



**Land Use and Long
Range Planning**
5800 Shier Rings Road
Dublin, Ohio 43016-1236
Phone 614.410.4600
fax 614.410.4747
www.dublinohiousa.gov

ARCHITECTURAL REVIEW BOARD

RECORD OF DISCUSSION

SEPTEMBER 24, 2014

The Architectural Review Board took the following action at this meeting:

**4. Zoning Code Amendment-Bridge Street District
13-095ADMC**

Zoning Code Amendment

Proposal:	Potential amendments to the Bridge Street District Zoning Code.
Request:	Informal review and discussion prior to a future recommendation to City Council regarding proposed Zoning Code amendments under the provisions of Zoning Code Sections 153.232 and 153.234.
Applicant:	Marsha I. Grigsby, City Manager, City of Dublin.
Planning Contact:	Rachel S. Ray, AICP, Planner II.
Contact Information:	(614) 410-4600, rray@dublin.oh.us

RESULT: The Board conducted a review and provided feedback regarding the proposed revisions to the Bridge Street District Code. Planning will prepare amendments based on this feedback and incorporate as part of the final draft Code for the Board’s review and recommendation in October.

BOARD MEMBERS PRESENT:

Robert Schisler	Yes
Bob Dyas	Absent
David Rinaldi	Yes
Neil Mathias	Yes
Thomas Munhall	Yes

STAFF CERTIFICATION

Jennifer M. Rauch, AICP, Senior Planner

ARCHITECTURAL REVIEW BOARD

MEETING MINUTES

SEPTEMBER 24, 2014

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

Zoning Code Amendment

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

Ms. Rauch said Rachel Ray had provided a cover memo that outlined the progress of Planning regarding the proposed amendments. She said modifications were made to the review and approval process that was approved and effective in December 2013, mostly as it related to the Planning and Zoning Commission. She said in July 2014, the Commission started reviewing the Code to ensure the requirements are meeting the intent. She said the Commission has been through the Code and will have a final review in October. She said the Commission's final recommendation is scheduled for October 29, 2014. She indicated the intent is to review ARB's comments and concerns, and return in October for a recommendation prior to the Code proceeding to the Commission for a final recommendation.

Ms. Rauch reviewed the major highlights and stated she was prepared to address any comments or concerns. She asked how the Board wanted to proceed with the review, as the Commission review is conducted on a page-by-page basis.

Robert Schisler said he read the Code as a 'black and white' document and was curious about Planning and Zoning Commission's experience with the request and approval of Waivers.

Ms. Rauch said the waiver process is the opportunity to address a specific item that a proposed development does not meet within the Code; whereas the applicant demonstrates the reason a proposal cannot meet Code. She added the waiver process is an opportunity for the 'gray'. She explained the Commission has suggested the Code should include requirements but allow an applicant to come forward and request a Waiver, as needed. She said these regulations were written for a reason but if an applicant can make a compelling argument for why a requirement cannot be met then the Board has the opportunity to grant a Waiver. She said the findings for approving a Waiver are based on the proposal meeting the review criteria.

Mr. Schisler said some areas in the Code signify "if approved by the City Engineer" or "if approved by Planning", etc. but then there are others that are more finite and clear.

Mr. Rinaldi said he had the opposite reaction reading through the Code as he found it to have so much 'gray'. He said as a designer starting a project it would be difficult to know if the project is on the right track. He said wording such as "as deemed appropriate" leaves the members wondering if they are doing the right thing.

Mr. Schisler said there is a lot of 'gray' and then you get to a table that shows stringent dimensions, but then it can flip back to "meeting the intent of the character".

Ms. Rauch said there have not been a significant number of projects but there are examples of Waivers that have been approved. She explained the Waiver is the highest tier of deviation from the Code and an Administrative Departure is the lower tier.

Neil Mathias said his special interest project was sandwich board signs. He asked if there was the opportunity for the Board to make recommendations regarding penalties for violations to the sandwich board provisions. He said businesses are openly violating sign height, location, and not bringing the signs in at the end of the day. He asked if Code Enforcement regulation needs to be part of this Code document or if it needs to be somewhere else that the daily violations could mean confiscation and fines.

Mr. Schisler reported the City went through today and talked to everybody about their signs that were in violation.

Ms. Rauch said Code Enforcement regulations would not be something that would be included in this document, as the Code Enforcement process is already in place. She said this becomes an ongoing issue because a number of violations fall beyond the hours that the inspectors work. She indicated the only way Code Enforcement is aware of violations outside of the work day/work week is if somebody calls and reports it.

Mr. Schisler said Code specifies the sandwich board sign must be within six feet of the main entrance, which is difficult for some of the buildings. Ms. Rauch acknowledged it was difficult to have a rule that fits every situation. Mr. Schisler said sometimes the signs are leaning against the wall. Ms. Rauch explained the intent for the space location requirement was to keep the sign in front of the particular business, as sometimes they tend to move down the street to a major intersection.

Mr. Mathias said his recommendation is clarification or revision of the Code section because businesses are using it as a third sign type instead of the two permitted, and this third sign does not meet the requirements. He emphasized the intent of the sandwich board signs are to be temporary in nature for "specials" etc. He understands the Board cannot dictate the content of the sign but the way it is being utilized is as a third sign for their business. He said it goes against the walkability of the neighborhood because pedestrians have to walk around the sign, and the sidewalks in the Historic District are already narrow in width.

Mr. Schisler said the intent is to advertise today's special, etc. Mr. Mathias agreed that was the intent of the Code, but businesses are using it as the third sign. He said he did not think plastic signs should be allowed and suggested that be included as part of the modification to the Code language. He said the sign could be a neutral frame.

Mr. Schisler said he did not have a problem with a plastic frame as long as the chalkboard or marker board is included for the language to be written on.

Mr. Munhall said the issue with all these things is the Code would need to be changed to make it impossible for the business to follow or it has to bother a lot of people. He said if nobody is calling the City except for a few, then it is not enforced, whereas if there are 20 people calling all the time, the signs would be changed and they would be taken in every night. He said that is part of the problem with enforcing anything; unless there is community involvement caring about a particular issue.

Ms. Rauch said ensuring businesses comply with the sign provisions is a citywide challenge. She said the reason the sign material was not limited within the existing Code is because a number of small business owners have indicated this sign is a 'make or break' for them and dictating what that sign must look like is a big deal to the small business owner. She said Planning is trying to be sensitive to aesthetics and also make sure the business owners are happy as well. She said the concern is a number of existing businesses have a sign permit approved with a certain sandwich board sign material and a change to the

material with an amendment would not apply to the existing sign. She said the sign type would change over time.

Mr. Mathias said it is interesting that we have such high standards on building materials, sign type, etc. but the Code allows an unattractive, plastic sign along the street.

Mr. Munhall said the same could be said about awnings, which look faded and tattered in four years. He said if it is an important enough issue to our group we should make a recommendation to change the language.

Mr. Schisler read from the Code "sandwich board signs may include chalkboard or white board", therefore the business owner cannot paint a permanent third sign and is to be changed regularly.

Ms. Rauch said she would take the Board's comments back for internal discussion. She said Planning has a sign consultant reviewing the sign provisions of the Code to provide guidance with regard to construction and design.

David Rinaldi inquired about the new allowance for a single one-square-foot window sign or logo at each public entrance. He read that a permit is not required as long as the sign has no more than one color. He asked if this meant businesses were allowed to put up any color as long as it was a single color. (153.065 H). He said a permit is not necessary if the business adheres to this Code but asked if a hot pink sign would be appropriate.

Mr. Mathias recommended there be a set of approved colors. Mr. Rinaldi suggested the language be changed to state a "neutral" color. Ms. Rauch suggested the window sign match the business' permanent sign or be a neutral color.

Mr. Mathias noted for specific buildings, the Code had language that stated "as Planning and Zoning Commission approves" and it should probably state "the approved reviewing body".

Ms. Rauch liked the suggestion but would review because in some instances, the PZC may be the only Board authorized to make the determination.

Mr. Rinaldi said the lighting provisions added to the Code are fine. He said the Code never mentions a photometric plan has to be submitted, which is what the Code intends but it is not said. He said requiring the photometric plan will make sense to understand illumination across the site.

Ms. Rauch said the Commission discussed that as well and requested similar changes.

Mr. Rinaldi brought up bike racks in the Historic District and asked that 153.065, page 12 of 18 be discussed. Mr. Mathias said it did seem very heavy on requiring bike racks.

Mr. Rinaldi said he thought that was great since walkability is encouraged and by extension, bicycling; the City has a great network of trails and bike paths. He said it makes sense to provide locations for bike racks. He mentioned the added comment about "evaluate special provisions or district appropriate site conditions" to be discussed. He asked if the appearance of bike racks is important.

Mr. Schisler said the location of bike racks becomes the bigger issue. Mr. Rinaldi said there are not a lot of places to put bike racks because sidewalks cannot be blocked.

Mr. Schisler said a lot of businesses do not have parking in the back or it is hard to find how to get to the bike racks.

Mr. Rinaldi said to incorporate bike racks into public parking would make the most sense.

Mr. Schisler suggested dead spots on the street as an option where the City could install bike racks. Ms. Rauch said the City has done that before.

Mr. Rinaldi asked if appearance was an issue besides location. He said the standard ones used are not historical looking and asked if special language to tie into the Historic District would be useful.

Mr. Rinaldi said light posts have been designed to have historical character and maybe there are bike racks that look like a "hitching post" or are historical in context. He said the cyclists probably did not have to worry about bikes being stolen in the 1800s.

Mr. Rinaldi inquired about the parking provision with the setback. He said eliminating this provision was noted to allow parking within setbacks to facilitate coordinated site design. He asked if it would apply more in the Historic District more than others.

Ms. Rauch said in the Zoning Code there are provisions for parking to encroach a building setback.

Mr. Rinaldi inquired about the change regarding fiber cement siding from a primary to a secondary building material.

Ms. Rauch said this modification was made as part of the Scioto River Neighborhood District discussion at City Council and then overall for Bridge Street District projects. She said City Council had concerns about the percentage permitted for fiber cement siding as a primary building material and requested the Code be changed to only permit it as a secondary material.

Ms. Rauch said Mark Ford, Ford and Associates, gave a presentation to the Planning and Zoning Commission on fiber cement siding products not advocating for or against but provided information. She said as part of that meeting, the Commission recommended keep fiber cement siding as a secondary material, but allow an applicant to come forward and demonstrate the need for a Waiver on a case-by-case basis.

Mr. Mathias said whether it is fiber cement or wood siding, it seems it would be an appropriate material for the Historic District and to limit the primary materials to a stone or brick appears excessive to him. He said there are a number of fully wood-sided buildings in the Historic District.

Mr. Schisler agreed.

Ms. Rauch clarified the Code does not say the use is prohibited, but the amount of which a material is permitted with the Waiver opportunity. She explained if an applicant came forward and requested their building be predominantly fiber cement siding when it is 50 percent of the elevations, it would be up to the Board to make that determination. She said knowing now what the pros and cons are about this product, there are details to look at when reviewing the proposal and making the determination.

Mr. Rinaldi said he could see a good argument for its use in the Historic District to increase the percentage of the material permitted but understands limiting the amount in the Scioto River Neighborhood District. Ms. Rauch said the scale of the Scioto Neighborhood District buildings is much larger.

Mr. Mathias said he would like to see an annotation that addresses this recommendation where it says "except where historically appropriate" such as in the Historic Core. He said there are a number of 'gray' areas and applicants can request a Waiver, but a developer is looking at the Code that requires stone and brick, when alternate materials may be more appropriate for the Historic District.

Ms. Rauch said she would review this modification.

Mr. Rinaldi said there was a whole section on variety and thought it was pretty well covered. Mr. Schisler said the language was for all districts, whereas the Historic District is very unique and covers a very small area.

Mr. Rinaldi noted the whole section on walkability and said he did not see the specifics on the cross walks regarding how they are to be designed and configured, etc. in that section. He said all the language is crossed out and did not seem to be it picked up in the walkability section. Ms. Rauch said she would see what happened to that section.

Mr. Rinaldi said there are two paragraph 'f's under section 153.059. He said there is a paragraph on service stations and another on parking structures both labeled subparagraph 'f'.

Mr. Rinaldi concluded he had covered most of his concerns and on the whole, these amendments were well thought out.

Ms. Rauch said if the Board has any additional comments, to send them to her via email and they can be incorporated in Planning's discussion and be presented the next time.

Communications

[There were none.]

Mr. Schisler adjourned the meeting at 7:35 p.m.

As approved by the Architectural Review Board on _____, 2014.



City of Dublin

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5800 Shier Rings Road
Dublin, Ohio 43016-1236

phone 614.410.4600

fax 614.410.4747

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PLANNING AND ZONING COMMISSION

RECORD OF DISCUSSION

SEPTEMBER 11, 2014

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

WORK SESSION

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

Zoning Code Amendment

Proposal:	Potential amendments to the Bridge Street District Zoning Code focusing on Code Sections 153.062 through 153.066.
Request:	Informal review and discussion prior to a future recommendation to City Council regarding proposed Zoning Code amendments under the provisions of Zoning Code Sections 153.232 and 153.234.
Applicant:	Marsha I. Grigsby, City Manager, City of Dublin.
Planning Contact:	Rachel S. Ray, AICP, Planner II.
Contact Information:	(614) 410-4600, rray@dublin.oh.us

RESULT: The Commission continued the review of potential amendments to the Bridge Street District Zoning Code focusing on Code Sections 153.062 through 153.066, which included all of the outstanding sections to be reviewed. Staff expects to incorporate Commission comments and provide revisions to the Commission for a vote in October. In order to accommodate this, the Commission approved two dates for Special Meetings in October, which are the 21st and 29th.

