 9 ARB: 6
Tails Above the Rest 14 S. High St.	Minor Project Sign	4/4/2013	ARB 4/24/13	ART: 8 ARB: 20
Larson Residence 76 S. Riverview St.	Minor Project Roof Replacement	4/4/2013	ARB 4/24/13	ART: 8 ARB: 20
Jeni's Ice Cream Bridge & High	Minor Project Sign	4/18/2013	ARB 4/24/13	ART: 10 ARB: 6

CASES REVIEWED IN THE BRIDGE STREET DISTRICT, WEST INNOVATION DISTRICTS, AND WIRELESS COMMUNICATION FACILITIES				
Name	**Case Type**	**ART Decision Date**	**Final Approvals**	**# of Review Days**
Winan's 52 S. High St.	Minor Project Outdoor Seating/ Landscaping	4/18/2013	ARB 4/24/13	ART: 10 ARB: 6
Sharpin Residence 134 S. Riverview St.	Minor Project Architectural Modifications	5/16/2013	ARB 5/22/13	ART: 10 ARB: 6
Sharpin Residence 134 S. Riverview St.	Minor Project Architectural Modifications	7/18/2013	ARB 7/24/13	ART: 10 ARB: 6
Harbor Yoga Studio 36 N. High St.	Minor Project Sign	7/18/2013	ARB 7/24/13	ART: 10 ARB: 6
Strip, Hoppers Law Offices 48 S. High St.	Master Sign Plan	7/18/2013	ARB 7/24/13	ART: 10 ARB: 6
Sisters' Sweet Shoppe 45 S. High St.	Minor Project Site & Architectural Modifications	7/3/2013	ARB 7/24/13	ART: 8 ARB: 21
Bridge Street District Cases Approved by the Planning & Zoning Commission				
Piada 6495 Sawmill Road	Master Sign Plan	7/19/2012	PZC 8/9/12	ART: 7 PZC: 7
Edwards Multi-Family Dublin Village Center	Basic Plan Review	5/16/2013	PZC 5/16/13	ART: 21 PZC: 14
Bridge Street District Cases Approved by the Administrative Review Team				
Koko Fit Club Shoppes at River Ridge	Minor Project Sign	7/12/2012	7/12/2012	ART: 13
Huntington National Bank 6601 Dublin Center Drive	Minor Project Sign	8/16/2012	8/16/2012	ART: 13
Huntington Data Facility 4300 Tuller Road	Minor Project Rooftop Screen	8/30/2012	8/30/2012	ART: 14
KFC 6611 Sawmill Rd.	Minor Project Sign & Architectural Modifications	9/27/2012	9/27/2012	ART: 10
Bruegger's Bagels Shoppes at River Ridge	Minor Project Sign	10/4/2012	10/4/2012	ART: 10
Bridge Pointe 6400-6550 Riverside Drive	Minor Project Architectural Modifications	10/4/2012	10/4/2012	ART: 10

CASES REVIEWED IN THE BRIDGE STREET DISTRICT, WEST INNOVATION DISTRICTS, AND WIRELESS COMMUNICATION FACILITIES				
Name	Case Type	ART Decision Date	Final Approvals	# of Review Days
Byer's 6801 Village Parkway	Minor Project Oil Tank & Screening	10/11/2012	10/11/2012	ART: 14
The Pint Room Shoppes at River Ridge	Minor Project Sign & Site Modifications.	10/25/2012	10/25/2012	ART: 6
The Pint Room Shoppes at River Ridge	Minor Project Sign	11/8/2012	11/8/2012	ART: 8
Posh! Nail Company Shoppes at River Ridge	Minor Project Sign	12/12/2012	12/12/2012	ART: 15
Fifth Third Bank 3800 West Dublin-Granville Rd.	Minor Project Sign	1/24/2013	1/24/2013	ART: 8
Infiniti of Dublin 3890 Tuller Road	Minor Project Sign & Architectural Modifications	1/24/2013	1/24/2013	ART: 8
Capitol Cadillac 4300 West Dublin-Granville Rd.	Minor Project Sign & Architectural Modifications	2/15/2013	2/15/2013	ART: 14
Mellow Mushroom 6505 Dublin Center Drive	Minor Project Sign	3/7/2013	3/7/2013	ART: 10
Wendy's Corporate 1 Dave Thomas Blvd.	Minor Project Sign	3/14/2013	3/14/2013	ART: 8
White Dress Shoppes at River Ridge	Minor Project Sign	4/25/2013	4/25/2013	ART: 13
Germain Honda Car Wash 6715 Sawmill Road	Minor Project Architectural Modifications	6/6/2013	6/6/2013	ART: 8
AMC Theater 6700 Village Parkway	Minor Project Sign	6/13/2013	6/13/2013	ART: 10
Applebee's 6669 Dublin Center Drive	Minor Project Sign & Architectural Modifications	7/3/2013	7/3/2013	ART: 9
Edwards Multi-Family Dublin Village Center	Development Plan	6/28/2013	6/28/2013	ART: 41 (Time Extension)
Edwards Multi-Family Dublin Village Center	Site Plan	7/4/2013	7/4/2013	ART: 35 (Time Extension)
OCLC UPS Building Addition	Minor Project Site & Architectural Modifications	7/18/2013	7/18/2013	ART: 10

