RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc., Form No. 30045

Resolution No. 20-16 Passed _____, 20____

A RESOLUTION APPROVING THE CITY OF DUBLIN'S APPLICATION FOR A COMMUNITY ENTERTAINMENT DISTRICT, THE SCIOTO NORTH CED, GENERALLY BOUNDED BY EMERALD PARKWAY ON THE NORTH, DALE-TULLER DRIVE ON THE EAST, FUTURE BRIDGE PARK AVENUE ON THE SOUTH AND NORTH HIGH STREET ON THE WEST, AND CREATING SUCH COMMUNITY ENTERTAINMENT DISTRICT.

WHEREAS, a Community Entertainment District ("CED") is defined as "a bounded area that includes or will include a combination of entertainment, retail, educational, sporting, social, cultural, or arts establishments within close proximity to some or all of the following types of establishments within the district, or other types of establishments similar to these: (1) Hotels; (2) Restaurants; (3) Retail sales establishments; (4) Enclosed shopping centers; (5) Museums; (6) Performing arts theaters; (7) Motion picture theaters; (8) Night clubs; (9) Convention facilities; (10) Sports facilities; (11) Entertainment facilities or complexes; (12) Any combination of those establishments described that provide similar services to the community;

WHEREAS, a CED is an economic development tool that is important for revitalizing or activating neighborhoods and development areas, creating jobs, and allowing new businesses to open and operate;

WHEREAS, when a CED is established, it creates a new "pool" of available liquor permits that can only be issued to businesses located within the CED;

WHEREAS, a CED allows for additional liquor permits, above the normal mandated quota, to be issued in the defined CED area – the CED may have one such permit for every five acres of the CED, up to a maximum of 15 permits;

WHEREAS, CED liquor permits are identified as D5-j permits, and can be obtained at a significantly lower price than a traditional liquor permit, which is subject to highly variable market conditions, and may be transferred from location to location and from owner to owner but only within the CED boundaries in which they were issued;

WHEREAS, the holder of a D-5j permit may exercise the same privileges, and must observe the same hours of operation and regulatory oversight, as the holder of a D-5 permit, which allows spirituous liquor for on premises consumption only, and beer, wine, and mixed beverages for on premises consumption, or off premises in original sealed containers, until 2:30 am;

WHEREAS, the Ohio Division of Liquor Control (the "Division") still controls the issuance of liquor permits, including the issuance of D-5j permits for CED properties (just as it would for the traditional D-5 permit);

WHEREAS, an application for a CED may be filed with the City by any owner of property (including the City of Dublin) located in the City, and must be addressed and submitted to the mayor;

WHEREAS, in order for the Division to issue a D-5j liquor permit within a CED located in a city with a population of at least 20,000, R.C. 4303.181(J)(2)(b) requires that "...not less than fifty million dollars will be invested in development and construction in the community entertainment district's area located in the municipal corporation;

WHEREAS, the City Manager submitted an application to create a new CED with the City of Dublin on April 4, 2016;

WHEREAS, the application is attached hereto;

WHEREAS, the "Scioto North CED" is comprised of approximately 100.29 acres and is generally bounded by Emerald Parkway on the north, Dale-Tuller Drive on the east, future Bridge Park Avenue on the south and North High Street on the west;

RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc., Form No. 30045

WHEREAS, as required by statute, the Mayor reviewed and recommended approval of the proposed CED on April 5, 2016;

WHEREAS, as required by statute, the Clerk of Council provided notice to the public, by publication in the Dublin Villager, on April 14, 2016 and April 21, 2016, that the CED application is on file in the Clerk's office and available for inspection by the public during regular business hours (the application was posted on the City's website as well); and

WHEREAS, within 75 days after the CED application is filed with the Mayor, City Council must approve or disapprove the application based on whether the proposed CED will substantially contribute to entertainment, retail, educational, sporting, social, cultural, or arts opportunities for the community.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Dublin, State of Ohio, _____ of the elected members concurring that:

Section 1. Council determines that the proposed CED will substantially contribute to entertainment, retail, educational, sporting, social, cultural, or arts opportunities for the community and the Bridge Street District development and affirms the filing of the application.

Section 2. Council determines that the application is complete and meets all statutory requirements for the creation of a CED.

Section 3. Council hereby approves the creation of the proposed CED submitted by the City Manager, namely the Scioto North CED.

Section 4. This Resolution shall take effect in accordance with 4.04(a) of the Dublin Revised Charter.

Passed this _____day of _____, 2016.

_____

Mayor – Presiding Officer

ATTEST:

_____

Clerk of Council

City of Dublin

COMMUNITY **ENTERTAINMENT DISTRICT APPLICATION**

PLEASE SUBMIT THIS FORM WITH:

- ☐ Application Fee Payment
- ☐ Application for Entertainment District Form
- ☐ Application Table of Contents, list all submitted materials
- ☐ Other Application Materials:
  Maps or exhibits, analysis, other supporting documents, etc.

