

ARCHITECTURAL REVIEW BOARD

MEETING MINUTES

OCTOBER 22, 2014

AGENDA

- 1. BSC Historic Transition – Bridge Park West** **94 and 100 North High Street**
14-099ARB/BPR **Basic Development Plan Waivers (Approved 3 - 0)**
Basic Development Plan (Approved 3 - 0)
- 2. Zoning Code Amendment-Bridge Street District** **Zoning Code Amendment**
13-095ADMC **(Approved 3 - 0)**

Robert Schisler called the meeting to order at 6:30 p.m. and led the Pledge of Allegiance. Other Board members present were Bob Dyas, Neil Mathias, and Thomas Munhall. David Rinaldi was absent. City representatives were Jennifer Rauch, Joanne Shelly, Rachel Ray, Newar Messina, Alan Perkins, and Laurie Wright.

Motion and Vote

Mr. Mathias moved, Mr. Schisler seconded, to accept the documents into the record. The vote was as follows: Mr. Dyas, yes; Mr. Munhall, yes; Mr. Schisler, yes; and Mr. Mathias, yes. (Approved 4 – 0)

Motion and Vote

Mr. Schisler moved, Mr. Munhall seconded, to approve the proposed 2015 – 2016 meeting dates. The vote was as follows: Mr. Dyas, yes; Mr. Mathias, yes; Mr. Munhall, yes; and Mr. Schisler, yes. (Approved 4 – 0)

Motion and Vote

Mr. Dyas moved, Mr. Munhall seconded, to accept the August 27, 2014, minutes as presented. The vote was as follows: Mr. Schisler, yes; Mr. Dyas, yes; Mr. Mathias, yes; and Mr. Munhall, yes. (Approved 4 – 0)

Motion and Vote

Mr. Munhall moved, Mr. Mathias seconded, to accept the September 24, 2014, minutes as presented. The vote was as follows: Mr. Schisler, yes; Mr. Mathias, yes; Mr. Dyas, abstain; and Mr. Munhall, yes. (Approved 3 – 0)

Mr. Schisler briefly explained the rules and procedures of the Architectural Review Board [the minutes reflect the order of the published agenda.] He swore in anyone who intends to address the Board on these cases.

- 1. BSC Historic Transition – Bridge Park West** **94 and 100 North High Street**
14-099ARB/BPR **Basic Development Plan**

Jennifer Rauch said this application is for a development consisting of mixed-use commercial and office, and 42 condominium units with associated structured parking and site improvements along the east side of North High Street approximately 280 feet north of the intersection of North Street. She said this is a request for review and approval for a Basic Development Plan under the provisions of Zoning Code Sections 153.057-153.066.

Ms. Rauch introduced the case and provided an overview of the review and approval process for this application. She explained the Basic Development Plan application before the Board tonight was the first official review and approval step in the process. She said the application has been reviewed informally before this first step in the approval process. She said tonight will cover: the street network and types; the block layout, how the lots are developed (but not looking at specific details of architecture); and how this framework fits into Historic Dublin and BSC Historic Transition District. She said the next step in the process is the Basic Site Plan Review, which covers the uses, buildings, how the buildings are sited, the open space, and the details of the architecture. She explained there are two existing buildings, which will require demolition approval by the Board with a future application. She stated the final steps will be the Development Plan Review and the Site Plan Review.

Ms. Rauch presented the existing site layout and noted the property line extends farther to the south but noted the master plan for the area including the future pedestrian bridge is not complete. She showed the site limits and the two existing buildings and parking lot on this site. She said the details of the pedestrian bridge and development/redevelopment within the area related to the library site, North Street, and the potential extension of North Riverview Street all impact this site. Ms. Rauch noted the Zoning Map and the various adjacent districts, including BSC Historic Core to the south.