COMMISSIONERS PRESENT:

Chris Amorose Groomes	Yes
Richard Taylor	Yes
Amy Kramb	Yes
John Hardt	Yes
Victoria Newell	Yes
Todd Zimmerman	Yes
Amy Salay	Yes

STAFF CERTIFICATION

Rachel S. Ray, AICP, Planner II

PLANNING AND ZONING COMMISSION
SPECIAL MEETING MINUTES

SEPTEMBER 11, 2014

2. Zoning Code Amendment-Bridge Street District
13-095ADMC **Zoning Code Amendment (Discussion)**

Ms. Amorose Groomes introduced the review and discussion of a future recommendation to City Council regarding proposed the Zoning Code Amendments to the Bridge Street District Zoning Code focusing on Code Sections 153.062 through 153.066.

Rachel Ray said the first half of the Code was reviewed in July 2014. She reported she is working on the final drafts and will be back in a few weeks with those. She said Planning has also completed their preliminary review and identification issues of the second half of the Code. She said the building type tables through the review and approval standards are before the Commission this evening. She explained Planning has provided the red line version of the Code as well as identified a few comments for Commission's consideration.

Ms. Amorose Groomes suggested the Commission review the Code page by page.

Ms. Ray confirmed they would begin their discussion with **Section 153.062 (O)** – Table Requirements.

Ms. Amorose Groomes stated the first Staff comment on this Section **153.062(O)(1) Building types – Single-Family Detached** was noted on page 2 of 33.

Ms. Ray asked the Commission to take another look at the upper story transparency. Mr. Hardt asked if applicants have brought this up. Ms. Ray replied a couple of applicants in the Historic District have with regard to how the *Historic Dublin Design Guidelines* apply when considering the appropriateness based on architectural style.

153.062(O)(2)(2) – Single-Family Attached

Mr. Hardt asked to be educated on the intent of the change for landscaped courtyards. Ms. Ray said Planning wanted to encourage this as an opportunity to meet one of the required open spaces and make it useable space if the developer is allowed to count the area as a pocket park or pocket plaza.

Mr. Hardt said this has been discussed in review of applications and can imagine some scenarios where he would support it and not support it. He said one of his concerns is a "courtyard" in an apartment building or condominium building where a wrought-iron fence or gates are located around the area or fully encloses the area with the building, making it no longer a public space. He said he has seen a couple of cases where that argument was attempted. He said he is not opposed to allowing a space when it is nestled into a project to count toward open space but it has to be public space.

Ms. Ray said by requiring it to be an open space then they could not put a fence around it and call it public to meet their required open space criteria.

Mr. Hardt suggested changing the language to "Do not allow to be fenced off or privatized."

153.062(O)(2)(3) – Single Family Attached

Mr. Taylor questioned the intent of the word “adjacent” and asked if that was both horizontally and vertically. Ms. Ray said the intent was horizontally but she would review the implication for vertically as well. She clarified the intent is to avoid having a long span of attached units.

153.062(O)(4) – Loft Building

Mr. Hardt asked what problem was trying to be solved within the Principal Entrance Location portion of the Loft Building table. Ms. Ray said Planning wanted to clarify that requirement would not apply to individual entrances as opposed to an apartment building with doorways to the sidewalk outside, or if the door is inside with no direct access outside.

Ms. Salay referred to the Mid-Building Pedestrianway requirement and asked how many units fit within 250 feet, such as a townhouse. Mr. Hardt responded 10 – 15 units.

Ms. Salay said only a maximum of 8 units are allowed. Ms. Ray clarified this requirement is for townhomes across the street from a single-family detached. She said Planning was concerned with the relationship between the uses and a single-family attached building becoming too massive. Ms. Ray said this did not previously require a mid-building pedestrianway and Planning thought it was appropriate.

153.062(O)(7)(d) – Commercial Center Building

Mr. Taylor referenced the blank wall limitations in the table and asked whether the Code previously stated there were some instances where a blank wall was allowed and the proposed Code states there are no instances where blank walls are allowed. Ms. Ray answered that was correct.

Mr. Hardt said presumably an applicant could request a Waiver to the requirement. Ms. Ray agreed.

Mr. Hardt added in a perfect world the entire Code is intended to generate street fronts where two facades would not be seen. He said the required penetrations and windows in all those cases could be creating Code problems in the future. Ms. Salay agreed.

Ms. Ray said the blank wall limitations do not require the detail to be a window or an opening. She said the intent is to provide more interest to the building.

153.062(O)(12)(a) – Podium Apartment Building

Mr. Taylor noted the incorrect Code reference at the very bottom of the table under **Parking Location & Loading** of §153.02 when it should state §153.062.

153.062(O)(12)(d)

Mr. Hardt noted a typo on the **Transparency** section of the table stating it should read “all other portions of the building.”

153.063 – Neighborhood Standards

Ms. Ray reiterated the newly approved Scioto River Neighborhood District is treated as approved text and not shown as track changes.

Mr. Hardt inquired about the Bridge Street District (BSD) abbreviation used in some areas of the document and spelled out in others. Ms. Ray said in the second paragraph on page 1 of 16, Planning was clarifying to anchor BSD and not BSC for Bridge Street Corridor.

153.063(C)(4)(c) – Commercial Center Building Types

Mr. Taylor referenced “the east/west-oriented portions of Sawmill Road as depicted on figure 153.063(A).” He said this was redundant because the figure shows them on east/west and suggested

leaving out the “east/west-oriented”, allowing an opportunity to change the graphic and not validate that Code Section.

Ms. Ray said Planning’s concern was identifying the area where Village Parkway extends past Greystone Mews to Tuller Road and the intent is not to allow that building type on that portion of Village Parkway.

153.063(C)(3)(c)

Mr. Hardt referenced the **Mid-Block Pedestrianway** section. He said he is not sure he is in favor of the new language, if interpreting the intent correctly. He said he read it as if there is a residential building with number of entrances into residential units then the mid-block pedestrianway can be eliminated. Ms. Ray clarified except on visible frontage streets.

Mr. Hardt said there was a project before the Commission that has not been built, where we had that exact concern. He said it was one large building occupying the entire block with no breaks and the Commission did not like the building for that reason. He said if the proposed amendment is allowing that, he is not supportive of it. Ms. Ray said it is a condition where we expect this potentially to happen again in the future, but it might not be quite as large as the project to which Mr. Hardt referred. She said the previous proposal took up two blocks. She stated a block could be 400 feet and if the requirement is one per 250 feet, then another pedestrianway would have to be incorporated. She said Planning recommends that if the condition exists on a principle frontage street it would be required, but if it is on a side street then it is not.

Ms. Amorose Groomes said there is an opportunity for Waivers. Ms. Ray agreed. Ms. Amorose Groomes said the Commission should have the opportunity to look at this condition and determine whether a Waiver is appropriate.

Mr. Hardt said he has been very opposed to large monolithic buildings and thought the Commission should be encouraging smaller, broken-up masses.

Ms. Krumb said she thought it was unnecessary because it said they “may be exempt” by the reviewing body. She said the second sentence could be a reason why we might exempt it, if necessary. She does not believe the new blue language should stay in. Ms. Ray said it could be taken off. Mr. Hardt said sometimes the “why” language comes back to haunt us. Ms. Ray concluded the section should remain as it exists in the current Code.

153.063(C)(5)(b) – Placemaking Elements

Mr. Taylor referenced the **Master Sign Plan** section. He said he did not object to the changes that were made but said what defines a Master Sign Plan, when it is needed, and what it should contain needs to be improved. He said the idea he had in mind when this was first discussed was a document prepared for a private development that guided the location, number, detail, style, etc. of signs for multiple buildings or connected buildings. He said the Code applies a Master Sign Plan to a single building, which he finds different. He said the Bridge Park project would need a Master Sign Plan that is comprehensive and detailed, which would inform an individual tenant about where their sign could be installed and the design details for that sign. He said his perspective was the Commission would be able to review the details for a whole development and determine whether the overall concept of the signs was extraordinary prior to approving a Master Sign Plan.

Mr. Taylor said an individual building or multi-tenant building might be more appropriate to have a *Building Sign Plan*. He said when he was on the Architectural Review Board they had that problem in the Historic District. He said a Building Sign Plan for a single building would allow individual tenant that move into a building to have clear rules for the appropriate signs. He said the only question is the color and the text on the sign itself. He said if you have multiple buildings in an overall development, you have Building Sign Plans and together, they are part of a Master Sign Plan. He said this seems to read to him as the

Master Sign Plan is any document that says anything about any signs for any project, which is misleading.

Ms. Ray said Planning agreed with the intent and can clarify the language.

Mr. Hardt said he agreed with Mr. Taylor and cited Perimeter Center as an example. He said when the development was first approved, there was a document outlining all of the possible locations, how a sign is mounted, centered over the storefront, and the approximate size. He said there was no rule about the content. He said the sign plan was a “road map” and by the time Baskin Robbins occupies a space and wants to install their sign this has been determined.

Mr. Hardt said when State Bank was reviewed, it was called the Master Sign Plan but in his mind, it was not a Master Sign Plan. He said he is not sure what the solution is but agrees with Mr. Taylor about separating the process.

153.063(C)(5)(b)(2)

Ms. Kramb stated the proposed language did not read correctly and the word “provided” is awkward. Ms. Ray agreed to reword it.

Mr. Taylor said he thinks there should be language that states when Master Sign Plans are required. Ms. Ray said the intent is an applicant is only required in these shopping corridors within the neighborhood districts but that can be modified.

Mr. Taylor suggested something as simple as “any development of multiple buildings, whether they are principle or not, require a Master Sign Plan and any development with a single building requires a Building Sign Plan.” He said it would also apply to multiple tenants in a single building.

153.063(D)(3)(c)

Mr. Hardt said he had the same comment about Mid-Block Pedestrianways.

153.063(D)(2)

Mr. Taylor said the last sentence added seemed redundant and obvious. Ms. Ray said it was intended to be redundant and obvious to the developers, too.

153.063(E)(6)(e)

Ms. Kramb said she had the same comment about signs. Mr. Hardt asked what the intent was for this edit under paragraph 2. He asked if Planning was trying to clarify what Mr. Taylor was talking about or was there another objective. Ms. Ray said Planning wanted to clarify when it was required and that it is crystal clear that we expect Master Sign Plans in neighborhood districts.

153.064(E)(4)(d) – Open Space Types

Mr. Hardt referenced the **Fee-In-Lieu of Determination** section. He said he thought there would be developers that had a different definition of “That providing the required open space would hamper an efficient site layout”. Ms. Ray said one of the things Staff has looked at with projects is if a development provided the required amount of open space on their site it would no longer be an urban site. She said Staff is asking if there are other opportunities to count other open spaces but still get a fee-in-lieu of determination. Mr. Hardt agreed.

Mr. Hardt said he would rather see a small number of open spaces that are real gems than a thousand little spaces that are afterthoughts and in the corners of sites because developers had to do it.

Ms. Amorose Groomes said the Commission had that conversation with the State Bank project. She said they determined a park does not make any sense where it was proposed; it needed to be in conjunction with the adjacent property. She said the Commission tried to begin to cross the hurdle of what are the options of not making the applicant do this at this time. She recalled they suggested a "bank" they could put this "fee-in-lieu" in so the open space could be constructed when the adjacent development happened. She asked if any of those problems had been solved. Ms. Ray said there was an opportunity with that application to create a space that did not require the fee. She said the proposed amendment will allow for a more objective look at the request and make sure they are legitimately providing those gems and not just acreage.

Ms. Amorose Groomes said there wasn't really a "fee-in-lieu" and it was more of a "savings account". Mr. Hardt said in that case, the Commission was suggesting that they defer construction of it until the rest of the site develops. He said the problem from a developer's standpoint is when and they try to sell off that parcel of land next door and it has a restriction associated with it. He said a developer would rather put some bushes in and be done with it than have that restriction.

Ms. Ray said we still need to make a determination that it is a quality open space and there are still provisions and considerations for that within the Code.

Mr. Hardt referred back to Ms. Ray's comments that these are "and" provisions and he does not believe it is written that way. Ms. Ray said it should be. Ms. Kramb said they are all written as a negative except for (a) and suggested to make (a) parallel with the rest, you need to change the word "a greater" to "lesser". Ms. Ray admitted she contradicted herself as it begins with "at least one" is met and need to make it state "all have to be met". Mr. Hardt said then maybe (d) would be more palatable to him. He said it has to be Commission's opinion, not the applicant's. Ms. Ray agreed.

153.064(G)(4)(c) – Improvements

Mr. Taylor referenced the **Site Furnishings** Section. He said unless this is covered somewhere else in the Code, he would like to add "including but not limited to" add high quality before benches...". Ms. Ray said she could but asked if there was something in particular he was looking for as "high quality" is a term difficult to define.

Mr. Hardt asked if "standards" could be stated. Ms. Ray said the City has some models they use consistently and add to them all the time to get variety.

Mr. Hardt asked the language be changed to "City Approved". Mr. Hardt asked if the City had a catalogue of benches and bike racks that are used in City sponsored projects, even if it is a constantly evolving catalogue. Ms. Ray said the one push back she had with that was if an applicant proposed a unique building and wanted to propose furniture to coordinate. Ms. Amorose Groomes brought up Jeni's Ice Cream as an example with the orange furniture.

Mr. Zimmerman asked if there was a bike rack that had to take a certain bike lock. Ms. Ray said the bike rack had to have two points of contact.

Ms. Ray said she would investigate whether the City has quality standards regarding site furnishings.

Mr. Taylor said his concern was these are things the public will come in direct contact with on a daily basis and we have trash receptacles in downtown Dublin that are very high quality that the City provided. He said he wanted to make sure all the street furniture is addressed and asked if this was the right place in the Code to do this. Ms. Ray confirmed it could be stated in this section.

153.064(G)(4)(d)

Mr. Hardt referenced the **Public Art** Section. He said it seemed we are trying to now define art by the revision. Ms. Ray said, if they just said 'public art' then people might think a statue. She said Staff wanted to have people think it could be a mural, a mosaic in the pavement, light fixture, or landscaping, etc. She added Staff wanted to encourage a developer to think outside the box and that art could be two and three-dimensional.