This is the general application form for a Community Entertainment District (CED). The City has incorporated the CED as a financial and development tool to assist the community with the growth of mixed-use areas. Applicants may submit an application to the Mayor's attention through the Department of Development to seek approval of a CED in order to assist prospective development through promoting entertainment oriented uses. For more information, please contact the Department of Development at 614.410.4600.

I. APPLICANT INFORMATION: Please provide the name and address of the applicant for the proposed Community Entertainment District.

Dana L. McDaniel
City Manager
City of Dublin
5200 Emerald Parkway
Dublin, Ohio 43017

Applicant's Signature

April 4, 2016
Date

II. PROPOSED BOUNDARY: Please provide a map or survey indicating the proposed Community Entertainment District (CED), and property owned by the applicant within the proposed CED.

Attached to this application as Exhibit A is a map identifying the boundary of the proposed "Scioto North CED", comprising 100.29 acres and includes privately-owned land, publicly-owned land and public rights-of-way.

The City of Dublin, the Applicant, owns a total of approximately 34.9 acres within the proposed CED, shown as "City of Dublin Owned Land" on Exhibit A.

III. ESTABLISHMENTS: Please provide a general statement of the types of establishments described in R.C. §4301.80(A) that are or will be located within the proposed CED, and any other establishments not listed.

The proposed Scioto North CED is located on both sides of the Scioto River and encompasses portions of Dublin's vibrant Historic Downtown as well as the majority of the new Bridge Park development. On the east side of the Scioto River lies the Bridge Park East development project, which represents Dublin's newest urban, walkable, mixed-use neighborhood, spanning 30 acres along the river. The project will serve as a destination for entertainment, retail, office, social, and cultural activities. Bridge Park West is located adjacent to the City's Historic District (parts of which located within this CED) and will provide a more contemporary facade to its east while providing an appropriate transition to the Historic Downtown. Bridge Park West will feature high-end, for-sale condominiums, restaurants, retail, and office space.

In addition to the Bridge Park & Bridge Park West developments, the proposed Scioto North CED includes a recently completed, 83,000 sqft Senior Housing campus known as "The Grand", the Dublin Arts Council (DAC) as well as four existing sit-down restaurants located in Historic Dublin. (Exhibit B)

IV. PROPOSED ESTABLISHMENTS: Please describe any proposed establishments within the CED not yet developed, and time frame for completion.

As reflected in Exhibit C, the Bridge Park & Bridge Park West developments envision the creation of a high-value, mixed-use entertainment and retail destination, with new river front parks and an iconic pedestrian bridge over the Scioto River. The proposed Scioto North CED includes blocks C & D of the Bridge Park development encompassing high-quality mixed-use development containing housing, an array of restaurants, a hotel and conference center, and other retail and office spaces. The Bridge Park development has a projected completion date for Block's A-C of summer 2017; Block D does not have a projected completion date at this time. The Bridge Park West development has a projected completion date of early 2017 with the pedestrian bridge slated for the winter of 2018 and the river front parks in fall 2019.

The Bridge Park developments are a key element in advancing the City's planning and economic development goals for its Bridge Street District initiative. The City envisions these developments and other related public projects will serve as both a unique attraction and a catalyst for future redevelopment and investment within the Bridge Street District.

V. LAND USE: Please provide evidence that uses of land within the proposed CED are in accord with the City's Comprehensive Plan and Zoning.

The uses within the proposed Scioto North CED were established as part of the rezoning applications that have taken place within the past five years. It is because of these rezoning's that the properties located within the CED boundary conform to both the City of Dublin's Future Land Use Map, as noted in the Community Plan, and the Zoning Classification Map. Please refer to Exhibit D attached to this application for a more detailed description of the conformance with City legislation.

VI. BOUNDARY AREA: Please provide certification by licensed surveyor or engineer that the CED area is not less than twenty contiguous acres.

Certification from Aaron Stanford, P.E., 68747 State of Ohio and Senior Civil Engineer for the City of Dublin, is provided in Exhibit E stating that the area encompassed by the proposed Community Entertainment District consists of more than the minimum required twenty (20) contiguous acres.

VII. APPLICATION FEE: Please provide the required handling and processing fee paid to the City as determined by the City.

This requirement is not applicable since no fee has yet been adopted by the City of Dublin.

VIII. DEVELOPMENT INVESTMENT: Please provide evidence that demonstrates that at least $50 million will be invested in development and construction in the CED's area.

The Scioto North CED includes several major public infrastructure projects and private redevelopment projects which are currently underway. The table, provided in Exhibit F, lists the summary of these planned financial investments, both from public and private sector. All investment amounts listed are referenced from City of Dublin CIP (Ord. 54-15) and economic development agreement between City of Dublin and project developers (Ord. 44-15).