Ms. Rauch said the proposed plan includes: four buildings set on \pm 2.4 acres of an existing commercial site; three historic mixed-use buildings set along High Street and one apartment building positioned along the proposed North Riverview Street extension; and an integrated parking structure with two public access points (High Street and proposed North Riverview Street extension) and one private access (High Street). She said based on the ARB and ART's discussions, the applicant has broken up the massing of building frontage along North High Street. She said vehicular access is not permitted from Principal Frontage Streets without the approval of the City Engineer; the City Engineer has reviewed the proposed access points and traffic improvements proposed for North High Street and is supportive. She said the Fire Department has raised concerns regarding access to the condominiums along the river side. She said there is only an internal drive within the existing parking lot; however, as this moves forward this will need to become a more significant drive. She said several solutions are under review by the City, as this area is owned by the City and the applicant's property ends along the western edge of what is shown as the future North Riverview Street extension.

Ms. Rauch reported the ART approved an Administrative Departure for a Midblock Pedestrianway due to the site constraints. She said the ART made a recommendation of approval to the ARB for the three Waivers and the Basic Development Plan with five conditions:

Waivers

- 1) Maximum Block Size – Section 153.060(C)(2)(a): Increase the maximum permitted block dimensions for the Apartment Building (increasing maximum block length from 300 feet to \pm 400 feet on the east and \pm 378 feet on the west façade; and a maximum block perimeter from 1,000 to \pm 1,271 feet).
- 2) Midblock Pedestrianway – Section 153.060(C)(6)(a): Waive requirement of midblock pedestrianway for a Historic Mixed-Use Building.
- 3) Building Heights – Section 153.063(D)(4)(b): Waive requirement of 2 1/2 story limit for the Apartment Building.

Conditions

- 1) That the applicant work with the City to establish a development agreement for this project;
- 2) That the applicant address Engineering details as part of the Development Plan Review, including finalizing the drive access off of a principal frontage street;
- 3) That the applicant coordinate with the City and Washington Township Fire Department to ensure fire accessibility throughout the site as part of the Development Plan Review;

- 4) That the applicant describe the intent for the required BSD Historic Transition District gateways at the Development Plan Review, with details to be determined as part of the Site Plan Review; and
- 5) That the applicant provide an outline of the details for each open space type, including the intended uses, exact acreages required and provided, and general program, at the Development Plan Review, with determinations as part of the Site Plan Review.

Neil Mathias recused himself due to possible conflict of interest.

Robert Schisler asked if Historic Mixed-Use is the criteria they should be using to review the application. Ms. Rauch said the front buildings are classified as Historic Mixed-Use Building Types and the rear building is the Apartment Building type but this not what the ARB is being asked to approve.

Mr. Schisler asked for further clarification regarding the 2.5-story requirement. Ms. Rauch said the Waiver request to exceed the 2.5-story limitation is regarding the adjacency to Historic Code outlined in the Historic Transition Neighborhood requirements.

Bob Dyas inquired about the ART approval of the Administrative Departure for a Midblock Pedestrianway. Ms. Rauch said the ART was able to approve the Administrative Departure as it applied to the apartment building because it met the criteria. She explained the Waiver requests are more extensive and require ARB approval.

Mr. Schisler asked for clarification regarding the numbers for the lot sizes and dimensions. Ms. Rauch explained the Lots and Blocks requirements were based on the Historic Transition requirements and directed the Board to Lots and Blocks, which is Section 153.060.

Mr. Schisler asked if the park was part of the block. Ms. Rauch said the applicant is showing the park preliminarily, but the details will be ultimately determined as part of the next step, the Basic Site Plan Review.

Mr. Schisler said as it is shown, the lots makes the perimeter 1421 feet instead of 1271 feet, if the future park and area to south is included. Ms. Rauch conceded it could be interpreted that way.

Mr. Schisler asked if the future park area will be preserved for open space. Ms. Rauch said the applicant is required to provide Open Space and the area shown is intended to meet those requirements.

Thomas Munhall asked if North Riverview Street will be extended to the north. Ms. Rauch said it is being considered, because appropriate access has to be provided to the condominiums along the river side to meet the Fire Department's requirements. Mr. Munhall said he did not want to hold up this application but expressed concern that if the road was not extended then public access becomes an issue.