CASES REVIEWED IN THE BRIDGE STREET DISTRICT, WEST INNOVATION DISTRICTS, AND WIRELESS COMMUNICATION FACILITIES				
Name	**Case Type**	**ART Decision Date**	**Final Approvals**	**# of Review Days**
Posh! Nail Company Shoppes at River Ridge	Minor Project Sign	7/25/2013	7/25/2013	ART: 14
West Innovation District Cases Approved by the Administrative Review Team				
Darree Fields 6259 Cosgray Road	Development Plan Storage Addition	1/10/2013	1/10/2013	ART: 3
AEP Houchard Road (City property)	Development Plan Amlin Substation	4/11/2013	4/11/2013	ART: 6
Ohio University Heritage College of Medicine 7001, 7003 Post Road	Development Plan Site & Architectural Modifications	5/16/2013	5/16/2013	ART: 27
Nestle Quality Assurance Center Expansion 6625 Eiterman Road	Development Plan	5/16/2013	5/16/2013	ART: 23
Wireless Communication Facility Cases Approved by the Administrative Review Team				
Avery Park Water Tank 7699 Avery Road	AT&T Antenna Co-Location	9/27/2012	9/27/2012	ART: 22
6490 Shier Rings Road	Verizon Wireless Co-Location	3/28/2013	3/28/2013	ART: 14
Avery Park Field Light Pole 7673 Avery Road	Verizon Co-Location	6/20/2013	6/20/2013	ART: 85
Scioto Park Tree 7377 Riverside Drive	Verizon Co-Location	6/20/2013	6/20/2013	ART: 85

City of Dublin

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Memo

To: Members of Dublin City Council

From: Marsha I. Grigsby, City Manager

Date: August 8, 2013

Initiated By: Steve Langworthy, Director of Land Use and Long Range Planning

Re: Bridge Street District Zoning Regulations Evaluation and Update

Summary

During the adoption process for the Bridge Street District zoning regulations, the City's consultants stressed the importance of monitoring the effectiveness of the Code and periodically revising the regulations to ensure the intent of the Vision Plan was appropriately implemented. This memo provides a summary of the types of development applications that have been reviewed in the Bridge Street District, general categories of items identified for potential Code revision, and a description of the expected process for reviewing and adopting Code amendments.

Background

Since adoption of the regulations in March 2012, the Administrative Review Team (ART) has reviewed approximately 40 applications for projects located in the Bridge Street District, particularly in the Historic District. Most of these have been Minor Project Review applications, including requests for new or modified signs, façade improvements or expansions to existing structures, and minor site modifications.

Code Amendment Categories

As the ART has reviewed applications over the past year, and as general development inquiries are put forth, Planning has maintained a list of Code requirements that warrant further review and possible amendment. Items identified thus far fall into four general categories:

- *Technical corrections* – There are a small number of incorrect cross references and other technical errors to be resolved.
- *Modifications to use or development requirements* – Some changes to Code requirements (*e.g.* permitted uses/specific use standards, building type requirements, site development standards, *etc.*) may be appropriate where issues have been identified during the review of recent development proposals.
- *Clarifications of intent* – Some revisions may be appropriate to better explain how a Code requirement is intended to be implemented. These typically will not change the basic requirement, but will improve the Code's usability.
- *Refinements to application and review procedures* – Some adjustments may be considered based on lessons learned from the administrative review procedures.

Process

The Bridge Street District zoning regulations include provisions for 'Code Administration,' stating that the Planning and Zoning Commission and the Architectural Review Board may evaluate and monitor the application of the Code requirements. Each board may advise the ART as to whether it finds the requirements are being applied correctly, and may recommend to City Council any changes needed to better implement the Bridge Street Corridor Vision Report, the Community Plan, and other applicable City policies.

