



## MEETING MINUTES

# Planning & Zoning Commission

Thursday, October 5, 2017

### AGENDA

- 1. Dublin Metro Dental - PUD 17-067FDP** **572 Metro Place North Final Development Plan (Approved 5 – 0)**

The Chair, Victoria Newell, called the meeting to order at 6:29 p.m. and led the Pledge of Allegiance. Other Commission members present were: Steve Stidhem, Cathy De Rosa, Deborah Mitchell, and Bob Miller. Amy Salay was absent. City representatives present were: Claudia Husak, Vince Papsidero, Jennifer Readler, Lori Burchett, and Flora Rogers.

### Administrative Business

#### Motion and Vote

Mr. Stidhem moved, Ms. Mitchell seconded, to accept the documents into the record. The vote was as follows: Mr. Miller, yes; Ms. De Rosa, yes; Ms. Newell, yes; Ms. Mitchell, yes; and Mr. Stidhem, yes. (Approved 5 - 0)

The Chair explained the rules and procedures of the Planning and Zoning Commission. She stated Dublin Metro Dental was eligible for the Consent Agenda this evening. Steve Stidhem indicated he had some questions.

- 1. Dublin Metro Dental - PUD 17-067FDP** **572 Metro Place North Final Development Plan**

The Chair, Victoria Newell, said the following application is for a one-story, 13,000-square-foot building for a dental office and a future tenant space on a 1.67-acre site zoned Planned Unit Development District, Waterford Village. She said the site is north of Metro Place North, approximately 450 feet west of the intersection with Upper Metro Place. She said this is a request for a review and approval of a Final Development Plan under the provisions of Zoning Code Section 153.050. She stated the Commission has final authority on this case and we will have to swear-in those intending to speak on this application. She noted there would be two motions with votes this evening.

The Chair swore in anyone intending to address the Commission on this case.

Steve Stidhem inquired about the parking. Lori Burchett explained the parking requirements for a medical office is one space per 200 square feet, which is a greater number of parking spaces required under a general office use. She said there is a medical office and will probably be a dental office. Due to the narrowness of the site, she said, the requirements of the building to meet 64 spaces and meet all of the



traffic and circulation, it was difficult. She said in other instances, the applicant has requested a Text Modification to allow for parking to be at the general office calculation. Based on the information provided about the operations of the office, the typical traffic per the amount of patients, staff determined the requirement for a general office use would provide more than enough parking spaces to accommodate the needs for this type of use.

Mr. Stidhem agreed if it is true they would only have six patients at one time but he questioned the twelve treatment rooms and the twelve staff members needed. Ms. Burchett said the applicant was present and could better answer those questions.

The Chair determined the case should be removed from the Consent Agenda for a review of a full presentation.

Ms. Burchett presented the proposed site plan. She said the applicant intends to use the existing access point off Metro Place North and the building will be located on the center of the site setback approximately 125 feet from the road. Parking is primarily proposed to the south, west, and north of the building, she said, with six parallel parking spaces proposed to the east.

Ms. Burchett restated the site is narrow with the width being  $\pm 170$  feet, creating a challenge for site layout and development. She reported the applicant has worked with staff and the Washington Township Fire department on the proposed site layout to ensure all Code requirements for access and circulation have been met; an auto-turn exhibit was reviewed to the satisfaction of the Fire Marshal.

Ms. Burchett noted the required setbacks for the proposed building on this site. She explained the rear and side yard setbacks are determined by the height and length of the building for the side yard or width for the rear yard. She stated the rear yard would be 102 feet and side yards at a minimum of 49 feet. The applicant is requesting to modify the development text, she said, to permit side yard setbacks of 49 feet.

In terms of parking, Ms. Burchett explained the Code requires parking for office use at one space per 250 square feet and one space per 200 square feet for a medical office. She said based on those calculations, this building would require 64 parking spaces, if occupied with medical offices and 51 parking spaces if occupied with standard office uses. She indicated the applicant is assuming the building will be occupied with medical offices. Due to the existing narrow lot configuration and required width of drive aisles, she explained, the applicant is not likely able to add the additional required parking spaces and is therefore requesting to modify the parking requirement to general office instead of medical office. If approved, she said the required number of parking spaces will be 51 and 63 spaces will be provided.

Ms. Burchett concluded the proposal to allow a reduced parking rate for medical office is consistent with other previously approved similar requests, and staff supports the lower parking rate. Additionally, she said the text modification will be limited to this parcel. She reported there is no development text for the Waterford Village PUD, therefore, no architectural requirements are applicable to this site. She explained staff refers to the closest standard zoning district, if no development text is available.