Mr. Dyas said the ARB could approve this application, but there could be certain pieces that may not fall into place. He asked what happens if that occurs. Ms. Rauch said the applicant would need to return to the ART and ARB with revised plans for approval, depending on the changes. She said the City is aware of the need for access improvements and is working to resolve it without holding up this project unnecessarily. She said the review criteria for the Development and Site Plan require the proposal to be substantially similar to the Basic Plan and if it is dramatically different, the applicant has to regain the necessary approvals.

Mike Burmeister, OHM Advisors, 101 Mill Street, Gahanna, Ohio said the upper level 'Z9' has been removed to decrease the building height. Mr. Dyas clarified the building would be 79 feet tall.

Mr. Schisler asked how the loading/unloading would occur without a service street. Mr. Burmeister said the plan currently proposes the loading/unloading along North High Street through a series of parking spaces delineated as a loading zone and a striped area dedicated to fire, trash, and valet to accommodate equipment.

Mr. Schisler asked if the dumpsters would go across a pedestrian sidewalk on North High Street. Mr. Burmeister said the dumpsters are internal to the building and the dump trucks will pull in the driveway at North High Street to access them.

Mr. Burmeister explained the topography of High Street and how it meets the parking deck. Mr. Schisler asked about the height of the parking deck and asked for clarification on the layout.

Mr. Schisler said it appears the cars will be coming in/out where the dump trucks will be loading/unloading. Mr. Burmeister said there would be restricted hours for loading/unloading.

Mr. Schisler expressed he was not pleased that this was all happening out front.

Mr. Schisler asked if High Street was a district connector. Ms. Rauch replied High Street is a principal frontage street and a corridor connector street.

Mr. Schisler asked if the Fire Department was supportive of the presented fire accessibility. Mr. Burmeister said the plan was still developing the building access requirements between High Street and the lower section of North Riverview Street extended.

Mr. Schisler said the applicant exceeds the maximum parking permitted. Ms. Rauch acknowledged this and stated this detail would be covered as part of the Site Plan Review and will require approval to exceed that maximum. She said the intent is to provide additional parking for the public.

Mr. Schisler suggested the application be reviewed as a podium building as there are less height restrictions under a Podium Building than an Apartment Building. Ms. Rauch said this topic was discussed internally.

Mr. Schisler inquired about the Midblock Pedestrianway requirement whereas the applicant is requesting to more than double the length on High Street. Mr. Munhall confirmed this was one of the Waivers. Mr. Burmeister explained the Waiver was due to the site restrictions and topography where the midblock could not be achieved but provided an opportunity to break up the building mass and scale.

Mr. Schisler expressed concern regarding how a pedestrian would gain access from High Street to the condominiums. He said he understands a visitor is not walking through the building to the park but the entrances appear gated and closed, and looks like they are for vehicles not pedestrians.

Mr. Burmeister confirmed the circulation path. Mr. Schisler suggested the applicant use the plaza in some way to allow pedestrians to traverse through.

Mr. Munhall inquired about the middle entrance for vehicles that is only ± 12 feet wide and only serves the top five units. Mr. Burmeister said it was a way to break up the scale of the 2.5 stories on High Street and provided private access for the other units as well. Mr. Munhall said he was supportive but unsure how useful since it is for only the five units.

Mr. Dyas inquired about the southeast corner and counts six stories. He said his biggest concern was approving a project of this scale and ensuring it fit within the Historic District and with the expectations of the community. He asked if the other Board members were comfortable with the proposed height of the condominium building at 79 feet.

Mr. Munhall said he is concerned with the North High Street elevation and how the two-story height is viewed from up the hill at the Veterans' Park and behind the library.

Mr. Schisler said his concern was the proximity to the Historic Core and how the remaining area to the south might develop. He said he would not want that piece to develop with a height that exceeds 2.5 stories.