ADDITIONAL BACKGROUND INFORMATION REGARDING THE LIQUOR PERMITS THAT MAY BE CONSIDERED BY THE DIVISION OF LIQUOR CONTROL IF A CED IS APPROVED BY DUBLIN CITY COUNCIL:

Issuance of Permits: *A "D-5j" liquor permit may be issued to the owner or operator of a retail food establishment or a food service operation licensed under the Ohio Revised Code to sell beer and intoxicating liquor at retail, only by the individual drink and glass and from the container, for consumption on the premises where sold, and to sell beer and wine in the appropriate container and amounts not for consumption on the premises as set for in the Ohio Revised Code. (O.R.C. §4303.181(J))*

Following the designation of CED in the City of Dublin as a Community Entertainment District, each individual application of any owner or operator for a "D-5j" liquor permit within the Community Entertainment District must still be approved pursuant to Ohio Revised Code and the rules and regulations of the Ohio Division of Liquor Control. In addition, any proposed use for any owner or operator for a "D-5j" liquor permit within the Community Entertainment District must comply with the City's current zoning for the applicable property and any restriction of record in Franklin County, Ohio affecting the applicable property.

Ohio Revised Code 4303.181(J): *The D-5j permit shall be issued only within a community entertainment district that is designated under section 4301.80 of the Revised Code. The permit shall not be issued to a community entertainment district that is designated under divisions (B) and (C) of section 4301.80 of the Revised Code if the district does not meet one of the following qualifications:*

(1) It is located in a municipal corporation with a population of at least one hundred thousand.

(2) It is located in a municipal corporation with a population of at least twenty thousand, and either of the following applies:

(a) It contains an amusement park the rides of which have been issued a permit by the department of agriculture under Chapter 1711. of the Revised Code.

(b) Not less than fifty million dollars will be invested in development and construction in the community entertainment district's area located in the municipal corporation.

(3) It is located in a township with a population of at least forty thousand.

(4) It is located in a township with a population of at least twenty thousand, and not less than seventy million dollars will be invested in development and construction in the community entertainment district's area located in the township.

(5) It is located in a municipal corporation with a population between ten thousand and twenty thousand, and both of the following apply:

(a) The municipal corporation was incorporated as a village prior to calendar year 1860 and currently has a historic downtown business district.

(b) The municipal corporation is located in the same county as another municipal corporation with at least one community entertainment district.

(6) It is located in a municipal corporation with a population of at least ten thousand, and not less than seventy million dollars will be invested in development and construction in the community entertainment district's area located in the municipal corporation.

(7) It is located in a municipal corporation with a population of at least five thousand, and not less than one hundred million dollars will be invested in development and construction in the community entertainment district's area located in the municipal corporation.

The location of a D-5j permit may be transferred only within the geographic boundaries of the community entertainment district in which it was issued and shall not be transferred outside the geographic boundaries of that district.

Not more than one D-5j permit shall be issued within each community entertainment district for each five acres of land located within the district. Not more than fifteen D-5j permits may be issued within a single community entertainment district. Except as otherwise provided in division (J)(4) of this section, no quota restrictions shall be placed upon the number of D-5j permits that may be issued.

The fee for a D-5j permit is two thousand three hundred forty-four dollars.

FOR CITY USE ONLY

In accordance with the provisions contained in the Ohio Revised Code Section 4301.80(C), the Mayor of the City of Dublin recommends that this action be:

Approved [X] **Disapproved** [ ]

Mayor's Signature **Date** 4/5/16

Resolution No. **Date**

For questions or more information, please contact the Department of Development at 614.410.4600 | www.dublinohioUSA.gov