Ms. Burchett presented the proposed elevations and stated the applicant is proposing a 21-foot tall building for a dental office with one future tenant space. She said the materials proposed include a warm tan-colored brick veneer in a light hue and beige limestone accents at the entrances. She said glass is proposed on the entry areas, which are designed to add height and interest at the corners of the building; the two-story main entrance vestibule will delineate the main entrance for the building and will face the eastern property line. She said a standing seam metal roof is proposed on the front entrance, corner towers, and rear dormer with dimensional asphalt shingles on the remaining roof area. She said a large dormer along the east elevation will mimic the front entrance detail. The top cornice of the

entrance, towers, and dormer, she said, are proposed to be EIFS in “red rock” and a variety of roof heights will help break the mass of the structure.

Ms. Burchett presented the applicant’s colored rendering of the proposed structure. She presented the proposed landscape plan and explained interior landscaping within the vehicular use area is required by the Code as well as screening of the area. She pointed out that plantings are proposed along the perimeter that include shrubs and ornamental trees that are also used throughout the site and landscape islands are proposed at the corners of the building and the entrance to the site. She said a generator and mechanical units are proposed along the west of the proposed building and will be screened by landscaping.

Ms. Burchett indicated staff is recommending that the applicant add an additional parking lot island in the northern portion of the site as well as define a more consistent planting pattern throughout the site.

During construction, Ms. Burchett explained that any protected trees removed are required to be replaced on an inch-for-inch basis. She said the applicant will be required to provide a tree survey and replace any trees that were in good condition.

Ms. Burchett presented a proposed 50-square-foot ground sign for the site’s entrance to the east of the existing driveway that will meet the required setback of eight feet from the right-of-way. She said the sign is proposed at a height of nine feet and the sign face would be stucco with raised lettering. The two tenant panels, she said, will be designed to meet the Code requirements. The applicant has proposed a brick base, she noted, with flanking stone columns and ground lighting. As proposed, she concluded the sign meets the Code requirements.

Ms. Burchett added staff has reviewed the applicable Minor Text Modifications criteria and finds the two proposed modifications meet the requirements. Therefore, staff recommends approval of the Minor Text Modifications:

- 1) Revise the required side yard setback at 49 feet; and
- 2) Allow the parking requirement of one space per 250 square feet of gross floor area.

Additionally, Ms. Burchett reported staff has reviewed the proposal and finds it meets or will meet with conditions the applicable Final Development Plan review criteria; therefore, approval is recommended with four conditions:

- 1) That the applicant continue to work with staff and the adjacent property owner to address the future of the pavement on the adjacent parcel;
- 2) That the applicant continue to work with staff to update the landscaping plan;
- 3) That the applicant pay a tree replacement fee for any outstanding caliper inches prior to filing for building permits; and
- 4) That the applicant provide a photometric plan meeting Code requirements with the building permit submittal.

Cathy De Rosa asked when the Preliminary Plan was approved. Ms. Burchett answered the Planned Unit Development occurred in 1974. Claudia Husak added up until the time in the mid-2000s, there were just maps that designated sub areas for PUDs without any kind of details shown. In this instance, and several others that are that old, Ms. Husak indicated staff does not have a plan or regulations.

The Chair invited the applicant to come forward.  
Jeff Edwards, 3444 Venture Avenue, Springfield, Ohio.

Dr. Aparna Sadineni, 9156 Tartan Fields Drive, Dublin, Ohio.

The Chair asked if they had anything they would like to add to staff's presentation.

Mr. Edwards noted that there is an empty building on the property currently and the client purchased the 1.6 acres on the other side, which is a vacant parking lot right now. He indicated they will move into the vacant parking lot and start the construction of the dental office. He said the applicant's current office is just south of this location and have been in the area for quite some time.

Mr. Edwards addressed the earlier question about parking. He explained the applicant would need one space for every 250 square feet and they exactly meet the medical office requirement with 64 parking spaces. He said they wanted a safety net in case they lost a space and were back to 63 spaces.

Ms. Burchett indicated there was a revision to meet building requirements to have adequate access to the public right-of-way. She said there had to be one space available to utilize that area in order for proper pedestrian circulation. She said when Mr. Edwards was able to get to 64 spaces, after building department review, it went back down to 63 spaces due to meeting the area for pedestrian circulation.

Mr. Stidhem said his issue is the letter provided by the applicant stating there would only be six patients in the office at one time and yet there are 12 treatment rooms, two consultation rooms, and three doctor's offices, which did not seem congruent.

Dr. Sadineni said she would be opening the practice there. She said she has owned the dental practice at 420 Metro Place South for nine years, and they are trying to expand their business. She indicated she has been in Dublin for almost 15 years, Dublin is her home, and she wants to expand as she loves the community. While there are 12 treatment rooms proposed, they will not be operating all now but for the intended future expansion. She said they only plan to start with six operatives; the office at 420 Metro Place, S also has six operatives. She explained that since they are constructing the building and can have the extra space, they are including the extra rooms for the future.

Mr. Stidhem said for the purpose of figuring for enough parking, we would not want to plan parking based on only having six patients in the office at a time but 63 or 64 spaces will be adequate for this use.