153.064(G)(4)(h)

Mr. Hardt remarked on the **fencing height**. He asked if it was appropriate to modify this to say "if a developer wants a fence greater than 42 inches, it needs to be necessitated by some other regulation". He said applicants have told the Commission the State Regulations for daycare centers require a certain height. He clarified if there is some other regulation that is driving it, we should open that door.

Ms. Amorose Groomes suggested this is an item an applicant could request as a Waiver. Ms. Ray agreed and said part of this too is for open spaces (athletic field or park amenity) where there needed to be a different type of fencing.

153.065(B) – Site Development Standards, Parking and Loading

153.065(B)(1)(b)(1)(B) – Parking Location, On-Site Parking

Mr. Taylor referenced the comment in the margin. Ms. Ray explained that was a direct outgrowth of a discussion with State Bank, allowing parking within setbacks to facilitate coordinated site design and continuous parking areas.

Mr. Hardt requested a brief explanation of the strikeout on paragraph 7 above that. Ms. Ray said Staff relocated that section to the existing structures provisions of 153.062.

Ms. Ray referred back to the comment in the margin, and asked for the Commission's feedback.

Mr. Hardt answered it has to be reviewed when it is appropriate. He said the proposed building and parking lot would logically flow into the site next to it when it was developed. He said he had a concern that if the setback was left as proposed, the two parking lots could never be one continuous shared parking lot. He said the Commission was back to a mode of development where there is a building and a parking lot on one site and a building and a parking lot on another site, which continues with a suburban design and it not integrated.

Ms. Newell asked what happens when that future project does not develop or is proposed very differently. She said our goal is to ensure the parking lot looks nice and with the proposed amendment we removed landscaping that would have been there with that particular parking lot, as a buffer area, even though there was a good reason behind it. She said she is concerned with the result if this is carried from project to project to project.

Mr. Hardt said that is why this needs to be reviewed on a case-by-case basis. He said in that previous instance it was two lots. He said the parking on the other side of the lot should not go all the way to the property line. He said he is supportive of the change but it has to be reworded.

Ms. Salay said she is concerned and does not want to get into a situation where the Commission is approving projects that are half finished in anticipation of what is coming next.

Ms. Newell said she does not want to see a lot of parking with no landscaping associated with it.

Mr. Hardt said in the case of the State Bank site it was not about half finishing a proposal, but more about the position.

Mr. Taylor stated the way the Code is written, setbacks are not an arbitrary line up to which the parking can reach but are flexibility.

Mr. Hardt said Code said “may” extend across continuous lots when there is a coordinated site design.

153.065(B) – Site Development Standards, Parking and Loading

Table 153.065 – A: Required Vehicle Parking/Commercial/Exercise and Fitness

Mr. Taylor asked why this was different from Entertainment/Recreation, Indoor.

Ms. Ray said this is a catch-all category. She said the Exercise and Fitness provision applies elsewhere, to gyms and personal training but she would look into this change.

Table 153.065 – A: Required Vehicle Parking/Commercial/Shopping Center

Mr. Hardt asked what the difference is between a shopping center and retail.

Ms. Ray said it was included here to deal with existing shopping centers in the BSD such as the Kroger shopping center on Bridge Street, The Shoppes at River Ridge, Dublin Village Center, Trader Joe’s, where the standard calculation within Zoning Code does not apply in the BSD and calculating parking by each tenant is cumbersome. She said adding a shopping center parking requirement makes calculating the requirement easier to administer.

Mr. Hardt asked why Kroger would not be calculated under retail general. Ms. Ray explained there are different uses in the shopping center than retail and calculating parking becomes very difficult.

Mr. Hardt suggested adding a category “retail general” (including shopping centers) as the ratio is the same in both cases.

Ms. Ray said Planning is concerned when a tenant space for a dentist office or personal services is located in the center, which is not retail. She said the proposed amendment would apply to the entire shopping center. Ms. Ray said the categories could be explored again.

Ms. Newell asked if this was always going to apply to something that is established, and stated that if so, it should simply say that.

Mr. Hardt said the problem with ‘being included but not limited to’, no matter how long that list is, you are leaving something out.

153.065(B)(5) – Transportation Demand Management

Mr. Hardt asked how this could be administered. Ms. Ray said Staff wanted to anticipate.

Mr. Hardt asked if anyone had tried to utilize this as a tool. Ms. Ray said it had not happened, yet. She said once there is more transit service in the district, it could in the future, but not as of yet. Mr. Hardt asked what kind of feedback was needed here. Ms. Ray said it was noted to make sure Staff reviewed it and it could be a future Code Amendment.

153.065(B)(3)(a)

Mr. Hardt said he does not agree with the modification “that allows use of bicycle shared spaces be counted toward required bicycle parking.” He said COGO, exists in downtown Columbus and those racks are electronic digitized racks that people check their bikes in and out of and they are of no use to anyone else as a bike rack. He does not believe these are overlapping functions.

Ms. Ray thought if you are living in or visiting BSD and you wanted to use that to get from one place to another, and they have multiple throughout the district, then you could use that as a transportation option.

Ms. Amorose Groomes suggested "available for public use".

Mr. Hardt said the bike sharing is for public use. He said in the Arena District and elsewhere, the bicycle sharing racks and system are for public use and people do use them but it does not preclude someone from owning their own bike. He said people that have their own bicycle for exercise or roundtrips will still use the COGO bikes to go one-way to lunch. He said other than the two wheels, he does not think they have anything in common.

153.065(B)(3)(d)(6)

Mr. Taylor noted the comment that stated "Evaluate whether special provisions for the Historic District are appropriate, here site conditions may not always allow for additional bicycle parking facilities (but City bike racks may be located close by)." He suggested that be discussed with ARB.

153.065(B)(6)(d)(1)

Ms. Kramb suggested flipping the sentences to make it clearer.

153.065(B)(6)(d)(2)

Ms. Kramb suggested rewording the paragraph to make it clearer.

153.065(B)(7)(b)(3)

Mr. Taylor asked where the waste storage went. Ms. Ray said Staff did not require something else, just wanted to see how they would be providing it on the plans. She said Staff did not want the applicant to designate one of the spaces but said she would double check. Mr. Taylor said the Code still requires waste storage and pick-up areas.

Mr. Hardt said the paragraph used to say there had to be a separate truck loading zone and separate waste pick-up and forbade them from being one and the same.

153.065(B)(7)(d)(3)

Mr. Hardt referenced the **truck loading and unloading** design, stating the requirement states spaces cannot interfere with traffic on public streets or off-street parking when vehicles are parked in loading/unloading spaces. He said he thought about urban spaces, and asked if it truly is a problem if a truck is in a parking lot at 6:00 am unloading in a location that would otherwise block parking spaces. He said it probably depends a lot on the use. He said he thought of examples where separate designated loading zones arguably are unnecessary. He stated who would care if a business gets its deliveries in the middle of the night and the truck sits in their parking lot.

Ms. Amorose Groomes asked if that would be an enforcement type of issue. Mr. Hardt said the way the language is written, it becomes a site layout issue, whether they operationally use the space or not, they are required to build it, having a significant impact on site arrangements.

Mr. Taylor said trucks in spaces unloading and blocking traffic is a reality of urban life, to which everyone agreed.

Mr. Hardt said he was not arguing in favor of public streets. Mr. Taylor agreed we cannot provide a single space for every possible activity that does not interfere with traffic. Ms. Ray agreed and stated the Code has hourly restrictions relating to blocking the public right-of-way. Mr. Hardt said it makes sense to provide some flexibility.

153.065(C) – Stormwater Management

Ms. Amorose Groomes asked if this was solving stormwater problems and if this could apply to other infill developments like a smaller housing development where there are 20 lots or less. Ms. Ray said City Council approved the overall amendments to the Stormwater Code, including an updated *Best Practices Manual* that applies citywide, including the BSD.

Mr. Hardt asked if that manual contained a statement similar to this. Ms. Ray said the language is pulled directly from the manual.

Mr. Hardt asked if it would be cleaner to refer to that manual. Ms. Ray said not everybody will necessarily look at both.

153.065(D) – Landscaping and Tree Preservation

153.065(D)(3)(c)

Ms. Amorose Groomes said the Commission has talked about tree wells of planting zones. She said this came up during the State Bank case. She said she was in Nashville, TN, and in downtown Nashville there is the old portion and the new residential district called "the Gulch". She said they are trying to save the trees. She understands structural soil is expensive, and in some places it may not be necessary. She said you cannot ever go back and add that in; you cannot dig up a large established tree and replant it in structural soil. She said if the Commission really believes in themselves and really hopes this district is truly going to become urban, people are going to start using little corners of places for new things never intended to have asphalt over top of it but now it does. She said the mature trees will be sacrificed. She said when new development happens, as it will in this district, those trees are going to be lost. She said she disagrees with not requiring structural soil in all of the areas. She said the only shot for beautiful trees to mature is when it is planted; and the trees will make this place special. She indicated she wants her grandchildren to walk down this area under a beautiful tree canopy.

153.065(D)(2)(e)

Mr. Taylor asked if that included street trees. Ms. Amorose Groomes asked for clarification. Mr. Taylor said 10 percent represents a low number, which will result in a lopsided canopy if there is not consistency, block by block.

Ms. Newell said she lives on a street with nothing but ash trees. She said they had a beautiful canopy of very mature ash trees before it was destroyed by the ash borer in one season. She said the neighborhood is left with stick replacement trees, all up and down the street now. She said the City of Dublin has struggled with watering. She said some replacement trees are doing better than others based on the resident's willingness to water.

Ms. Amorose Groomes said you cannot have a beautiful street canopy with different varieties of trees.

Ms. Newell suggested alternating the trees.

Ms. Salay said the City Forester has said the same thing; we do not ever want to pick a single species of tree and have an entire street lined with it. She suggested three in a row or five in a row of the same type. She said there is a rhythm to it, a plan, and asked Staff to consult with the City Forester.

Mr. Taylor concluded that was his concern with limiting this to 10, 20, or 30 percent as it encourages hodgepodge.

Mr. Zimmerman asked about the issue of the cost of structured soil. He asked what the cost is to replace that tree when it dies. Ms. Amorose Groomes told about the mature ash that used to guard the bunker at Muirfield Golf Course. She said it was determined that the tree was worth \$43,000; there are equations that factor these things.

Mr. Taylor said he did not think money was the biggest issue because you cannot replace a mature tree.

Mr. Zimmerman said when a tree dies in five years, you dig it up, put in a new one; by the time you add the labor and the cost of the tree, it would have been cheaper to put the structured soil in the hole.

Ms. Newell admitted when structural soil was discussed before, she knew nothing about it and deferred to Ms. Amorose Groomes who made a very compelling case. She said when she asked Staff why they were supporting soil, she said her 'takeaway' was that initially the soil is better for the health of the tree but long term, the answer was, structured soil was better.

Ms. Amorose Groomes said Staff remarked that if it is not under a paved area, structural soil is not necessary. She argues the paved areas can change over time and we do not know what those changes are going to be. She said she did not want to *not* have the soil in the appropriate locations because it was one step too many for developers and then we start losing tree canopies.

Mr. Taylor said he agreed. He explained it is not the structural soil under the tree; it is the structural soil under the pavement around the tree, which is key. He said getting water in/out is significant and read about a number of different systems for tying the whole thing together that have stormwater harvesting in the sidewalk to allow water to drain down there, which allows a smaller hole in the sidewalk and at the bottom starts drainage pipes to carry water away.

Ms. Amorose Groomes explained structural soil is a two-part component: 1) soil; and 2) microbial component beneficial to building nitrogen and things to make available nutrients to the tree. She said you may have a lot of nutrients in clay but because it is bound very tightly, it is not available to the tree. She said structural soil has a microbial content that will pull those elements out of the tightly bound soil and make it available for the tree.

153.065(D)(4)

Mr. Taylor asked why all the language was struck from the Code. Ms. Ray answered this is where BSD meets the adjacent properties and because there would be so few instances of this, would prefer to deal with this on a case-by-case basis.

Mr. Taylor thought there were too many words in (b). He asked to keep it the way it was.

153.065(D)(5)(a)(6)

Ms. Kramb said she did not understand what the writer was trying to say; the wording was awkward.

Ms. Ray said this was based on the State Bank discussion where Banker Drive curves; based on the way the road curves and the way the parking lot lays out, it falls within two different categories. She said they applied the one that the majority of the parking lot falls into.

Ms. Kramb said it gets long and run-on and suggested striking "rather than multiple types of street frontage screening", that is implied by saying that.

153.065(D)(6)(c)

Ms. Kramb said the Commission had a lot of discussion about the extension of the public sidewalk. She asked if the "streetscape with the walkways" was where we have a requirement that the sidewalk had to be four or five feet.

Ms. Ray said this was more about clarifying the design intent and a consistent sidewalk material transition. Ms. Ray confirmed this is not where we are trying to make a wider sidewalk than the four feet required.

Mr. Hardt said the portion of the developer's property has to be consistent with the portion that is in the public realm, what appears to be one long sidewalk. Ms. Ray agreed and said it could transition but it should be a logical transition and not abrupt. She said the right-of-way line should be defined.

Mr. Taylor suggested "compatible" instead of "seamless".

153.065(D)(9)(b)(3)

Ms. Krumb said when the part was added about trees in the public street, she asked if that applied to private streets built to public standards or purely the City's public streets. Ms. Ray confirmed it is just the public streets.

153.065(E) – Fencing, Walls and Screening

153.065(E)(1)(c)

Mr. Hardt said he reads it as a fence or wall could be located almost anywhere you want, except street frontage. Ms. Ray said yes, and part of that goes to the parking lots. She said in an urban district, there are not arbitrary setbacks and development will be located up to the property line. She said the language clarifies this.

Ms. Ray said a series of townhomes could be proposed with fencing between them and the Code does not currently specify where a fence can go and it would have to meet the setback. She said in that environment it makes sense to have a fence on the side property line.

Mr. Hardt agreed but he would feel a lot better if this could be reviewed on a case-by-case basis. Ms. Amorose Groomes said she did not think any fence in the district should be given, it all should be earned.