Exhibit A – CED Boundary

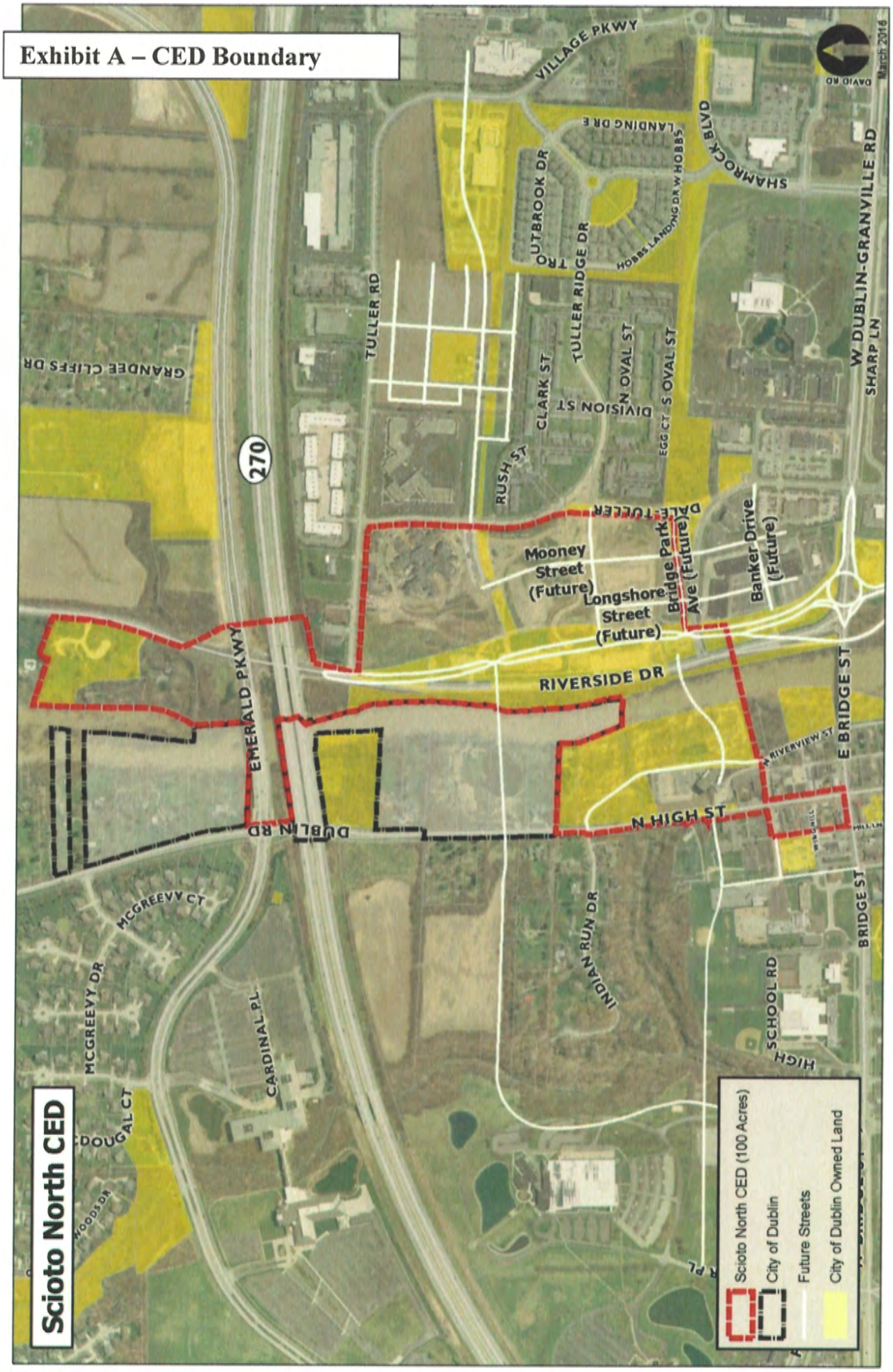


Exhibit B – Existing Establishments