Joanne Shelly confirmed that portion of the site would require approval by the ARB. Mr. Schisler said he understood but it might be a few years before it comes back and he is concerned nobody will remember. He said he wanted to assess it and protect it now, as he would not want to see seven stories on that parcel because this site was permitted seven stories. Mr. Dyas said he had that concern as well. Ms. Rauch agreed.

Nelson Yoder, Crawford Hoying Development Partners, said their vision is that 2.5 stories on that portion of the site to the south is the appropriate scale for High Street and said he would be fine with that as a condition of the ARB's approval.

Mr. Munhall suggested height could be based on elevation as part of the Historic Core.

Ms. Rauch said Staff had this discussion of approving this height over 2.5 stories without seeing elevations and approving the Basic Site Plan. She said if the Board is not comfortable with approving the Waiver at this point it could be disapproved and the applicant could request it at a later application with more information or you approve the request with a condition not exceeding a certain height.

Mr. Dyas asked if the application materials were available for the public and whether the public was notified. Ms. Rauch answered affirmatively and explained the materials are available on the City website. Mr. Dyas asked if there was even anyone present this evening from the public. [There were none.] He stated there was zero turnout to discuss one of the biggest developments in downtown Dublin.

Ms. Rauch asked Mr. Burmeister to discuss the height of the existing buildings and how the height of the proposed condominium building on North Riverview Street extension compares.

Mr. Burmeister referred to drawing Z501, which is the building section illustration. He explained Section 2 at the bottom of the page and how the 2.5-story height is maintained along High Street. He said to take advantage of the existing topography they lowered all the floors down to be above the floodplain and built up from there. He said they kept the rooflines of the apartment building in the back at or just above the heights of the 2.5 stories along High Street, where they are not visible at the High Street level. He said the potential landing point of the proposed pedestrian bridge is halfway through the seven-story apartment building. He said only three floors would be visible above the pedestrian bridge landing and four floors below.

Nelson Yoder, Crawford Hoying, clarified the latest thinking on the pedestrian bridge. He said they will revise the plans to show a dashed line with the location of the future pedestrian bridge. He said the majority of the public that will see this building will be coming across the High Street elevation and will see the 2.5-story building.

Mr. Schisler revisited his point about traversing the area to visit somebody. Mr. Burmeister said there are multiple ways into this building with internal stairs and elevators are attached to the High Street buildings and the various parking levels within the condominium buildings. Mr. Schisler expressed concern about the lack of direct provision of an access point into the condominium portion of the building from High Street.

Mr. Yoder said the connection between the southern tower, High Street, and the pedestrian bridge is something they are trying to develop in conjunction with the City Staff. He said the connection is one of the last pieces to fit into the plan.

Mr. Munhall said 2.5-story commercial buildings are traditional, but his concern was how those buildings are integrated with a taller building to the rear and remain pedestrian friendly. He said this is the challenge.

Mr. Schisler expressed concern with the proposed plan as he felt it was dedicated to cars and not pedestrians. He said the graphic shows the plaza as 100 percent paved, which seems like a waste of a large open space and a missed opportunity.

Ms. Rauch asked if other opportunities could be reviewed with the applicant as they move forward with the next steps.

Mr. Schisler suggested the proposal look more inviting to a pedestrian accessing the back stair. Mr. Munhall and Mr. Schisler said the public should not have to fight cars to get there. Mr. Munhall clarified there were sidewalks on each side to get to the stairs.

Mr. Schisler said he was not an expert on parking garages but he has experience designing several. He said it seems they will need four air exchanges of 3.8 million cubic feet each, which are big louvers and big vents. He said those facilities need to be incorporated into the proposed façade as this moves forward.

Mr. Burmeister said they are developing these details with the mechanical engineer. Mr. Yoder explained an existing system on a new project and how the fans come on when a certain CO2 level is attained. He said since they have installed it, they have not heard it come on once. He said they plan on sprinkling this enclosed garage and mentioned they have some creative solutions for ventilation.

Mr. Schisler asked the Board if they had any further questions. [Hearing none.]