153.065(E)(2)(b)(4)

Mr. Taylor commented on street wall height. He said street walls are often used for impromptu seating and 30 inches is too tall. He said 22 inches would be more appropriate for a minimum height for walls intended for seating. Ms. Ray agreed to the 22 inches.

153.065(F) – Exterior Lighting

153.065(F)(3)

Mr. Taylor asked what the requirements of 153.065(F) were that were exempted in the street lighting provisions. Ms. Ray said Engineering had standards for public street lighting and not regulated by the Commission.

Mr. Taylor said he was concerned as this is an important component of total streetscape. Ms. Ray said height, lumens, and wattage are strictly regulated by Engineering. She said this is being reviewed as part of the streetscape design process that is currently underway.

Mr. Hardt said in public realm, in the right-of-way, the streetscape is determined by the City and we will have a City selected fixture. He asked if a developer will be required to install the same fixture for private streets that have the look and feel of public streets. Ms. Ray said Staff is starting to address these questions but assumed if it were not the same, it would need to be compatible.

153.065(F)(10)

Mr. Hardt said he did not object to the changes that have been made but suggested the language be massaged more in response to past conversations by the Commission. He suggested stating "lumens" instead of "watts" would be more appropriate to measure brightness. Ms. Ray agreed. He asked the language be changed to refer to the total lumen output of the fixture and not of individual lengths.

Ms. Ray said the original intent was to revise the Code to do that but a consultant recommended it does not make sense to modernize this tiny portion of the Code, but should apply citywide. She said it could be made more flexible for the time being.

Mr. Hardt said that approach made sense. He said maybe the appropriate thing to say would be "wall lighting in the district shall be in conformance with that other document". Ms. Ray said the problem is that document needs to be updated but would consider an interim solution to address the brightness.

Mr. Hardt said even the existing lighting provisions in the Zoning Code are no worse than this and he does not see the harm in referring back to that even if it is not yet updated.

153.065(H) – Signs

Mr. Taylor said all of his comments were on the Master Sign Plan section and believes they need to start over with that, start defining what a Master Sign Plan is and when it is to be used.

Mr. Hardt had a question about the memo, which stated a consultant has been engaged and assumed that advice was not included in this Code Amendment request so far. Ms. Ray said the completed review has not been received from the consultant.

Ms. Amorose Groomes said the Commission will like to hear the advice from the consultant.

153.065(H)(4)(d)(2)

Ms. Krumb asked about the registered corporate trademark and the new one that was added (3). She asked if there was a 20 percent restriction on the size of the secondary image. Ms. Ray said that was the intent.

Ms. Krumb said she did not see a size restriction. She said it sounds like they are the same thing, both allow five colors, whether it is a registered trademark or a secondary image, and the logo is limited to the 20 percent that the secondary image there is no percentage. She said if they are treated the same way, number 3 does not need to be added.

Ms. Ray said she would double check.

Ms. Krumb said she would hope there is a percentage restriction on the secondary image. Ms. Ray said (d)3 is dealing with colors whereas (d)2 is dealing with both colors and area. Ms. Ray said she would review how all three of those work together.

Mr. Taylor said the two paragraphs could be simplified. He said a baseline needs to be established.

153.065(H)(4)(e)(2)

Ms. Kramb said she thought a new word should be found for “incidental” in the second line. She said it is arguable that the frame itself would be incidental to the sign. She said the frame could be a pretty, integral, important part.

Ms. Ray said the consultant was asked to review the quality and design standards since they have expertise on how to build signs well.

Mr. Taylor asked if the consultant would essentially be rewriting that paragraph.

153.065(H)(4)(e)(1)

Ms. Salay said highest quality of materials and fabrication is in the eye of the beholder and asked how that can be defined. She suggested the Commission be more discerning when it comes to signs. She said if the Commission allows everybody to have what they want, within reason, she said we could end up with a really jarring environment. She said there is the visual interest, and we want the streetscape to be lively and engaging in the pedestrian realm but then this could be really tacky and to the point of eye clutter where it cannot be appreciated. She recommended applying our Dublin standards when it comes to signs. She appreciates folks wanting their own logo and company colors but believes there is a way to “Dublinize” this and hopes that is the focus. She believes this can make or break a streetscape.

Mr. Hardt agreed wholeheartedly and said there is a very fine line between dynamic, exciting, creative and interesting. He said we have seen good and bad examples. He said the challenge is how ‘highest quality’ is regulated with words. He said the way successful communities accomplish that is with Graphics Commissions. He said this is achieved by taking signs out of this setting (PZA) and put somewhere else (Graphic Commission) to have people who are versed in the visual arts and construction of signs to judge the signs on their merits on a case-by-case basis.

Ms. Salay asked if this is a public body like the Planning Commission. Mr. Hardt said it would not be an additional hurdle but a different one.

Ms. Newell said she views that as an additional hurdle and has mixed feelings on that. Mr. Hardt said it could be done in parallel.

Ms. Newell said for every sign that comes in front of the Commission they have to make an aesthetic decision about it and there is nothing in the Code that is really giving them an opportunity to say an applicant cannot have a particular sign. She said she does not see great signs proposed. She said as much flexibility as Code gives, she is not seeing any new signs that make us say “wow”. She said she has seen several signs come in that Staff could not say no to that she thinks are awful. She said the reverse to this is existing Code used to be written very strict, but it put everyone on an equal playing field.

Mr. Taylor said talking about BSD it is a separate different entity than the rest of Dublin.

Ms. Newell said she did not think we are all going to get what we each envision in our heads. She said if we got all the signs in at one time and you got to play with them, and had the creativity, you would probably get that exact mix of what we are looking for and all that energy. She said the problem is the signs are going to come in in pieces or one at a time and it is going to be hard to make a decision.

Mr. Taylor said that is why we are asking for a Master Sign Plan so we see an initial document that covers everything.

Mr. Hardt said Hilton Head Island has a Design Review Board to review signs.

Ms. Salay said she was trying to put herself in a merchant's shoes or a developer's shoes and going before a Graphics Commission, who really knew what I was trying to do, and could give me constructive feedback, that might not be a bad thing. She said if I am not talented that way or I do not know where to find a good sign person with artistic flair, when I need to identify my business, people to be able to find me, etc., and I want to stand out but not in a gaudy way, be part of this community I know there are expectations of what can I do. She said that might be a real opportunity to have some collaboration.

Ms. Ray said Staff has tried to meet halfway until we have different standards or have different language, by engaging graphic design consultants to try and talk through that but there is always that hesitation of actually designing the sign for the applicant.

Ms. Amorose Groomes asked if there was a Graphics Commission at Easton. Mr. Hardt said it is not a Graphics Commission because it is not a public body; you have a developer who has an iron fist. He said it is the same with the Arena District where there are some really creative fun signs. He said there is a dentist that has a giant toothbrush over their storefront but Nationwide Realty is a singular body that has control over all that.

Ms. Amorose Groomes said the Rusty Bucket sign at Easton is one of her favorite signs that she has ever seen. She said there is no way that would get through here. She said the Commission needs to be more "cool" just in the BSD. She said it does not have any plastic in it; it does not check many of those boxes. She said the Commission thinks they are setting the bar high and actually it is too low.

Mr. Hardt said he has worked with plenty of developers and understands the concern about making things more complicated and adding extra steps but honestly thinks most developers when they go through the process to get a project approved, first and foremost, they are concerned with getting the site plan established and the building approved so they can start construction. He said graphics and signs are not shown to the Commission because they do not want to get the project tripped up over a sign color at this stage of the game. He said we have seen people come in here and say they will bring that back to the Commission, later. He said you have 6, 12, or 18 months while the project is under construction to work on sign details. He does not think asking someone to park that issue and not even talk about it at this stage of the game would be a bad thing in the eyes of the developer. He said they would probably see it as an opportunity to focus on the critical issues so they can get underway.

Ms. Amorose Groomes interjected that the developer may be still lining up tenants.

Jenny Rauch said that brings up another point we have discussed regarding several existing shopping centers as an example of how a developer did not plan well with the architecture for where their signs were to be located and paid the price.

Gary Gunderman said we have people that come in with projects that they have not thought about the sign yet, or maybe they have and are afraid it is going to be a problem, but most of them have not really thought it through, they do not want to hold up the project, so they are willing to push it off and come back and let you have a second bite at it. He said there are other businesses where you have one business driving the project and if they cannot have a certain type of visibility, they do not want to be here.

Mr. Hardt said that is what the Master Sign Plan is for and that happens here.

Mr. Gunderman said he likes that part of what we have going, the Master Sign Plan, the idea tonight of a Building Sign Plan because that is what they really are in a lot of cases we deal with. He said applicants are pretty forceful in some cases when they have a certain image they want, a message they want to convey.

Mr. Hardt said some applicants have said, "if we cannot have our sign, we are not going there" but there are enough mechanisms to allow that to happen and nothing stopping someone from going through a Graphics Commission in parallel.

Ms. Amorose Groomes suggested like an informal.

Mr. Taylor disagreed. He said the main thing he wanted to see accomplished with a Master Sign Plan is that developers, architects, and builders, think about signs when they are designing the building. He agreed with what Ms. Rauch stated. He said he wants the building to be designed with integrated signs and the carrot he would hold out would be if a development does a good job of integrating the sign, which is three-dimensional graphic as opposed to just letters, etc., then the Commission would open the door wider but it has got to be great signage. He said he went back to the Crocker Park development, which is superb in terms of the detail and it had some outrageous signs but the buildings look fantastic. He said he would not want to say to somebody, do not worry about the signs until the building is well underway because then we do not know that it is going to be well integrated under the architecture. He said at the same time, he did want us to say, give us every detail of your sign before we will approve the whole project. He said a Master Sign Plan would give the Commission a nice outline and grid to apply the final details to.

Mr. Hardt said these kinds of details, whether plastic is acceptable and what gauge the metal has to be, and all that and whether a sign is creative in a good way or creative trash, can be made in a different setting by people with a different set of skills.

The Chair recommended the Commission look into that.

153.065-G – Sign Types Permitted in BSD Zoning Districts Table

Ms. Krumb noted the addition of the intent for **identification plaques** and thought she understood but there is no other mention of the identification plaques anywhere. She assumed one of the things you have on the intent section is to denote significant historical or other building characteristics. She asked if that would not be the National Register Plaque on the building in the Historic District but they are not permitted.

Ms. Ray said the issue is identification plaques need to be addressed in a completely different manner. She said they would not count as a window sign or a building mounted sign, or one of the other ones in the table, it would be something else unto itself.

Ms. Krumb confirmed it needs added to the Table today and Ms. Ray said standards are needed for it.

Mr. Taylor asked if a size limitation of the identification plaque was needed for on the building.

Ms. Krumb said she had another comment as they talk about ground signs and how many are permitted and the word "street frontage" is used. She asked if that was whether it was a public street or a private street, an alley, or any roadway. Ms. Ray said it is a public street; alleys do not count.

Ms. Amorose Groomes said a lot of our streets may not be public. Ms. Ray said that is why we would have Master Sign Plans to deal with those unique circumstances. She said as a standard Code provision, Staff would just look at the public right-of-way.

Ms. Krumb said she does not know if it is going to be a "unique situation in BSD" because it sounds like the majority of the streets are going to be private streets. She said there are going to be buildings on a block where every street around it is private.

Ms. Ray said she did not necessarily know that would be the case everywhere. She said there are a few instances Staff is running into but the intent, especially for ground signs, street frontage is for public streets and if it is not, then it would be a Master Sign Plan.

153.065(H)(6)(c)(4)

Ms. Newell asked why this was added. Ms. Ray said it is one of those signs a lot of businesses put up, a little decal with their address and business name on it. She said adding into the Code puts parameters over what is allowed and keeps it consistent.

Ms. Newell said one square foot does not strike her as being really big but then there was no color limitation, the Code just limits the graphic to one color. She was concerned about what that color might be. Ms. Amorose Groomes suggested "neutral" be inserted there.

153.065(H)(7)(a)(2)(table)

Mr. Taylor suggested rewording the **General Section** for clarity.

153.065(H)(7)(b)(2)(B)(table)

Mr. Taylor said he had the same issue under **Awning Signs**, Size. He suggested rewording for clarity.

153.065(H)(7)(c)(1)

Mr. Taylor said zoning areas of the BSD that overlap with the Architectural Review Board boundaries are mentioned.

Ms. Ray said Staff wanted to clarify that since the rest of the Code deals with zoning district.

153.065-K – Requirements for Other Permitted Signs Table

Mr. Zimmerman noted under the **Sandwich Board Signs**, number permitted is 1 per ground floor storefront tenant. He asked for clarification that sandwich signs are not permitted if the business was on the second floor. Ms. Ray confirmed that was true.

153.065 – Review and Approval Procedures and Criteria

Mr. Taylor said everywhere the Commission has a decision, City Council has Administrative Appeal. He said when he looks further in the Code, the definition of Administrative Appeal goes directly to the Board of Zoning Appeals.

Ms. Ray clarified it goes to the BZA first and then can go to Council from there.

Mr. Taylor then asked why Table (A) is under Council and should it not be under BZA. Ms. Ray said she agreed and would review.

Mr. Hardt suggested a footnote be written to better explain the table on the appeals process.

The Chair asked if anyone from the public would like to comment with respect to this case. [Hearing none.] She summarized the Commission has had their discussion and no vote is required.



City of Dublin

Land Use and Long
Range Planning

5800 Silver Rings Road
Dublin, Ohio 43026-1236

phone 614.410.4600

fax 614.410.4747

www.dublinohiousa.gov

PLANNING AND ZONING COMMISSION

RECORD OF ACTION

JULY 10, 2014

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

WORK SESSION

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

Zoning Code Amendment

Proposal: Potential amendments to the Bridge Street District Zoning Code focusing on Code Sections 153.057 through 153.062.

Request: Informal review and discussion prior to a future recommendation to City Council regarding proposed Zoning Code amendments under the provisions of Zoning Code Sections 153.232 and 153.234.