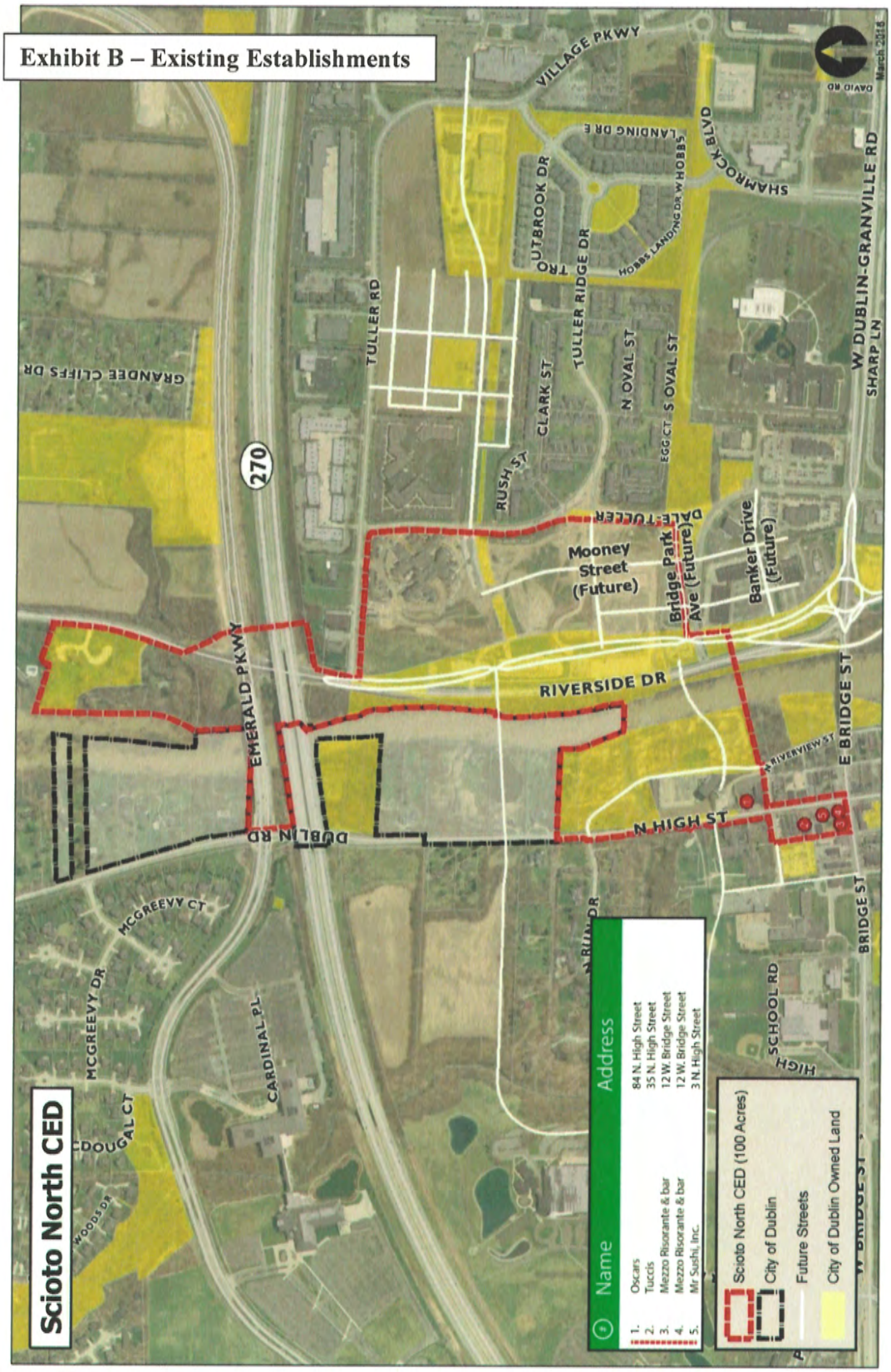
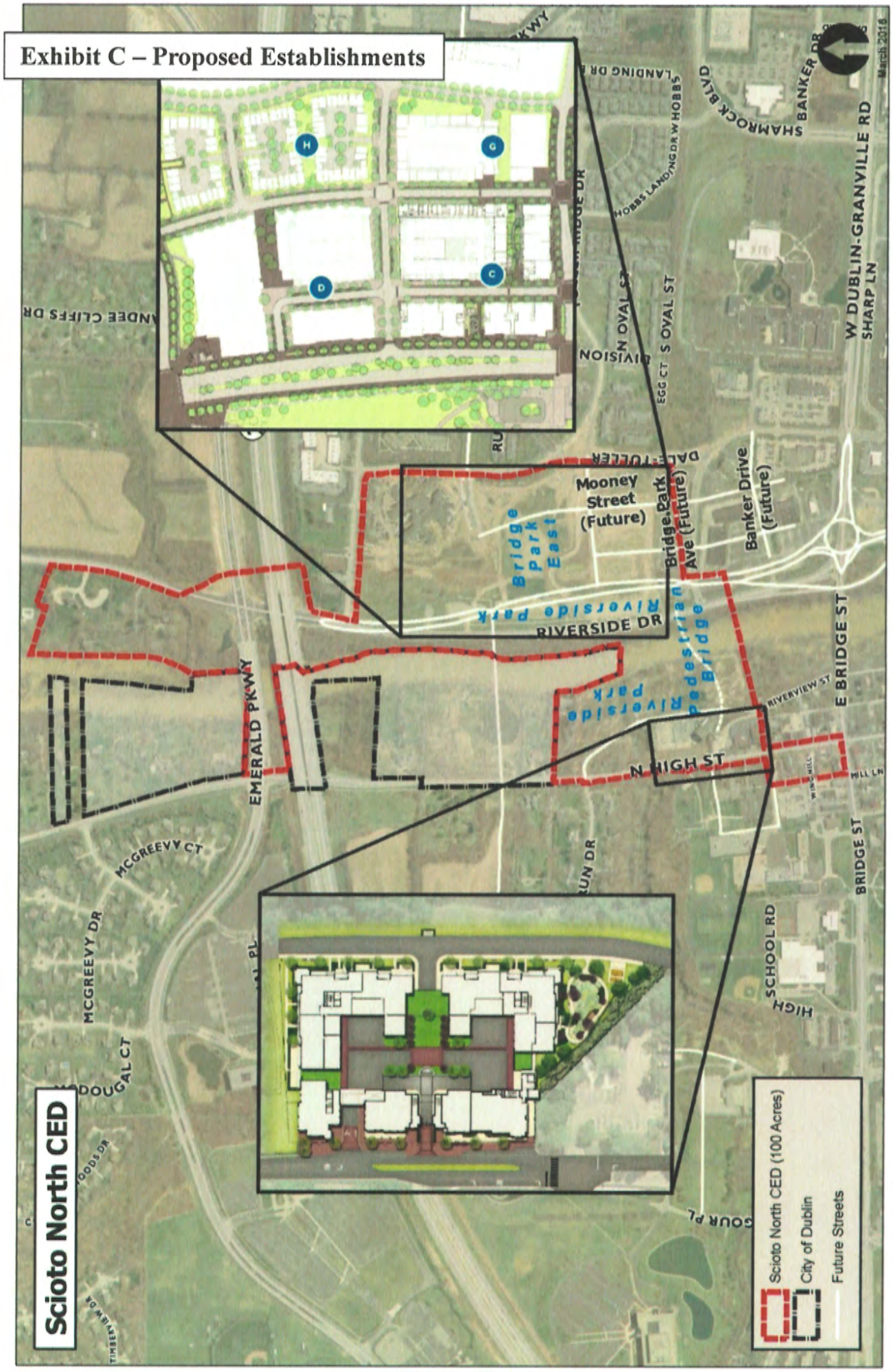