Mr. Munhall clarified the 2.5 stories is measured from grade at the North High Street elevation. Ms. Rauch confirmed the High Street elevation will not exceed the 2.5 stories but the apartment building elevation is subject of the request for the Waiver.

Motion and Vote

Mr. Munhall moved, Mr. Dyas seconded, to approve the request for three Development Plan Waivers:

- 1) Maximum Block Size – Section 153.060(C)(2)(a): Increase the maximum permitted block dimensions for the Apartment Building (increasing maximum block length from 300 feet to ±400 feet on the east and ±378 feet on the west façade; and a maximum block perimeter from 1,000 feet to ±1,271 feet).
- 2) Midblock Pedestrianway – Section 153.060(C)(6)(a): Waive requirement of midblock pedestrianway for a Historic Mixed-Use Building.
- 3) Building Heights – Section 153.063(D)(4)(b): Waive requirement of 2 1/2 story limit for the Apartment Building.

The vote was as follows: Mr. Schisler, yes; Mr. Dyas, yes; Mr. Munhall, yes. (Approved 3 – 0)

Motion and Vote

Mr. Dyas moved, Mr. Munhall seconded, to approve this application for a Basic Development Plan with the following five conditions:

- 1) That the applicant work with the City to establish a development agreement for this project;
- 2) That the applicant address Engineering details as part of the Development Plan Review, including finalizing the drive access off of a principal frontage street;
- 3) That the applicant coordinate with the City and Washington Township Fire Department to ensure fire accessibility throughout the site as part of the Development Plan Review;
- 4) That the applicant describe the intent for the required BSD Historic Transition District gateways at the Development Plan Review, with details to be determined as part of the Site Plan Review; and
- 5) That the applicant provide an outline of the details for each open space type, including the intended uses, exact acreages required and provided, and general program, at the Development Plan Review, with determinations as part of the Site Plan Review.

The vote was as follows: Mr. Schisler, yes; Mr. Munhall, yes; and Mr. Dyas, yes. (Approved 3 – 0)

2. Zoning Code Amendment-Bridge Street District 13-095ADMC

Zoning Code Amendment

[Neil Mathias returned to Council Chambers.]

Jennifer Rauch said this application is for potential amendments to the Bridge Street District Zoning Code. She said this is a request for recommendation to City Council regarding proposed Zoning Code amendments under the provisions of Zoning Code Sections 153.232 and 153.234.

Ms. Rauch said before starting the discussion on the Zoning Code Amendments, she wanted to discuss sandwich board signs, since that was one of the topics brought up during the Board's review of the Code at the September ARB meeting.

Ms. Rauch introduced Newar Messina, Code Enforcement Officer, who is responsible for going out in the field and enforcing the requirements for sandwich boards.

Newar Messina said he and the rest of the Code Enforcement team are trying to get every business in Historic Dublin to get a permit for their sandwich board signs. He said once the business has a valid permit, the Code Enforcement Officer's job is to visit the property and ensure the signs are properly placed in the correct location, brought in at the end of operational business hours, not obstructing the right-of-way, and maintaining City regulations on size and text.

Mr. Messina said Brian Martin, Zoning Inspector, provided him with an updated spreadsheet on each business that has a valid permit. He said he goes out on a daily basis to make sure the signs that have been approved with a permit number are properly located. He reported he has removed one sign from a business where they were given a verbal warning along with educational information about sandwich board sign requirements, and still did not have a valid permit. He said he has since received a permit for that particular business and the sign is now placed appropriately.

Mr. Schisler said he sees a lot of the sandwich boards where the text is not in marker or on a chalkboard. He said many have had the same message for two years.

Mr. Messina said the businesses are supposed to have an approved board, such as a chalkboard, and the writing should be changed daily or at a minimum of 30 days. He said that is something Code Enforcement is working on.

Ms. Rauch read from Code: "A sandwich board sign *may* include chalkboard and white board elements." She said it is *not required* that they have one of those types of signs.

Mr. Schisler said that was one of the ARB's recommendations for an amendment of the Code, to change the word "may" to "shall".