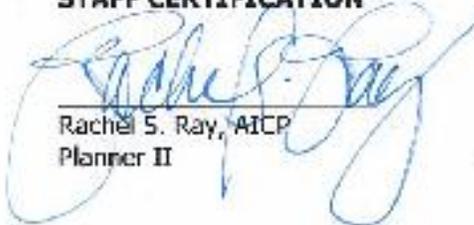
Applicant: Marsha I. Grigsby, City Manager, City of Dublin.

Planning Contact: Rachel S. Ray, AICP, Planner II.

Contact Information: (614) 410-4600, rray@dublin.oh.us

RESULT: The Commission worked through proposed amendments to the Bridge Street District Zoning Code focusing on Code Sections 153.057 through 153.062.

STAFF CERTIFICATION



Rachel S. Ray, AICP
Planner II

PLANNING AND ZONING COMMISSION

MEETING MINUTES

JULY 10, 2014

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

Zoning Code Amendment

Chris Amorose Groomes said the following is an informal review and discussion prior to a future recommendation to City Council regarding proposed Zoning Code Amendments to the Bridge Street District Zoning Code focusing on Code Sections 153.057 through 153.062.

Ms. Ray said she did not prepare a presentation, but would be happy to provide the Commission with an overview if they would like. She said she had provided a memo explaining the primary discussion items, which she hoped was helpful for the Commission's review.

Ms. Amorose Groomes stated that she did not believe a presentation was necessary. She began the review on page 1 at Section 153.057-058. She confirmed no changes on page 1 were necessary.

Johyn Hardt said all the strikeouts on page 2 extending onto page 3 for the Principles of Walkable Urbanism should be un-struck and remain in 153.057, General Purpose, based on the Commission's earlier discussion.

Amy Kramb referred to page 3, Code Section 153.058(B)(1), the intent statement for the BSD Residential District. She asked the Commissioners about the intent statement, and whether they agreed that it should refer to more mixes of uses. She noted that the Commission had discussed the topic of purely residential projects at great length recently, which as currently written in this Code Section, would allow such projects.

Richard Taylor said the mixing of uses would not *required* by the Principles of Walkability; however, there are a lot of other elements that could allow a greater mix of uses to be required when appropriate.

Victoria Newell stated that the Commission could not enforce a requirement for a mix of uses.

Ms. Amorose Groomes suggested changing the language to "residential with small scale commercial uses when appropriate."

Mr. Taylor said he thought the statement "uses are generally limited to residential and small-scale residential support uses" covered the desired intent.

Ms. Kramb said the commercial uses that are permitted in the BSC Residential District are conditional uses.

Mr. Hardt said he recalled the Commission's discussion that the uses should be conditional, because they needed to be sited carefully in this district in particular.

Mr. Taylor said it was not his intent to state that there *couldn't* be a purely residential neighborhood project. He said it is a matter of the distribution and the scale of the project, where larger projects should include a mix of uses. He said requiring a mix of uses should not be in the Code, especially if the

project is next door to a commercial street that has a lot of different types of uses. He thought the existing language gives them enough room to encourage a mix of uses when appropriate, but not require it.

Jennifer Readler said it is very difficult in a straight zoning district to dictate the mix of uses, because if a use is permitted, then they can make the whole project one permitted use, but that doesn't end the review because there are different levels of review and other elements of the application. She said those other elements could lead to getting more of what the Commission is looking for, or lead to disapproval versus just the pure use issue.

Ms. Newell asked if they are encouraging an applicant to put in mixed uses when they prefer only developing residential, and is the Commission supported in requiring mixed uses in the way the Code is written.

Ms. Readler said the Commission can ask for whatever combination of permitted uses that would fit more with the Community Plan and the other studies and reports for the Bridge Street District and address the different site concerns.

Ms. Newell referred to the Use Table and asked why "Sexually-Oriented Business Establishment" is a use listed in this Code.

Ms. Readler said they need to provide certain venues or locations within the City where these uses would be permitted, and upon analysis of the community and the commercial districts, the BSC Commercial and Community Commercial Districts are the only areas that allow this type of use.

Mr. Langworthy said the Community Commercial zoning districts were converted to the BSD Commercial District within the Bridge Street District, and this was really the only area in the city where these uses were permitted under any circumstances.

Ms. Newell confirmed with Ms. Readler that they cannot legally ban the use from the city.

Mr. Taylor said in several places the "Applicant Guide" is mentioned, and asked if it existed yet, or if it was appropriate to refer to this "guide" if it didn't exist.

Ms. Ray said Planning is continuing to work on creating the Applicant Guide. She said it is in progress.

Mr. Hardt asked for clarification on the proposed modification to the abandonment language proposed in subparagraph (b)1 on page 3 of 17 in the "Uses" section, referring to multi-tenant buildings.

Ms. Krumb said she understood (b)1 just to be re-worded.

Ms. Amorose Groomes said it was to make it clear that just because one tenant left one of the Existing Structures on a site, the "Existing Use" status is not eliminated for the entire site.

Mr. Langworthy said the intent was that the whole building had to change over before they can enforce the abandonment regulation, which was Council's intent in the beginning where you could not take one tenant space and apply the regulation.

Ms. Ray referred to the two provisions under subsection (b) and said one has to do with one existing structure that happens to be a multi-tenant building, which then references what Mr. Langworthy mentioned, while the second provision has to do with parcels with *multiple* existing structures on it, and what happens when one of them switches over to a Bridge Street-permitted use, but one of them still has the Existing Uses in it. She said if there are multiple Existing Structures it is only after they all have been

abandoned is the Existing Use status eliminated. She said there may be some confusion between Existing Structures and Existing Uses, once all the uses are gone from all of the buildings (Existing Structures) they would no longer have access to those uses.

Ms. Amorose Groomes agreed with the regulation as written.

Mr. Hardt said he would like to know how many potential sites are affected by this provision.

Mr. Hardt referred to page 7 of 17 in the "Uses" section related to drive in/drive throughs and asked why are they only allowed as a conditional use for banks.

Ms. Ray said in the use specific standards it currently allows drive throughs only for banks. She said the stacking for banks is much lower than expected for other types of drive-through uses. She said in an urban environment, this type of vehicular use is not one that should otherwise be encouraged.

Mr. Langworthy said they didn't want the character of this district to take on a vehicular orientation.

Nelson Yoder, Crawford Hoying Development Partners, asked if he could speak to this provision. He said he does not want lots of drive-throughs either, but thought if there could be a limitation on how many drive-throughs that could be granted through the conditional use review in a certain area, that could provide the opportunity for a solution that everyone is comfortable with.

Mr. Langworthy said that was a provision on which we would have to agree to disagree. He said this was not a use that Planning would recommend expanding.

Mr. Hardt said he just wanted to make sure they were not taking something away that others already have.

Mr. Taylor agrees with the reason of stacking being the issue.

Mr. Hardt confirmed that drive-throughs for banks are allowed through a conditional use while drive-throughs for restaurants are not permissible at all, not even as a conditional use.

Mr. Yoder confirmed that they would not be able to come before the Commission and ask for a Waiver or a conditional use for a drive-through for a coffee shop.

Mr. Langworthy said they discussed potential locational requirements that would keep drive-throughs from being visible from the principal frontage streets, shopping corridors, and main thoroughfares.

Ms. Ray agreed and stated that the only way other types of drive-throughs could be considered is through a future Code amendment. She said this could be processed as part of an application, once an applicant brought a project forward.

Mr. Taylor said he is okay with the Code as written.

Mr. Hardt referred to the use specific standards for parking structures in paragraph (f), which should be (g), and said that as written, it is different than what was there before. He said that when the Commission had discussed this previously, the intent was that a parking structure would need to have occupied space as part of the structure. He said the replacement language says a parking structure can be a free standing structure as long as it has other buildings in front of it. He said he wasn't sure whether this was the same thing.

Ms. Kramb said the same section references parking structures visible from “public street rights-of-way,” and this should be changed, since there are some areas where streets will be built to public standards, but will be private drives.

Ms. Ray said they will clarify that and define “completely screened”.

Ms. Kramb said page 11 of 17 under “Exercise and Fitness,” the Historic Transition Neighborhood District is specifically called out as size-limited, but on the Use Table, it is not listed as size-limited.

Ms. Ray said that is an error and it will be corrected.

Mr. Taylor referred to the Drive-In/Drive-Through provisions on page 14 of 17, and suggested that protective bollards should be painted to match the drive-through structure.

Ms. Amorose Groomes confirmed there were no other comments on Code Section 153.059, Uses. She proceeded to Code Section 153.060, Lots and Blocks.

Ms. Ray said she would go through the proposed Code text and fix the references to the Principles of Walkable Urbanism, since they will not be relocated. She said however they would still like to create a new section for Walkability Standards, including relocating certain other Code provisions to this section such as mid-block pedestrianways. She said she wanted to make sure the Commission was clear on the intent.

Mr. Hardt clarified that his intent is that all these Code Sections taken together should establish the street sections and street designs, which are and should be predetermined by the City Engineer and are non-negotiable.

Ms. Ray confirmed that was the intent for many of the provisions related to the public realm.

Mr. Taylor asked for clarification on subsection (d) on page 4 of 5 of the “Lots and Blocks” section, regarding the ends of mid-block pedestrianways terminating at the public right-of-way or an open space.

Ms. Ray agreed that the wording was not clear. She said the intent was to avoid the mid-block pedestrianways from dying into a parking lot in the middle of a block. She said each “end point” should terminate at the public right-of-way or at an open space.

Ms. Amorose Groomes confirmed there were no other comments on Code Sections 153.060, Lots and Blocks, or 153.061, Street Types. She proceeded to Code Section 153.062, Building Types.

Ms. Kramb stated that “Parking for Existing Structures” provision at the top of page 2 of 19 was confusing and a run-on sentence.

Ms. Ray agreed to simplify the paragraph.

Todd Zimmerman referred to subparagraph (d), Dormer Design, on page 8 of 19 and said when developers put windows into areas like dormers into unfinished space, he did not want to have beams showing through the windows. He suggested a requirement that the inside of the windows are finished.

Mr. Hardt suggested that where windows are installed, visibility into permanently unfinished spaces should be prohibited.

Mr. Hardt referred to “Materials” on page 9 of 19 and confirmed the Commission agreed to remove the word “natural” from materials. He pointed out that glass is listed and allowed as a primary building

material. He said in some cases it is stipulated that the calculation of a façade shall exclude the windows, which seems confusing.

Ms. Ray said they will come up with a strategy to address the confusion.

Mr. Taylor said he would include windows in the calculation as opposed to exclude them because by definition the window is going to be a high quality building unit.

Ms. Kramb referred to subsection (4), Color, on page 11 of 19 and suggested removing the word "historic" from the color palette because colors that are not considered historic colors can still be very appropriate colors.

Ms. Ray said the intent of the word "historic" when the Code was first drafted was to make sure the colors of significant portions of the buildings were more muted. She agreed that there could be a historic shade of bright red. She stated however that if they strike "historic" then the whole purpose of that section is lost.

Mr. Zimmerman asked that direct vent fireplaces should be finished to match the exterior color of the direct side wall.

Ms. Amorose Groomes continued through asking for comments on the remaining portions of the Code. She asked if there were anyone from the general public that would like to provide additional comments on the Code. [There were none.]

Ms. Amorose Groomes asked when the rest of the Code would return to the Commission for review.

Ms. Ray stated that they may be ready by August. She said the remaining sections include the building type tables, the remaining neighborhood district standards, open space types, the site development standards (which include parking, landscaping, and signs), and the review and approval standards.

Ms. Amorose Groomes said the remaining portions will require a dedicate meeting because it is difficult to review cases and Code together.

Communications

Ms. Husak gave an update on applications that have been filed.

Ms. Readler said she distributed a memo related to neon signs enforceability and code compliance letters will be sent out on Monday.

Roundtable

Ms. Amorose Groomes asked if there were any roundtable discussion. [There were none.]

Ms. Amorose Groomes adjourned the meeting at 10:37 p.m.

As approved by Planning and Zoning Commission on August 7, 2014.



City of Dublin

Land Use and Long
Range Planning

5800 Shier Rings Road
Dublin, Ohio 43016-1236

phone 614.410.4600

fax 614.410.4747

www.dublinohiousa.gov

PLANNING AND ZONING COMMISSION

RECORD OF DISCUSSION

DECEMBER 12, 2013

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

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

Administrative Request

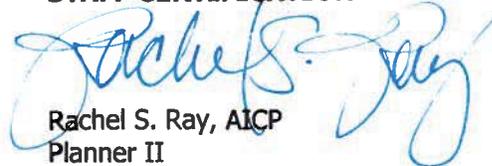
Proposal:	Amending the Dublin Code of Ordinances (Zoning Code) including regulations applicable to the Bridge Street District zoning districts.
Request:	Review and recommendation regarding amendments to the Zoning Code under the provisions of the Zoning Code.
Applicant:	Marsha Grigsby, City Manager, 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 Code Sections 153.059 (Uses) through 153.065 (Site Development Standards). The Commission discussed general approaches to achieving a balanced mix of uses and appropriate development scale for projects throughout the Bridge Street District. The Commission members provided feedback on Code regulations including those applicable to parking structures, building type requirements, and street types.

COMMISSIONERS PRESENT:

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

STAFF CERTIFICATION



Rachel S. Ray, AICP
Planner II

PLANNING AND ZONING COMMISSION

MEETING MINUTES

DECEMBER 12, 2013

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

Administrative Request

Rachel Ray said that the Planning and Zoning Commission had received all remaining Bridge Street District Zoning Code Sections at the December 5th Commission meeting, including everything from Code Section 153.059, Uses, all the way through Code Section 153.065, Site Development Standards. She in the version of the Code that the Commission received, there are highlighted sections that Planning knows will need to be addressed, in addition to areas that are planned to be addressed as part of the Applicants' Guide. She said Planning intended to bring forward portions of the Applicants' Guide at the same time they advance the proposed Code amendments. She said Planning would like to hear the Commission's thoughts on each of the Code Sections and areas that need to be addressed in addition to the highlighted portions.