Exhibit C – Proposed Establishments



Bridge Park East (Phase I) Development Program – Exhibit C

Bridge Park- A		Bridge Park- B		Bridge Park- C		Bridge Park- D	
Use	**Sq-Ft/Amt**	**Use**	**Sq-Ft/Amt**	**Use**	**Sq-Ft/ Amt**	**Use**	**Sq-Ft/ Amt**
Hotel	107,043	Office	47,000	Office	91,000	Grocery	NA
Conference Center	19,104	Retail	15,000	Retail	6,000	Retail	NA
Future Building	NA	Restaurant	40,000	Restaurant	41,000	Town houses	NA
Parking	468 spaces	Apartments	228 units	Apartments	154 units	Apartments	NA
		Parking	850 spaces	Parking	879 spaces	Parking	NA
Dec 2015 – June 2017		**Oct 2015 – Mar 2017**		**July 2015 – Oct 2016**		**NA**	

Bridge Park West Development Program

Use	Sq-Ft/Amt
Residential	42 Units
Office	14,570 Sq-ft
Restaurants	8,800 Sq.ft
Retail	4,479 Sq-ft
Parking	360 Spaces
Timeline	**Sept 2015- June 2017**

Exhibit D – Land Use Classifications

The proposed Scioto North CED is located at the economic heart of the community, including perhaps the most critical planning district in the city known as the "Bridge Street District". The city's Community Plan and "Bridge Street District Special Area Plan" establish the future vision for this area and form the framework within which all City development decisions are made. As part of the implementation, the Bridge Street District form based zoning regulations were adopted to reflect the goals and design principles articulated in the special area plan.

The Bridge Street District Plan's purpose is to envision a future for this critical part of Dublin that takes full advantage of the area's assets, puts forth a more sustainable pattern for future development, and capitalizes on emerging market opportunities over the next several decades. Economic conditions have created a unique opportunity to explore new avenues of preservation and growth in this important business neighborhood, which contains assets like Historic Dublin and the Scioto River, as well as some of the City's most strategic redevelopment opportunities. The Bridge Street District already has a strong foundation, with redevelopment providing vital support to the City's economy, sustainability, and continued high quality of life over the decades to come.

The Bridge Street District Plan is intended to establish a vision for the transformation of underutilized land in the city's core into just this sort of environment—creating value for the community while continuing to enhance Dublin's overall economic strength and quality of life.

The Bridge Street Special Area Plan future land use recommendation for the area within Scioto North CED is "Mixed Use Urban Core". This classification is intended to accommodate a strong mixture of uses in an active, highly walkable environment. A variety of building types ranging in height from two to seven stories may incorporate commercial, residential and institutional uses in various combinations. Buildings are located close to public sidewalks and parking is accommodated through a mixture of on-street spaces, building-integrated facilities, strategically-located surface lots and stand-alone parking structures. This classification allows for the widest mixture of uses and highest development densities within the City. The remaining area within Scioto North CED is intended to develop as part of the Riverfront Parks. (Exhibit D – Future Land Use Map)

The Bridge Street District (BSD) form based zoning regulations reflect the Bridge Street District special area plan vision. The Bridge Street District zoning districts are intended to bring to life the five Bridge Street District Vision Principles by enhancing economic vitality; integrating the new center into community life; embracing Dublin's natural setting and celebrating a commitment to environmental sustainability; expanding the range of choices available to Dublin and the region; and creating places that embody Dublin's commitment to community.

More specifically, the purpose of the Bridge Street District zoning districts is to promote development that creates an emerging center for urban lifestyles within a walkable, mixed-use urban environment that will enhance central Dublin's image as an exceptional location for high quality business investment. These districts are further intended to create places that embody Dublin's commitment to community through the preservation of those areas having architectural landmarks and traditional design, creating complete neighborhoods, and providing designs that honor human scale in their details.

The Zoning Classifications within the Scioto North CED include-

BSD - Office Residential: The intent of this district is to accommodate a mix of office and multiple-family residential development at higher densities and in larger buildings. This district offers great flexibility to take advantage of visibility and access for office uses, with opportunities to create residential neighborhoods to support the adjacent BSD zoning districts. Uses include a mix of residential, personal service, and commercial uses.