Planning recommends using the Code required amendment review process, with required hearings by the Planning and Zoning Commission and City Council. Potential amendments will be identified by the representative divisions of the ART and will then be presented to the Planning and Zoning Commission (and Architectural Review Board, as applicable). This review process will include the opportunity for Board and Commission members to recommend additional or alternative Code modifications for Council's consideration.

Edwards Apartment Building/DVC Street Network Post-Approval Evaluation

Following approval of the Basic Plan by the Planning and Zoning Commission, the ART approved the Site Plan Review application for the Edwards Apartment Building and a related Development Plan for a portion of the Dublin Village Center street network on July 11, 2013. The Edwards project was the first large scale development with significant new construction and street infrastructure to be reviewed under the Bridge Street District procedures. The related applications have been the most significant test thus far of the Bridge Street District zoning regulations. While the majority of the regulations have been successful in achieving the critical objectives of the Vision Plan, the project has also yielded some potential Code modifications and clarifications.

In addition to the other projects as noted in this memo, the ART will be suggesting improvements to the Code based on its experience with this project. An architectural consultant engaged by the ART to provide a technical review of the Edwards proposal during the Site Plan Review has also been invited to provide feedback on the Code's Building Type requirements. The applicant has also been invited to provide comments on the Code for the City's consideration.

Additional evaluations will take place during the permit review process, and once construction of the Edwards Apartment building and related infrastructure is completed (currently scheduled for 2014).

Proposed Code Evaluation and Update Timeline

A comprehensive review process, based on all the projects that have come through the Bridge Street District, including the Edwards proposal, is currently in progress. Once completed, the formal Code amendment process will begin.

Planning proposes the following timeline to complete the Code evaluation and update:

- August – Completion of Edwards/DVC Post-Approval Evaluation (ART)
- September – Initial overview of Code issues and potential amendments (PZC/ARB)
- October/November – Drafting of proposed amendments and review and

recommendation by ART
- November/December – Review/recommendation of proposed amendments (PZC/ARB)
- January/February – City Council review of proposed amendments

Recommendation

Information only. Planning will provide additional information on the Code evaluation and update schedule as it proceeds.

City of Dublin

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Planning recommends using the Code required amendment review process, with required hearings by the Planning and Zoning Commission and City Council. Potential amendments will be identified by the representative divisions of the ART and will then be presented to the Planning and Zoning Commission (and Architectural Review Board, as applicable). This review process will include the opportunity for Board and Commission members to recommend additional or alternative Code modifications for Council's consideration.

Edwards Apartment Building/DVC Street Network Post-Approval Evaluation

Following approval of the Basic Plan by the Planning and Zoning Commission, the ART approved the Site Plan Review application for the Edwards Apartment Building and a related Development Plan for a portion of the Dublin Village Center street network on July 11, 2013. The Edwards project was the first large-scale development with significant new construction and street infrastructure to be reviewed under the Bridge Street District procedures. The related applications have been the most significant test thus far of the Bridge Street District zoning regulations. While the majority of the regulations have been successful in achieving the critical objectives of the Vision Plan, the project has also yielded some potential Code modifications and clarifications.

In addition to the other projects as noted in this memo, the ART will be suggesting improvements to the Code based on its experience with this project. An architectural consultant engaged by the ART to provide a technical review of the Edwards proposal during the Site Plan Review has also been invited to provide feedback on the Code's Building Type requirements. The applicant has also been invited to provide comments on the Code for the City's consideration.

Additional evaluations will take place during the permit review process, and once construction of the Edwards Apartment building and related infrastructure is completed (currently scheduled for 2014).

Proposed Code Evaluation and Update Timeline

A comprehensive review process, based on all the projects that have come through the Bridge Street District, including the Edwards proposal, is currently in progress. Once completed, the formal Code amendment process will begin.

Planning proposes the following timeline to complete the Code evaluation and update:

- August – Completion of Edwards/DVC Post-Approval Evaluation (ART)
- September – Initial overview of Code issues and potential amendments (PZC/ARB)
- October/November – Drafting of proposed amendments and review and recommendation by ART

- November/December – Review/recommendation of proposed amendments (PZC/ARB)
- January/February 2014 – City Council review of proposed amendments

Recommendation

Information only. Planning will provide additional information on the Code evaluation and update schedule as it proceeds.