Ms. Amorose Groomes suggested reviewing the Code Sections page by page. She announced page 1, Section 153.059, Uses, and asked the Commission members if there were any comments.

Richard Taylor said comment number 3, stating *CLARIFY: If a use was permitted or conditional under the prior (non-BSC) zoning district, but is also permitted or conditional under the BSC District, then all previous Existing Uses continue to apply. This also applies if the use has switched from permitted (non-BSC) to conditional (BSC) or vice versa*, was unclear to him.

Ms. Ray explained that the Existing Uses provisions were intended to address concerns over the creation of nonconforming uses. She said this note is intended to clarify that whatever uses were conditional in the previous zoning districts would also be conditional under the new Bridge Street zoning districts, and would not eliminate the Existing Use status of a property.

John Hardt commented that throughout the document, the notes indicate either "potential amendments," "clarification," "examples," etc. He asked if the "potential amendments" were intended to be proposed Code language, and if the "clarifications" and "interpretations" were intended to be more of intent statements with language to be drafted.

Ms. Ray clarified that the Code language still needed to be drafted and there are no solutions prepared for discussion at tonight's meeting. She said the expectation for tonight's meeting was to review the Commission's comments, questions, and concerns with Code Sections they have identified and the Sections identified by Planning that may need to be amended for the reasons noted.

Mr. Hardt confirmed that Planning is looking for acknowledgment that the Commission generally agrees with the direction of the clarification, and next time the Commission talks about the Code, they will see draft language.

Mr. Taylor said he found it interesting going through the Code from beginning to end for the first time since the Commission looked at it when it was adopted, and now that he feels more knowledgeable about form based codes and walkability than when he first looked at it, he was expecting to see "gaps and holes" based on what he has learned since then. He said he was pleasantly surprised to find very few "gaps and holes" and found a whole lot of exactly what he thought should be in the Code.

Mr. Taylor said there were a few things throughout the notes that he wanted to comment on – specifically the references to “diagrams” and “examples.” He said those are two different things, and while he is fine with diagrams that will help clarify a regulation that is difficult to explain in text, he is concerned with the idea of providing examples because they might suggest the solution to a design problem. He said he would prefer to err on the side of requiring designers to think more about the intent of the language and what they can do to meet it than to look at a specific example shown in the Code or the Applicants’ Guide and copy it. He said he would rather an applicant come before the Commission with something they had never thought of and leave the door open than ending up with potentially lots of the same thing.

Ms. Ray said she understood Mr. Taylor’s concern and agreed that it was difficult to identify appropriate examples because there can be so many variables in a photo or rendering. She said that as Planning comes back to the Commission with materials for the Applicants’ Guide, they would like the Commission’s input on potential examples. She said some examples might include a correctly completed application form, or something similar that is easy for experienced and inexperienced applicants to understand.

Warren Fishman said he shared Mr. Taylor’s concern with using specific examples, because in the past they have pointed to good examples of PUDs that developers point to and try to do exactly the same thing regardless of whether it is appropriate on that site.

Mr. Hardt said his concern with illustrations and photographs with regard to architectural language is similar to Mr. Fishman’s concern. He said if you show someone a picture of something they are after and want to get approved, that is exactly what you will get, and that’s *all* you might get. He said that’s problematic enough with a PUD when you are talking about a single development. He said in an area like the Bridge Street District, if you show an example of an architecturally appropriate tower element, for example, then all towers were likely to look like the example shown, which will result in a very monotonous environment. He agreed that the “cartoon”-like images can be very useful, yet the photos are very concerning.

Ms. Amorose Groomes asked if there were any comments on pages 6-8, including the Use table.

Mr. Hardt referred to note 1 on page 6, stating *PROPOSED AMENDMENT: Clarify that once an Existing Use is abandoned, all other Existing Uses from the same zoning district are no longer permitted or conditional, unless otherwise permitted in the new BSC zoning district.* He said he was concerned that how that provision applies to multi-tenant buildings. He read from Code Section 153.059(A)(6)(c), “If an Existing Use is abandoned for any reason for a period of more than 12 months, any subsequent use shall conform to the Code. With regard to a multi-tenant building, the term “Existing Use” shall mean all of the existing uses in that building.” He asked for clarification of the intent of Planning’s note.

Dan Phillabaum said it could take a very long time for an entire building to lose its vested right to previously approved uses. He said there would need to be 100 percent turnover to the uses permitted in the new Bridge Street zoning district in each of those tenant spaces.

Mr. Hardt said he thought that was the intent, but his reading of the note may suggest the opposite.

Ms. Ray said Planning would make sure the draft Code language would clearly reflect the intent.

Mr. Hardt referred to the Permitted and Conditional Uses Table on page 7 and asked what the “P/C” means for parking structures.

Ms. Ray said the note indicates that Parking Structures as a principal use are either permitted or conditional based on the use specific standards referenced on page 10 (Code Section 153.059(C)(3)(f)).

Mr. Hardt said he realized that in the Building Types section, there are specific requirements for parking garages and even a podium apartment building type that indirectly includes parking garages. He said in hindsight, he would like parking structures to be conditional uses across the board, because we need to be very careful about where they are located. He stated that, by nature, they produce dead streetscapes with no doors or pedestrians activity, although they are necessary and even desirable to some extent. He said he preferred parking structures require conditional use approval to allow the Commission to have a dialog about the appropriateness, the impact on the streetscape, and to consider where other parking structures may be located nearby.

Mr. Hardt said he feels the same way about podium apartment buildings. He said he does not necessarily have an objection to podium apartment buildings in principle, or even any of the buildings the Commission has seen formally or informally, but he was worried about what could happen on adjacent blocks, and the resulting streetscape character over an extended area. He said he would not want to see a quarter mile square area being developed with nothing but podium apartment buildings.

Ms. Ray asked the Commission to clarify if there were also concerns with parking structures entirely wrapped by occupied buildings, or just the ones with street frontage.

Mr. Hardt stated that parking garages completely wrapped by occupiable space were less concerning.

Mr. Fishman agreed that the garage placement needed to be considered carefully and addressed in the Code.

Mr. Taylor suggested making parking structures conditional uses and giving the Commission the ability to review how they will be used. He noted that apartment office building developers typically want their own parking garages and also tend to want to accommodate as much of the residents and the users of that building in their own parking garages, which can severely limit street activity and the amount of on-street parking that is used. He said that would also be counter to the objectives of the Bridge Street District.

Mr. Hardt confirmed that the Commission would like parking structures and podium apartment buildings to be conditional uses.

Ms. Amorose Groomes stated that she has learned a lot in the last 18 months. She said initially, the buildings are just concepts and images on a map, but she learned quite a bit this type of development from the Commission's and Council's recent field trip to mixed use projects in Upper Arlington on Lane Avenue and on Grandview Avenue. She said the tour of these projects made the Bridge Street District vision very real and tangible to her, and specifically she realized the importance of scale. She said she was very comfortable with the scale of the buildings on Lane Avenue, but she is very concerned with scale and balance of uses. She said if we have 400-unit apartment buildings with 800 or so residents, the Bridge Street District would not work if there are no places to walk to, and if none of the residents work in the area. She said the City would be in trouble because the infrastructure is not in place to accommodate the volume of traffic and the impact on the area of that amount of new residents with no uses within a walkable distance.

Mr. Taylor pointed out that the projects that have been submitted to date have clearly been market driven, and right now, the market is demanding large apartment buildings all over town, as fast as they can be built. He stated that apartments are only one component of the entire Bridge Street District.

Ms. Amorose Groomes said the Commission has not seen or even talked about any projects that have a balance of uses, and she is very concerned about chasing trends. She stated that Dublin has never chased trends, and usually pushes back on them.

Ms. Ray said the Commission had made many valid points with their concerns about building scale and balance of uses. She said it is Planning's challenge to draft Code language that addresses these concerns. She noted that the Bridge Street Code already includes a number of regulations throughout the various sections that attempt to achieve some of the Commission's objectives, including the Neighborhood District Standards, the block size requirements, and the building type requirements, in addition to others. She said Planning would look at how the regulations could be taken further.

Mr. Hardt suggested one way to address this issue is to change one word on page 15, which is the Lots and Blocks Section of the Code that deals with block configurations. He referred to the block access configurations and the "T" and "H" configurations. He said these diagrams are geared toward creating blocks that have pathways through them so pedestrians and vehicles can get around and through the blocks. He suggested changing Section 153.060(5)(b) to read "Blocks shall include alleys/service streets..." instead of "Blocks may include..." He said if service streets and pedestrianways that penetrate through the blocks are required, then the only way to develop these blocks will be with smaller buildings.

Mr. Fishman said the block sizes should be limited.

Mr. Hardt pointed out that there are maximums, and that the street grid will dictate block sizes too.

Ms. Amorose Groomes referred to the Use Table on page 7 and noted that multiple-family dwellings are permitted to be ground floor uses in the BSC Office and BSC Office Residential Districts. She said *office* was placed before *residential* for a reason, with office being the primary focus. She suggested that multiple-family dwellings be permitted only as upper story uses in those districts. She said she is also not sure about how townhouses will look in those districts.

Mr. Hardt said he was still concerned about the degree of use separation required by the Use Table, which still seem to be counter to the desire to create a true mixed use district.

Ms. Ray pointed out that the BSC Office Residential District currently applies to properties along the north side of Tuller Road, west of Village Parkway, and along Riverside Drive. She noted that the parcels along Riverside Drive may be rezoned to a new Neighborhood District. She said there could be townhomes along Tuller Road.

Mr. Phillabaum said the Bridge Street District Neighborhood Districts have defined areas where retail uses are actually required. He said with the project of Edwards, the next applicant would be required to provide a shopping corridor. He said the Code could potentially go a step further to not just address the ground floor retail and restaurant types of uses, but we may be able to look at way to get office or employment types of uses into the mix of what is required in these districts. He said the Neighborhood Districts currently apply to the Dublin Village Center, OCLC, the transition area around the Historic District, and potentially the Crawford Hoying project site area on the east side of the Scioto River.

Ms. Amorose Groomes said developers should be required to partner with developers offering different types of uses and come in with a master development plan with balanced uses.

Mr. Fishman said he did not want to see big buildings, and would like to limit the number of units in a building to no more than 100 units.

Mr. Hardt said the issue is the mass and scale and how a building interacts with the streetscape.

Mr. Taylor suggested that for every unit over 100 units a developer should be required to provide 1,000 square feet of retail within a certain distance. He said he did not necessarily want to limit the size of a building, but would consider requiring other uses after a certain amount of development.

Mr. Hardt said he is suspicious of putting numeric values to building requirements, since the market is going to dictate development.

Ms. Ray said it may be challenging to apply a requirement for mixed uses to small sites that will have a hard time providing the area and parking for multiple uses. She said the desire for balance is the reason why the Neighborhood Districts were developed – to try to obtain a critical mass of mixed uses in key areas. She said Planning would look for other opportunities in the Code to expand on this concept.

Ms. Amorose Groomes confirmed that there were no further questions or comments up through page 17.

Mr. Taylor referred to the Street Network Map on pages 22-23. He pointed out the bridge that is not indicated on Crawford Hoying's Bridge Park plan, although it shows the northern bridge crossing the river, but shows only a pedestrian bridge. He said the pedestrian bridge effectively prevents the future "Park Avenue" street from crossing the river and joining on the other side in the Historic District. He said the general concept of the necessity of street connections is clear in the text, and he is very disturbed that the possibility of the bridge that is in the existing Street Network Map is not accommodated in any way. He said he will have a very hard time with any project that gets in the way of the potential for that future bridge.

Mr. Fishman said he still wanted the pedestrian bridge.

Ms. Amorose Groomes said that the vehicular bridge would be the greatest opportunity to relieve traffic on SR 161.

Mr. Taylor said the Street Network Map was not something that was developed lightly, and in fact its development began with the discussion of how many bridges could cross the river, with many international examples. He noted that City Council had prioritized the connection of the two sides of the river, and if it has come about that there are some practical issues that will prevent the bridge, he had not heard anything about them until the bridge was no longer in the plan for Bridge Park.

Mr. Phillabaum said when the City was studying the bridge connections, they presented to City Council during a goal setting session two bridge connections: one at the future John Shields Parkway, and one at Park Avenue. He said the City expected the need for the northern bridge to be more pressing. He said the other constraint on the second bridge was where to land it in Historic Dublin without obliterating historic structures. He said they considered a number of factors and had to show one or the other and which one they kept.

Mr. Hardt said there may be obstacles in the way, but thinking 50 to 100 years, he asked whether the existence of obstacles means they should build more "future obstacles" in the way of new development that will prohibit the bridge.

Mr. Taylor said there should be options for getting across the river, and he stated that there would need to be the same amount of study of the impact on the entire Bridge Street District transportation network of eliminating one of the bridges.

Ms. Amorose Groomes said it would be nice to design the bridge into possibility rather than impossibility.

Mr. Hardt referred to page 18 and suggested that the street types should be removed the Code altogether, since the Thoroughfare Plan should dictate the street network and there should never be a debate about what type of street will be built. He said everywhere else in the City, the street design standards are established in the City's Engineering documents, and the developer is told if they want the street to be dedicated as a public street, then it needs to be constructed a certain way and the streets within the Bridge Street District should not be treated any differently. He said the City needed to define

what the streets should look like and put the standards in the City's Engineering documents and Thoroughfare Plan so it is clearly non-negotiable. Mr. Hardt stated that streets should not be designed block by block under the influence of a single developer.

Ms. Amorose Groomes agreed that the Commission should not have to debate about what a street should look like on a case by case basis.

Mr. Phillabaum said Planning had initially debated about including street type sections in the Code when it was initially drafted, because the City does maintain standard Engineering drawings, or the street sections are described in the Subdivision Regulations. He said including them in the Bridge Street Code was a departure of how things are typically done, although the consultants recommended that there are some elements that may be helpful for a developer to understand that are a part of their frontage and should be considered non-negotiable.