BSD - Scioto River Neighborhood: The standards of the BSD Scioto River Neighborhood are intended to create an active, walkable destination through integration of a vibrant mix of uses. Development in this district is oriented toward the Scioto River and the public spaces along the riverfront, and includes important vehicular and bicycle links to adjacent neighborhoods and open spaces. This district accommodates a wide variety of building types and permitted uses. Development of the BSD Scioto River Neighborhood area establishes a walkable, mixed-use core as the center of the Bridge Street District.

BSD - Historic Transition: This district complements the BSD Historic Core district by accommodating a variety of building types within a finer grained street and block network and uses consistent with that district. Development character allows an extension of the walkable mixed use character of the BSD Historic Core district on the larger parcels within this district. The requirements establish open space patterns and location requirements for building types, provide additional residential opportunities, and extend the small scale commercial activities of the BSD Historic Core district.

BSD - Historic Core: This district applies to the historic center of Dublin and reinforces the character of this area as the centerpiece of the Bridge Street District. The district focuses on ensuring sensitive infill development and redevelopment and providing an improved environment for walking while accommodating vehicles. The district accepts building types that are consistent with the historic development pattern of Historic Dublin and permit similar uses that support a highly walkable setting.

BSD - Public: This district applies to a variety of public spaces and facilities, including but not limited to schools, parks, open spaces, and places that accommodate more intensive recreation, such as outdoor entertainment venues. It also applies to lands in and adjacent to rivers and creeks on which development is limited due to inclusion in a Federal Emergency Management Agency (FEMA) designated floodplain as regulated by this chapter, or lands that have special cultural or environmental sensitivity.

R-1 - Restricted Suburban Residential: This classification is based on the existing zoning for single-family residential on the west side of the Scioto River. (Exhibit D – Zoning Map)