Ms. Rauch said there has been a lot of discussion on sandwich boards, internally, including the challenges faced by Code Enforcement to get businesses to comply. She said the City is trying to strike a balance with the cost for the small business owner, as opposed to upholding the regulations. She said there are several businesses that can barely afford to get the permit as their business is struggling and they are dependent on these signs to bring in revenue. She said dictating what kind of sign they must have, from a policy standpoint, is not a requirement they enforce, per direction from City Council.

Neil Mathias asked what the percentage was of businesses that are using sandwich board signs that actually have permits.

Mr. Messina said probably 95 percent of the businesses have valid permits. He said they have been pushing hard to get every business to comply. He said there are a few new business owners that have yet to obtain a permit.

Mr. Mathias said that the Code requires the signs to not exceed 36 inches tall but he has seen the majority of plastic signs exceed that limit. He asked if there was a difference in interpretation of the Code.

Mr. Messina said the sign size should be three feet from the ground and about six square feet per side.

Mr. Mathias reported the majority of signs appear to be 42 to 46 inches in height. He asked if some of these were specifically approved to be larger, or were nonconforming.

Mr. Messina said they should all be 36 inches in height.

Mr. Mathias asked, as Board members, if they are allowed to remove signs that are not compliant.

Ms. Rauch said the Board members can call Code Enforcement and they can remove the signs if they are not compliant.

Mr. Mathias said he lives downtown and there are always a couple of signs left out in the evenings.

Ms. Rauch noted that the Code Enforcement Officers work normal business hours but if the signs are seen after hours, she encouraged the Board to contact Code Enforcement, even if it is Monday for a violation from the weekend. She said the City would like these violations on record.

Mr. Mathias asked if it was possible to have inspections done after hours from time to time, possibly monthly or quarterly. Ms. Rauch said Code Enforcement has worked the weekends on occasion.

Mr. Munhall asked about having the Historical Society providing funds for each one of these businesses to help pay for a City-approved sandwich board sign. He said it is a tough economy and even though Dublin is very nice, it is hard to get around and park downtown. He said these are not excuses and if a business owner is educated, they may change their ways.

Mr. Mathias said it seems strange that the economy is factored in when so much of the Code is so strict and has such high standards on everything else like building materials and sign regulations.

Mr. Munhall said it is in the way it is enforced. He said when dealing with an architect and a builder, it is a lot easier to tell them to do this but when you have to actually go out and talk to the business owner, then it gets a little more subjective. He said at the end of the day, education and enforcement will get us a lot further than we were.

Ms. Rauch said due to the success rate for getting permits, the educational component is huge.

Mr. Mathias said the Code specifies the placement of the sign should be within six feet of the primary entrance. He asked, from a Code Enforcement standpoint if that is something that needs to be clarified with language in the Code as to what is considered a primary entrance. He said there is one business that puts signs up on the sidewalk when their business sits back and their primary storefront entrance is 150 - 200 feet away.

Mr. Messina said he had spoken with that business and the way they are oriented to the street, they positioned it appropriate to the parking lot entrance.

Mr. Mathias suggested the Code be modified to specify the storefront.

Ms. Rauch said in the proposed Code language, this was the best logical answer for a Code requirement in terms of location. She read from the Code that states "within six feet of the primary entrance or approved by the Director" for unique situations.

Mr. Mathias suggested the ARB should discuss if they want to make sure that every business can put a sign on High Street or if the signs should be located by their business.

Mr. Schisler said it depends on if it is useful. He said some of the businesses have sidewalks. He noted the differences in rights-of-way and the positions of sidewalks available. He said the hard part is when the signs are placed on the corner of Dublin and Bridge Street for maximum visibility, which is not even close to the businesses door.

Ms. Rauch said that was the main reason for this Code requirement on placement.

Mr. Schisler agreed the new language makes it a lot clearer. Ms. Rauch said the intent is to not let them place a sign "anywhere" and asked for suggestions for tightening up the language in the Code.