Mr. Taylor requested a presentation on the street types that the City is developing so the Commission could have input on their design at beginning rather than as part of specific cases.

Ms. Amorose Groomes confirmed that there were no further questions or comments through page 26.

Mr. Hardt referred to Table 153.062-B, Incompatible Building Types. He said that podium apartment buildings and parking structures should not be permitted across the street from each other or themselves.

Mr. Taylor said he had highlighted Section 153.062(D)(2)(d) regarding dormer design, which Planning had noted could benefit from an example. He said this was an example of what he had mentioned earlier about his concern with including examples in the Applicants' Guide. He said there are a million ways to design an appropriately scaled and detailed dormer, and he would rather have the designers to find examples of good dormers to bring forward to the Commission.

Mr. Hardt agreed with Mr. Taylor.

Ms. Amorose Groomes confirmed that there were no further questions or comments through page 27.

Mr. Taylor referred to Code Section 153.062(D)(5), "Other Roof Types," and asked why the Code specifies that other roof types could be approved during the Site Plan Review, because they could be approved during the Basic Plan Review as well.

Mr. Phillabaum said it could be reviewed at either stage, if that level of detail is known about a project.

Ms. Ray pointed out that the review could even occur under Minor Project Review, suggested generalizing this Code provision.

Mr. Fishman asked if a flat roof can be constructed anywhere in the Bridge Street District.

Mr. Hardt pointed out that the Code states that flat roofs are permitted in all districts except the BSC Historic Core District.

Ms. Amorose Groomes confirmed that there were no further questions or comments through page 28.

Mr. Hardt referred to Code Section 153.062(E)(4), Color, on page 29, which states "Colors for all painted structures shall be selected from appropriate historic color palettes from any major paint manufacturer, or as determined appropriate by the required reviewing body." He noted that to address Planning's note that the intent needs to be clarified, he suggested eliminating "structures" and replacing the word with

“materials” instead. He referenced the note on Code Section 153.062(F)(4)(b), Mid-Building Pedestrianways, and Planning’s potential amendment to potentially allow mid-building pedestrianways to be physically enclosed with doors. He stated that these enclosed spaces tend to turn into private spaces, and that is the exact opposite of their intent. He said he was not inclined to support such an amendment.

Ms. Amorose Groomes recalled attending a presentation at the recent American Planning Association conference on environments in which a significant portion of the year it is uncomfortable to be outside, either because it is too hot or too cold. She noted how these walkways were used in those situations, and reported that they are often locked or closed off by rolling doors.

Mr. Phillabaum asked if the Commission desired spaces that would be open to the sky, versus a tunnel through a building.

Mr. Hardt said the Easton passageways, for example, which are open, but not open to the sky, are fine from a design standpoint, but in all cases, all the time, the pedestrianways should be open to the public.

Mr. Taylor referenced Code Section 153.062(E)(3)(a), Roof Materials, which states “Permitted roof materials include 300 pound or better dimensional asphalt composite shingles, wood shingles and shakes, metal tiles or standing seam, slate, and ceramic tile.” He stated that, with respect to Planning’s note that the 300-pound requirement may need to be modified, shingles quality was much easier to determine when the industry measured their durability in pounds, because the thickness was measurable. He agreed that now they are measured in years for warranty, it is more difficult. He suggested that the aesthetic intent be clarified, which is the dimensional appearance resulting from thicker shingles.

Ms. Amorose Groomes confirmed that there were no further questions or comments through page 29.

Mr. Hardt commented on the note related to potentially allowing vinyl windows on page 30. He said he would be willing to accept vinyl windows that meet certain quality standards, but he would be concerned with writing those standards into the Code, or referencing a specific brand name or type of material. He suggested that the paragraph as written already allows for other materials to be considered when their success and quality is appropriately demonstrated.

Mr. Taylor noted that other materials could be considered as long as they were designed to replicate the look of traditional wood windows, where appropriate.

Ms. Amorose Groomes confirmed that there were no further questions or comments through page 33.

Mr. Hardt pointed out Code Section 153.062(N)(4)(b)1.A., which states “Use of an architectural element protruding from or recessed into the façade a minimum of three inches, including pilasters, entranceways, or storefronts.” He referenced Planning’s note that this should be clarified to state whether articulation on the façade should carry up through the entire façade, or partially. He stated that he did not want someone to design a façade that is poorly composed, with lines stopping and starting in certain places simply because the Code says it should. He suggested language indicating that architectural appropriateness and visual interest was expected.

Mr. Hardt clarified that note 7 on Code Section 153.062(N)(4) is more of a technical clarification regarding transparency and opacity requirements. He reiterated his concerns with providing examples of appropriate applications of architectural requirements such as elements to relieve blank walls.

Mr. Phillabaum said, regarding the potential exemption for buildings built with a 0-foot interior lot line setback from the transparency requirements, he thought this issue had arisen from a previous application where it was expected that when the adjacent property redevelops, it would have a common wall where it currently faces a parking lot.

Mr. Hardt said if there is a common wall, he has no problem with allowing for that possibility, but a wall that is adjacent to a parking lot is going to stay visible for a long time and should meet transparency and blank wall requirements. He said it is the reference to adjacent parking lots that had him worried.

Mr. Taylor asked if anything in Code Section 153.062(N)(1)(c), Parking Location and Loading, on page 33 allows parking to be visible from a Principal Frontage Street, or if the Code is written tightly enough that requires parking to be hidden.

Ms. Ray said the Front Property Line coverage requirements that are required based on the specific building types accomplish this to a great extent. She said that in addition, there are screening requirements for parking areas, especially for those adjacent to Principal Frontage Streets, in the landscaping section of the Code. She noted that there are also street wall requirements to help screen the parking areas.

Ms. Amorose Groomes confirmed that there were no further questions or comments through page 35.

Mr. Hardt referred to the note on page 36, for Single-Family Detached building types. He asked whether this building type was intended to apply to existing and new structures in the Historic District.

Ms. Ray said the table showing the building types permitted in each district includes a note that states that the building types don't apply to properties in the BSC Historic Residential District, so the question is, if there is new construction in the Historic District, what should it look like? She said currently, the Code points to the Historic Dublin Design Guidelines the requirements in the Zoning Code for the Architectural Review District, but in terms of setbacks, fence location, driveways, and other site elements, the Code is not clear about what regulations apply.

Ms. Amorose Groomes confirmed that there were no further questions or comments through page 58.

Mr. Taylor referred to the Parking Structure building type requirements on page 58. He noted that the text on Note 5, "No rectangular area greater than 30% of a story's façade, as measured from floor to floor shall be windowless on the ground story and solid on the upper stories," should be reworded, since the intent of the regulation is unclear.

Mr. Phillabaum said it is two separate requirements; no area shall be windowless on the ground story, and no area greater than 30 percent shall be solid on the upper story. Mr. Taylor agreed it would read better as two sentences.

Ms. Amorose Groomes confirmed that there were no further questions or comments through page 59.

Mr. Hardt referred to the Podium Apartment Building requirements on page 60. He asked why Planning had noted potentially reducing the minimum opacity requirements for the ground story façade requirements.

Mr. Phillabaum said this was an issue of whether a garage can be adequately ventilated without requiring a mechanical means of doing so at this level of required opacity. He said Planning was concerned that the provision is requiring that every garage be mechanically ventilated. He said Planning was not sure that 90 percent is appropriate, since we have only had one project to review the standard against. He stated that other potential options could include having a lower opacity on non-street facing elevations, such as a courtyard, to make up the difference. He said further analysis was necessary.

Mr. Taylor recalled that there was some question about this with the Edwards Apartment Building, and whether the garage met the opacity requirement.

Mr. Phillabaum said the architect had even attempted calculating the thickness of the bars on the street-facing elevations, which was not the intent. He suggested potentially leaving the requirement as it is and let an applicant request a waiver if necessary to discuss the merits of a reduced opacity.

Mr. Hardt reiterated the need for mid-block and mid-building pedestrianways to help break up the buildings and blocks, and asked that the text be clarified across the Code Sections where these are referenced.

Mr. Hardt "(c) Uses and Occupancy Requirements" portion of the Podium Apartment Building requirement table and stated that not requiring occupied space in the ground story was not appropriate. He said podium apartment buildings should have occupied space on the ground floor, particularly along Principal Frontage Streets, knowing that they will not wrap all four sides with occupied space.

Mr. Budde said the Lane Avenue project is building restaurant space with the parking garage placed behind the retail space, and it appears very effective.

Mr. Hardt referred to the diagram on page 61, showing the parking depressed beneath the building, which is ideal, but no one has proposed due to cost constraints.

Ms. Amorose Groomes confirmed that there were no further questions or comments through page 72.

Mr. Taylor referred to the Open Space Type requirements on pages 72 and 73. He said related to the fees in lieu of open space, what he does not want to see is the funds going toward undefined open spaces. He said he would not be in favor of a fee in lieu of dedicating open space unless it is contributing to a specifically programed place and planned designed open space.

Mr. Phillabaum said that the Director of Parks and Open Space has no interest in receiving the fee; he prefers the open space.

Ms. Amorose Groomes confirmed that there were no further questions or comments through page 77.

Mr. Hardt referred to Code Section 153.065(B)(1)(b)1, On-Site Parking, and suggested deleting the word "unified" to address Planning's concern with allowing parking areas to extend across contiguous lots.

Mr. Taylor stated that, with respect to parking structure design, parking garages should be designed with flat decks to allow the possibility of future conversion to an occupied structure.

Mr. Hardt noted that parking structures with flat decks are less efficient and therefore significantly larger.

Ms. Amorose Groomes confirmed that there were no further questions or comments through page 85.

Mr. Hardt suggested on page 86, "wheel stops may be used in addition to raised curbs **only** where necessary to prevent vehicle overhang..."

Ms. Amorose Groomes confirmed that there were no further questions or comments through page 98.

Mr. Taylor referred to Code Section 153.065(G), Utility Undergrounding, which he thought should be renamed. He said this is intended to be more than just undergrounding, with the intent of screening or removing all utility connections from public view as much as possible. He suggested "utility visibility."

Ms. Amorose Groomes confirmed that there were no further questions or comments through page 105. She asked for public comment. [There was none.]

Ms. Amorose Groomes asked Planning what additional information was needed from the Commission.

Ms. Ray thanked the Commission for the discussion and the great feedback and direction. She said staff planned to go back and review the recommended modifications and materials for the Applicants' Guide and would give the Commission an estimated time frame after they spend some time reviewing this information.

As approved by the Dublin Planning and Zoning Commission on January 9, 2014.



City of Dublin

Land Use and Long
Range Planning
5800 Shiloh Rings Road
Dublin, Ohio 43016-1236

phone: 614.410.4600

fax: 614.410.4747

www.dublinohio.gov

PLANNING AND ZONING COMMISSION

RECORD OF DISCUSSION

NOVEMBER 14, 2013

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

3. Bridge Street District – Code Modification

13-D95ADMC

Administrative Request - Zoning Code Amendment

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 Commission discussed the process to be used as it continues to review the amendments to Chapter 153 of the Dublin Code of Ordinances (Zoning Code) including regulations applicable to the Bridge Street District zoning districts, and agreed to schedule a special meeting to focus on the this subject.

COMMISSIONERS PRESENT:

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

STAFF CERTIFICATION

Justin Goodwin, AICP
Planner II

PLANNING AND ZONING COMMISSION

MEETING MINUTES

NOVEMBER 14, 2013

3. Bridge Street District – Code Modification 13-095ADMC Administrative Request -Zoning Code Amendment

Ms. Groomes said she is unsure how to tackle the rest of the Code and asked what remains to be reviewed.

Mr. Goodwin noted that at the last meeting, the Commission had discussed working through each remaining section of Code with Planning providing initial observations of what items need to be addressed prior to the Commission's discussion on each topic. He said Planning is open to another approach if the Commission has a preference.

Ms. Groomes said that it is nice to have materials from Planning during the discussion. She said there are some topics like parking in an urban district that it is difficult to discuss because we have not had experience with this type of development.

Mr. Hardt recalled that an earlier Commission discussion at which the Commission came up with a list of Code items and set priorities for discussion. He said he thought it was okay if an individual Commissioner had specific concerns, such as parking, that everyone would have the opportunity to have that discussion and that some would be more interested in other topics. He asked if Planning had completed its full technical review of the Code.

Mr. Goodwin said that Planning has prepared a list of issues and potential revisions for all Code sections over the past year and has been reviewing each section again prior to sending the annotated copies to the Commission for Review.

Mr. Hardt said he believed Council would grow weary of receiving Code revisions in pieces.

Mr. Goodwin noted that the Commission had decided to review the rest of the Code prior to sending it to Council.

Mr. Hardt said it was easier for him to focus when the Code was the only item on the agenda.

Mr. Taylor agreed and asked how many more pieces of the Code there are to review.

Mr. Goodwin replied that each Code section warrants a review.

Mr. Taylor agreed and said it would be helpful to group the information together to have a more efficient review rather than having a piecemeal review after long agendas.

Mr. Fishman suggested scheduling a special meeting.

Mr. Hardt agreed and said it would be easier to have the discussion at 6:30 instead of 9:30.

Mr. Goodwin suggested one of the January meetings could be set aside for Code review.

Mr. Taylor noted that the Commission had agreed to schedule special meetings as necessary.

Ms. Groomes said she would prefer to keep the project moving and suggested a December special meeting. She asked how much time Planning would need to prepare review materials.

Mr. Goodwin said it would depend on how much detail the Commission would like to see. He said Planning could provide a full annotated copy of discussion items in December, but would need more time to draft actual revised Code language.

Ms. Groomes said she preferred December 12.

Amy Kramb said she would not be available that day.

Ms. Groomes suggested either the 11th or 12th if either date is not necessary for a BZA or ARB meeting.

Mr. Goodwin noted he would be on vacation that week but that other staff would be available for the special meeting.

Ms. Husak introduced Laurie Wright, Planning's new Staff Assistant and said that Ms. Wright would be helping with the Commission meetings in the future.