Exhibit D – Future Land Use Map

Exhibit D – Zoning Map

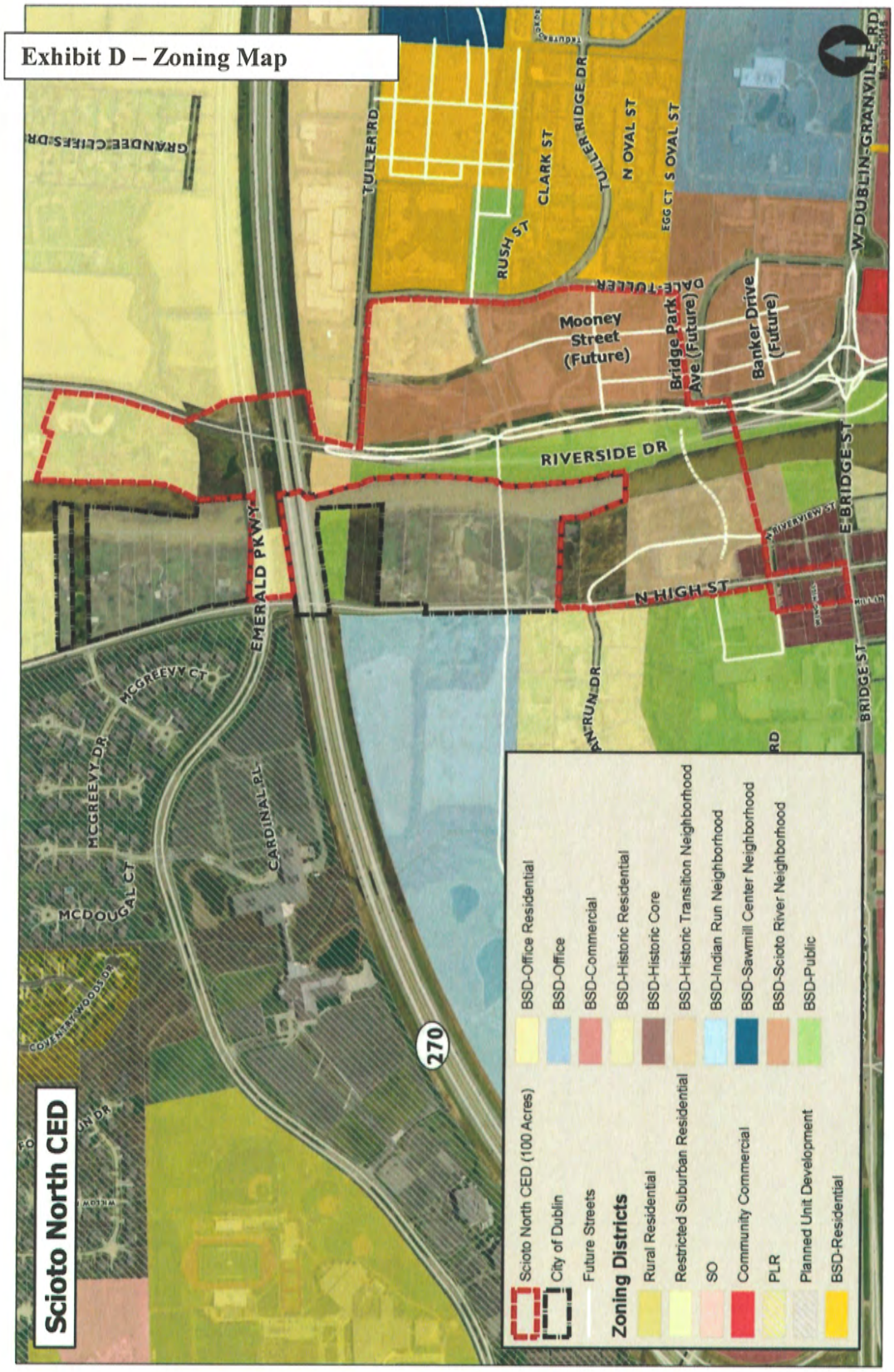


Exhibit E – Boundary Area

Engineering
5800 Shier Rings Road
Dublin, Ohio 43016

phone 614.410.4600

www.dublinohiousa.gov

To Whom It May Concern:

The undersigned C. Aaron Stanford, a professional engineer registered and practicing in the State of Ohio has reviewed the current zoning map associated with the Scioto North CED located in Dublin, Ohio.

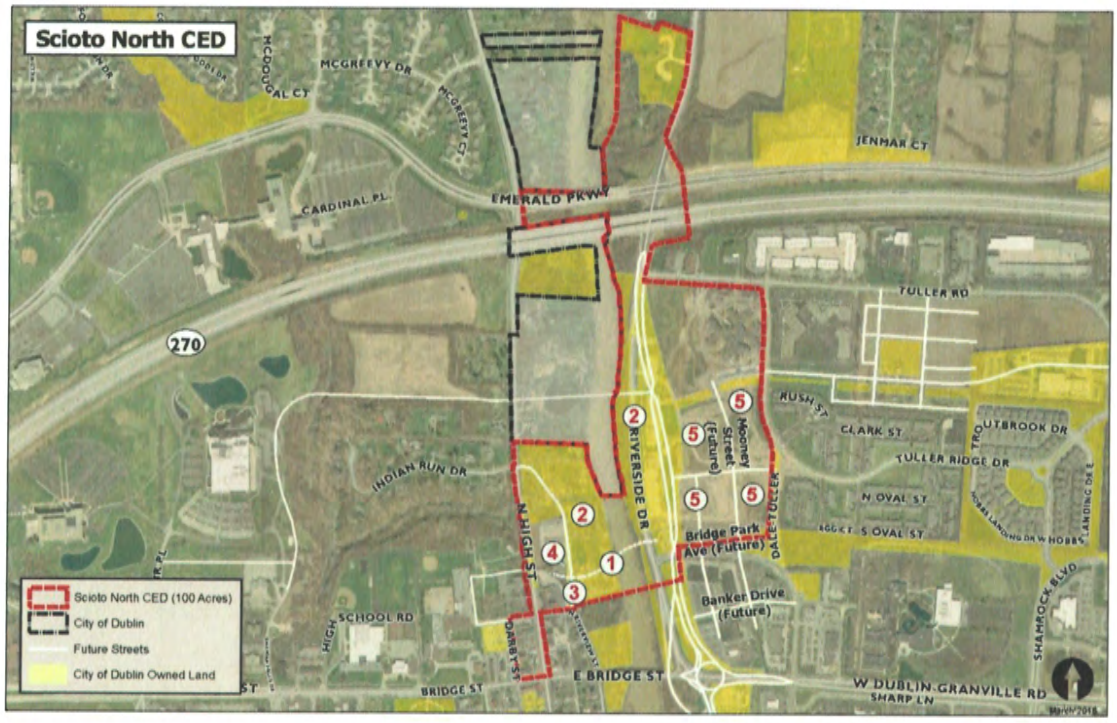
The area of the proposed Scioto North CED is to include the area as illustrated on the attached Exhibit A. Based upon review and calculations from available GIS shapefiles and parcel boundaries I have determined the area of the community entertainment district to be greater than 20 acres. The community entertainment district is approximately 100.29 acres.

Sincerely,

C. Aaron Stanford, P.E. 68747 State of Ohio
Senior Civil Engineer

Cc:Paul A. Hammersmith, P.E., Director of Engineering/City Engineer
Project File

0127206.0607929 4834-3645-0602v1

Exhibit F – Development Investment

Planned Investments 2016-2026			
	Type	**Project**	**Scioto North CED**
			(Millions)
1	Public	Pedestrian Bridge	$19.20
2	Public	Riverfront Parks	$20.00
3	Public	North Riverview Extension	$2.40
4	Private	Bridge Park West Development	$42.00
5	Private	Bridge Park East Block C	$55.00
		TOTAL	**$138.60**