Mr. Messina said when the officers do not visit a business daily, the sign creeps back, closer and closer to the curb. He said the officers provide a verbal warning and a letter, with the last resort taking the violators to court.

Mr. Mathias said for the benefit of all the businesses, if everyone is following rules, it is going to benefit all the businesses if it is a level playing field. He said the rules need to be more consistent to provide the intent of the aesthetics desired for Dublin.

The Board thanked Mr. Messina for his input.

Mr. Munhall said he had to leave the meeting early.

Ms. Rauch turned the remainder of the Code Amendment portion of the meeting over to Rachel Ray.

Rachel Ray said she was available to go over any questions or comments on the draft revisions. She said this is the result of an exhaustive review by the Planning and Zoning Commission, Staff, and the ARB. She said the Bridge Street Code was first developed in 2012 with consultant input but since cases have come forth, revisions were needed for clarification or general updates. She said comments from all have been included in this draft. She said based on the ARB's comments this evening, the Code will be presented to the Commission next Wednesday to make a recommendation to City Council. She said the majority of the updates are technical but there have been some items that have been clarified.

Ms. Rauch said there were basically five things from last month's meeting:

- 1) Cross walks ~ Engineering dictates the crosswalk requirements as part of the streetscape and should not be codified since there are standards elsewhere.
- 2) Primary Building Materials ~ Council and the Planning and Zoning Commission had reviewed and Council weighed in on keeping fiber cement siding limited to a secondary material, knowing there are going to be instances where it will be appropriate. She said in the Historic District, it will be left up to ARB's discretion on a case-by-case basis.

Mr. Mathias asked how an applicant would know there is that flexibility in the Historic District. Ms. Rauch answered like any other requirement, Waivers allow for some variation, and there is information in the Code about the special provisions for the Historic District.

Ms. Rauch continued:

- 3) Exterior Lighting Requirements ~ These are being reviewed more holistically. Ms. Ray said Staff received an extensive report from a lighting expert on recommendations for an updated set of lighting regulations, which was very complex ordinance and designed to be understandable by lighting designers and engineers, and hopefully architects. She explained it refers more to lumens which is a measure of brightness, as opposed to specific types of light fixtures, such as incandescent or fluorescent light fixtures, which is what the Code has now. She explained the intent is to move away from a specific type of fixture and going more towards the measure of brightness. She explained for the Code update, the one reference to fluorescent lighting was removed and referred to lumens, keeping it consistent, but Staff does plan to update the Code's overall lighting provisions sooner rather than later.

Ms. Rauch continued:

- 4) Little storefront window graphics ~ It was decided the color could be one color but it needed to be neutral.
- 5) Sandwich Board Signs ~ Added language regarding the location for those particular instances where six feet may not be appropriate, allowing the Director to make a site-specific determination.

Ms. Rauch said that concluded the concerns raised by the ARB last month and asked if there was anything further they wished to discuss.

Mr. Schisler referred to the provisions for commercial eating establishments, in Code Section 153.059, page 16, whereas "eating and drinking facilities in multi-tenant buildings, office residential, shall be limited to no more than 10,000 square feet gross floor area or 20 percent of the gross floor area with the principal structure, whichever is smaller, unless otherwise permitted under a conditional use." He said he believed this would be very difficult to calculate.

Ms. Ray said in this instance, it is not limited in the Historic District. She explained the reason for that provision is to concentrate our commercial activity in the Historic District and other specific areas of the Bridge Street District. She said the intent is to make sure there are some nodes of activity, rather than "stripping out" commercial development in an auto-oriented fashion. She said it is going to be difficult to measure so Staff will have to work with the applicant when they come forward with a project to get an

understanding of the range of potential uses and sizes. She said the idea is not to have a stand-alone new restaurant go in, as an example. She said they can do that as a Conditional Use but the choice is to avoid that.

Mr. Schisler inquired about the geo-thermal energy allowed within five feet of the principal structure and said this is pretty restrictive.

Joanne Shelly said this is referring specifically to specific pieces of material and not all of the equipment, whereas most of the equipment is housed within the building. She explained the rods are underground.