Ms. Amorose Groomes adjourned the meeting at 9 p.m.

As approved by the Dublin Planning and Zoning Commission on December 5, 2013.



City of Dublin

Land Use and Long
Range Planning
5800 Shier Rittgs Road
Dublin, Ohio 43016-1226

phone: 614.410.4600
fax: 614.410.4747
www.dublinohio.gov

PLANNING AND ZONING COMMISSION

RECORD OF ACTION

NOVEMBER 7, 2013

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

**5. Bridge Street District – Code Modification
13-095ADMC Administrative Request -Zoning Code Amendment**

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: This Administrative Request – Zoning Code Amendment was discussed.

STAFF CERTIFICATION

Justin Goodwin, AICP
Planner II

PLANNING AND ZONING COMMISSION

MEETING MINUTES

NOVEMBER 7, 2013

5. Bridge Street District – Code Modification 13-095ADMC Administrative Request -Zoning Code Amendment

Chair Amorose Groomes introduced this Administrative Request to begin the discussion of Amending Chapter 153.065 Site Development Standards of the Dublin Code of Ordinances (Zoning Code) including regulations applicable to the Bridge Street District zoning districts. City Council is the final authority of this application.

Justin Goodwin said the Commissioners had been provided a copy of the Parking and Loading Section of the Site Development Standards from the Bridge Street Code with Planning's notes to review. He said Planning will provide an annotated copy of the remaining portions of this Code section as the Commission continues its review at upcoming meetings.

Mr. Goodwin said originally, the Applicant's Guide was going to be created in house, but after assessing the workload, a consultant will be needed. He said diagrams or additional information as part of that would be helpful. He said Planning has found a few things that needed technical revisions and a few items that need clarification where the language may be unclear of how to implement the Code requirement or deal with unique circumstances.

Mr. Goodwin said at the previous review of Sections 153.057 and 153.058, the Commission talked about the principals of Urbanism and also how to deal with the reference to the Vision Report in the Code, and ultimately decided to switch those two references to the Community Plan. He said it was suggested there could be a quick review of what from the Vision Report ended up in the Community Plan and how to do that. He offered to do that if the Commission wanted, but he said all the relevant information from the Vision Report was included in the Community Plan. He said City Council adopted the proposed amendment to Section 153.066 which will become effective on December 4, 2013. He said the related amendments to Sections 153.057 and 153.058 are expected to be adopted on November 18th.

Ms. Amorose Groomes said she attended the City Council meetings where Mr. Goodwin had presented the amendments. She said Mr. Goodwin did an outstanding job representing the Commission's thoughts to City Council, and she really appreciated it. Amy Kramb said she had watched Mr. Goodwin's presentation online and she thought he had done a great job. John Hardt agreed.

Mr. Hardt said he had a brief opportunity to go online to refresh his memory on what is in the Community Plan now and on what the Commission had voted. He said he was comfortable with it and did not need to see a presentation.

Ms. Amorose Groomes asked the architects on the Commission make comments about parking.

Richard Taylor said he was woefully unprepared to discuss parking this evening because he had not had a chance to review it.

Mr. Hardt said he had not reviewed it in detail, but he had a couple of general comments. He said he did not disagree with any of the comments and notes that staff has included. He referred to the first page, near the bottom of the second column, the staff comment about allowing parking areas to extend across contiguous lots and unified developments. He said they had to define what that meant. He said they have seen examples in Dublin and elsewhere where developers have been required to connect their parking

lots, and they begrudgingly agree and put convoluted driveways in that give a cross access easement, but they are disjointed and dysfunctional. Mr. Hardt said if we are going to allow that, which he thought we should encourage, it has to be done so that parking is as seamless across property lines as in a unified parking lot. He said he did not know how to say that in text.

Victoria Newell said when there are the inter-relations between parking areas, you intentionally do not line up the drives so that you do not get excessive cross border traffic through where there are people barreling through a parking lot.

Mr. Hardt said he understood what Ms. Newell was saying, however in spite of that intention he thought when they were not aligned, it creates a mess. He said he suspected, if things are done correctly that whatever parking fields we have in the Bridge Street District are going to be small enough that it is not an issue. He said he did not expect a giant 400-foot row of parking where somebody can build up enough speed to cruise along at 35 mph where they should not be. He said he envisioned more pockets of parking similar to what is seen behind Starbucks. Mr. Hardt said he argued the smaller the parking lot, the more seamless matters because otherwise there is a maze that you are trying to snake through.

Mr. Hardt said there was a lot of context or conversation in the Code about shared parking agreements, which he supported, but he thought we should be cautious about putting all the focus on specifically shared parking agreements when there is a litany of other strategies that developers could use to reduce surface parking. He said he was in favor of wordsmithing to encourage a broader adoption of different strategies.

Mr. Goodwin said there was a section included on parking adjustments generally. He asked if Mr. Hardt felt that beyond shared parking that also was not sufficient. He said on Pages 81 and 82, it dealt with transportation, demand management strategies, transit proximity and it allows someone to come in and make a case for why they need a different parking ratio. He said he could certainly take another look at additional strategies.

Mr. Hardt said he was fundamentally comfortable with that. He said his concern was that all of that was built toward the assumption that a developer is going to come in and try to make the argument that they should be allowed to build less parking than they normally would be allowed.

Mr. Goodwin said they could argue for more above the maximum as well, but many of them are reductions.

Mr. Hardt said they wanted to put that on its ear and make people prove the need for large parking lots which he thought was consistent with what little he read in the books that he had been reviewing.

Mr. Hardt said he thought the consensus among the experts in the area is that walkable urbanism in these kinds of developments should trend towards standards of maximum parking requirements rather than minimum, and he was not sure we want to leave the minimum entirely up to people, because otherwise we would end up with parking problems like we have in Historic Dublin. He said he would like to find a way to bracket that conversation and keep people from going too far off the rails in either direction. He said this is an area in a context that he did not think any of them have a lot of experience with and they do not really know what they are going to get yet.

Mr. Goodwin said the City's transportation consultants did not want there to be any parking minimum. He said they did not think we were ready for that yet.

Mr. Hardt said an argument could be made that anybody who builds a development and under parks it, they do so at their own peril. He said it was unlikely that anybody is really going to make their situation worse by attempting to put in zero parking spaces.

Mr. Goodwin said they talked about that they did not do when they wrote the Code was whether or not to require the use of on-street parking to count toward the parking requirement. He said the Code allows somebody to count it, but they are not required to include it. He said for smaller lots, it is somewhat negligible. He said there are things like that to explore.

Mr. Hardt said he thought those were worthy conversations to have about when the parking is there, why not use it.

Warren Fishman said he thought it was the peril of everybody in the area. He said if they under park their area, people will park somewhere else in other people's parking, and it will affect the entire area.

Mr. Hardt said that was where it gets complicated. He said he did not want to focus on one solution to the parking problems when there were a lot of other strategies.

Ms. Amorose Groomes asked if the City had identified areas where they would like to see structured parking happen.

Mr. Goodwin said specifically in the Historic District, some potential locations have been identified, but the options are limited. He said outside of the District, it has been more of a discussion with property owners as they have looked at long term development plans where they think a structured parking garage may go, but not really what they have identified as serving a larger City need.

Ms. Amorose Groomes said it would be nice that, she knew the City did not want to pay for the structured parking right out the gate, if in lieu of them parking, which we really do not want them to, necessarily on the street frontage, primarily, a participation in, you require 50 parking spaces for your development, and the City would like half of those in this parking garage at \$10,000 a space. She said what has been done in the Historic District is to wait until there is big problem and then come in with a mediocre solution. She said she would like to see us get out in front and put all the cost estimates together so as these developments come in and do not have the capacity to provide parking, that the City give them an option to participate in it, in close proximity.

Mr. Taylor said a strategy that he read addresses parking arrangements globally to be taken care of by a developer contributing the money that would have been used to build a parking space towards a structured garage, and while the initial outlay cash is the same, in the long run it will be a building instead of parking.

Mr. Goodwin said it could be similar to the Open Space in Lieu that is built into the Code. He said that was a strategy originally discussed, but it did not wind up in the Code, but it could be explored again.

Ms. Amorose Groomes said she would like to see something like that and she would like to see us to start to identify areas where the City would like to spend those dollars when they start collecting the fees.

Mr. Hardt said his argument was rather than sitting and trying to think of every possible strategy to write into the Code, they should wordsmith the Code to say 'hey, if you have an idea about parking, bring it.'

Mr. Goodwin said he thought the Code did that, but Planning could check it again. He said they tried to build enough flexibility in, but they would take another look.

Mr. Fishman said if the developer has a parking solution, they would not be under parking.

Ms. Amorose Groomes confirmed there were no other Commissioner comments or public comments with respect to this application.

Ms. Amorose Grooms said the Commission wanted to finish the Code and send it all to City Council at once.

Mr. Goodwin said even in terms of when Planning would bring back actual revised language, whether they would do that after each section, or as Planning would recommend, actually go through a review, at least initially of all of the remaining sections so that they can understand how a change in one section might impact a change in another, and then bring back a consolidated draft.

Ms. Amorose Grooms and Mr. Taylor agreed.

As approved by the Dublin Planning and Zoning Commission on December 5, 2013.

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
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

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

VOTE: 6 – 0.

RESULT: This Administrative Request was recommended for approval.

RECORDED VOTES:

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

STAFF CERTIFICATION



Justin Goodwin, AICP
Planner II

PLANNING AND ZONING COMMISSION

MEETING MINUTES

OCTOBER 10, 2013

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~~ are 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 Grooms 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 Grooms 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 stand out, 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 would be filed concurrently, would they be handled separately. 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 said 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 Grooms 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 Grooms 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 Grooms adjourned the meeting at 7:34 p.m.

As approved by the Planning and Zoning Commission on November 7, 2013.

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.

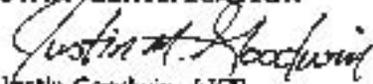
Contact Information: (614) 410-4677, jgoodwin@dublin.oh.us.

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 Annunzio Groome	Yes
Richard Taylor	Yes
Warren Fishman	Yes
Amy Krumb	Yes
John Hardt	Yes
Joseph Budde	Yes
Victoria Newell	Yes

STAFF CERTIFICATION


Justin Goodwin, AICP
Planner II

PLANNING AND ZONING COMMISSION

MEETING MINUTES

SEPTEMBER 19, 2013

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 discuss 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 was not necessary, it could get complicated.

Ms. Amorose Groomes asked what happened if there was a problem identified during the review process or certain documents were not 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 do not 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 application. 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. Amorose 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 was not 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 was not 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 could not 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.

As approved by the Planning and Zoning Commission on November 7, 2013.



City of Dublin

Land Use and Long
Range Planning
5800 Shier Rings Road
Dublin, Ohio 43016-1236

phone: 614.410.4600
fax: 614.410.4797
www.dublinohio.gov

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 Krumb	Yes
John Hardt	Yes
Joseph Budde	Yes
Victoria Newell	Yes

STAFF CERTIFICATION

Justin Goodwin, AICP
Planner II

PLANNING AND ZONING COMMISSION

MEETING MINUTES

SEPTEMBER 12, 2013

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 Grooms 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 Grooms 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 Grooms 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 Grooms 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 Grooms 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 Grooms 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 Grooms 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 Grooms 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 Grooms 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 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. Krumb 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. Krumb 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 than 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. Krumb 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.

PLANNING AND ZONING COMMISSION

MEETING MINUTES

AUGUST 22, 2013

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.

Ms. Amorose Groomes asked if there was anything else to discuss.

Mr. Hardt pointed out that in the newsletter, there was a blurb about changes to the email and a comment that if they had interest in that started in their email box, they should save it. He asked for clarification on what exactly was happening and what was going away and what was not. He said it seemed that if they downloaded or archived emails and saved it, they were putting information on their personal devices, which was exactly what they were told not to do. He said he had emails that he did not need immediately, but he had filed them in a folder because he thought it might be useful to him some day.

Ms. Readler suggested that IT be contacted to see if there was a way to download the information from the account onto City.

Mr. Gunderman said ideally, what they would like to do is let the Commissioners pull out whatever items they were concerned about, and then see if there was a way to get those into the City directory. He said that staff would have to look into it to see how that can be facilitated.

Ms. Amorose Groomes suggested there could be a holistic backup and send everything that everyone had back to their original destination.

Mr. Gunderman said that IT seems to have passed by that bend in the road and they are no longer on that page.

Mr. Hardt said he found it hard to believe that the entirety of the City staff is going to lose all their previous emails.

Ms. Noble-Flading said that IT had told Planning that when they switched over to Outlook, they programmed all of the City email accounts to switch over, and they simply did not include the Commission and Board members. She said IT explained that essentially, that was going to be burdensome to redo the entire list and include all the Commission and Board members. She said that they was not sure how many and what emails would be pertinent. IT asked if Commission and Board members had something in their email account that they wanted to keep, that the member do that using whatever means they want. Ms. Noble-Flading said that IT is anticipating switching over to Outlook in three weeks.

Ms. Amorose Groomes asked if the Legal Department could let IT know the problem of doing what the members are being asked because they were told exactly not to do that. She said it needs to be worked out. She asked if they could comingle the emails on their personal devices or not.

Mr. Hardt said within his City of Dublin inbox, he had a folder with a couple of hundred emails at the most that he would prefer not to download on his private personal device for all the right reasons. He requested that IT somehow retrieve that out of the old server, and transport it into the new server. He

would appreciate it if someone would report back to him if that was possible or not. He said he did not want to lose it or download it.

Ms. Amorose Groomes said if that was a pliable solution, let the Commissioners know and they all would create a folder for information that they want to be kept in it, and they will come up with a common name, like 'Save Me,' and go forward from there.

Ms. Amorose Groomes asked if there were any additional comments. [There were none.]

Ms. Amorose Groomes adjourned the meeting at 8:48 p.m.

As approved by the Planning and Zoning Commission on September 19, 2013.