Mr. Schisler said that was the confusion when the rods are underground but the requirement is that the material needs to be within five feet of the building.

Ms. Shelly said sometimes there are bits and pieces of what is coming out of the building before it goes into the ground, like the HVAC systems and is really just the connector piece and not the rods themselves.

Mr. Schisler referred to figure 153.060 – A. He said he could not find any figures. Ms. Ray said it is in the other version of the Code, the two-column version, and that is not changing. Ms. Ray said once Staff has the final language, they will put it into that version.

Mr. Schisler requested clarification about Existing Structures, buildings in the Historic District, and the building type requirements.

Ms. Ray explained the table is making a distinction between existing structures, which are defined in the Code as buildings that pre-exist the BSD Code; they are not built under the new standards like the ones being proposed. She added that is clarifying that the ARB can determine if a new building type should apply to an Existing Structure, there might be the historic cottage commercial or historic mixed-use building that could be an appropriate standard to apply to an existing building, for example.

Mr. Schisler said, by default, an applicant would have to come in front of the ARB. Ms. Ray confirmed that. She said the ARB gets to choose which standards are most appropriate for the Historic District construction.

Mr. Schisler referred to page 43, the top sentence, "permitted roof materials," and asked if it should be permitted "sloped" roof materials. Ms. Ray agreed, and they discussed the differences between the terms "sloped" or "pitched".

Mr. Schisler referred to footnote 5 under Parking Structure Building Type on page 82 of 190. He suggested the word "open" instead of "rectangular."

Mr. Schisler referred to the parking provisions on page 113. He asked for clarification of the maximum parking requirements, particularly where additional parking might be desirable, such as the Historic District. He said parking structures in particular could have surplus parking to serve an area-wide need.

Ms. Ray said with respect to having parking that exceeds the maximum, an applicant could request a parking plan, and as part of the parking plan there are requirements for an applicant to demonstrate why they need the additional parking. She said the reasons could be perfectly acceptable and reasonable in the Historic District. She said the parking structure itself that is intended to serve multiple uses, that is handled on the use table both as a principal use or an accessory use. She said on the table, there is no minimum or maximum requirement for that so we would just evaluate that as its own parking plan with its own access considerations.

Mr. Schisler said if he is reviewing a building, if all of a sudden they have access and part of it is a parking structure, it is not the required parking for the residents and business then does he need to start looking at what the requirements are for a parking structure because they are now exceeding the maximum requirements.

Ms. Ray stated that in Mr. Schisler's example, there would be a difference between the parking accessory to the residential uses, and parking structure as a principal use. She said that comes down to the distinction between primary uses on a site, if it is public parking that the City is providing for example, or if it is just accessory for the residential units.

Mr. Schisler referred to page 127 – Required Loading Spaces. He asked if loading zones are permitted on Corridor Connector streets or District Connectors. Ms. Ray said typically, the City would not want loading to occur on those streets, which are Principal Frontage Streets. She pointed out the Historic District is a little different, since there are some limited areas along High Street that do not currently have convenient alley access.

Mr. Schisler said several of the existing businesses have to load and unload on High Street or Bridge Street, which is not ideal. Ms. Rauch said on the flip side, the Commission had the same discussion about loading and service and in a true urban environment, where there is unloading and loading on the street. She noted that loading and service, waste removal, etc. are all part of the early review of a project to make sure they are appropriately accommodated.

Mr. Schisler concluded he had stated all of his comments and asked the Board if they had any additional questions or concerns. [Hearing none.]

Motion and Vote

Mr. Mathias made a motion to recommend approval to the Planning and Zoning Commission and City Council for the Bridge Street District Zoning Code amendments. Mr. Dyas seconded. The vote was as follows: Mr. Schisler, yes; Mr. Dyas, yes; and Mr. Mathias, yes. (Approved 3 – 0)

Communications

[There were none.]

Mr. Schisler adjourned the meeting at 8:40 p.m.

As approved by the Architectural Review Board on November 19, 2014.