#### **Motion and Vote**

Mr. Stidhem moved, Ms. Mitchell seconded, to approve the Minor Text Modification to revise the required side yard setback to 49 feet, and to allow the parking requirement at one space per 250 square feet of gross floor area for the proposed building at 572 Metro Place North. The vote was as follows: Ms. Newell, yes; Ms. De Rosa, yes; Mr. Miller, yes; Ms. Mitchell, yes; and Mr. Stidhem, yes. (Approved 5 – 0)

The Chair asked the applicant if they accept the four conditions to which they answered affirmatively.

#### **Motion and Vote**

Mr. Stidhem moved, Ms. De Rosa seconded, to approve the Final Development Plan with four conditions:

- 1) That the applicant continue to work with staff and the adjacent property owner to address the future of the pavement on the adjacent parcel;
- 2) That the applicant continue to work with staff to update the landscaping plan;
- 3) That the applicant pay a tree replacement fee for any outstanding caliper inches prior to filing for building permits; and
- 4) That the applicant provide a photometric plan meeting Code requirements with the building permit submittal.

\*Jeff Edwards, representing the applicant, agreed to the above conditions.

The vote was as follows: Mr. Miller, yes; Ms. Mitchell, yes; Ms. Newell, yes; Ms. De Rosa, yes; and Mr. Stidhem, yes. (Approved 5 – 0)

## **Planning Items**

### **1. Annexation Training**

Jennifer Readler, the attorney in the law department, was invited to give a primer on Annexation Law Procedures as she typically handles the Annexations for Dublin. She recalled the pretty contentious annexation a couple of months ago out on Hyland-Croy Road.

Ms. Readler explained an Annexation is fundamentally the way a city grows by taking properties to extend its municipal boundaries to encompass certain property that is in a township. She presented a map showing Dublin's boundaries and noted most of the annexation has been happening lately in the Jerome Township quadrant (NW). She pointed out that within the City, there are some islands and they just cleared up an island (property on Shier Rings Road – 2.9 acres) that was part of the Kaufman Development. She indicated that is probably where the annexations will be coming from in the future. Annexation is often times requested by the developer or the property owner in order to get water and sewer services. She said Dublin gets all their water and sewer from Columbus so there is a very extensive agreement with Columbus where surrounding property was divvied up. She said there are certain areas where Dublin has exclusive jurisdiction to annex certain territories where Columbus has exclusive jurisdiction and then there are negotiated areas. She indicated if there is a property owner in that area that wants to come to Dublin or Columbus, the proposed annexation has to be discussed to determine which city gets the property.

Ms. Readler said there are five types of Annexation:

- 1) Regular Annexation: Full Annexation
- 2) Type 1: Expedited 1 Annexation (Consent of All Parties)
- 3) Type 2: Expedited 2 Annexation (With or Without Consent of Township and Municipality)
- 4) Type 3: Expedited 3 Annexation (Significant Economic Development Project)
- 5) Annexation by Petition of a Municipality for Municipal, County, or State Owned Land

Prior to 2001, Ms. Readler explained, the City only had one type - Regular Annexation, which is more involved and includes a formal hearing before the County Commissioners (those that review and approve/disapprove the Annexation). She said Dublin still has to accept the Annexation so even if the County Commissioners approve something that Dublin was against, the City would have the ability to decline that property and added the annexation jurisdiction is exclusively with the County Commissioners.

In 2001, Ms. Readler stated there were expedited procedures provided by the Ohio Revised Code that are faster because there is a 100% agreement of the property owners that are coming into the territory to be annexed. With a Regular Annexation, only 51% of the property owners have to want it so reluctant property owners can be dragged into a city unwillingly with the Regular Annexation. The Expedited Annexation requires everyone to sign off; there is shorter time period for approval; and the County Commissioners have very little discretion. She said most developers and property owners want to go the expedited route; Annexing by a city is for annexing roadways for park land, for example. In an Expedited Annexation, she stated, land owners waive their right to appeal that to court.

### **Expedited Procedures – Type 1 (not used in Dublin)**

- Consent of All Parties Method – Expedited Type One (R.C. 709.022)
  - All parties, including the municipal corporation, the township, and the agent for the petitioners, consent to the Annexation.
  - A petition must be accompanied by a certified copy of an Annexation Agreement under R.C. 709.192 or of a CEDA.
  - Upon receipt of the petition and agreement, the Board of County Commissioners must approve the Annexation at its next regular session by entering a Resolution granting the Annexation upon its journal, without holding a hearing.
  - No appeals process is available to landowners.

### **Expedited Procedures – Type 2 (used in Dublin)**

- Petitions With or Without the Consent of Municipality & Township – Expedited Type Two (R.C. 709.023)
  - Relates to the annexation of land that is not to be excluded from a township.
  - No prior agreement between the township and the annexing municipal corporation is required.
  - Notice and other procedural requirements are greater than the first expedited procedure.

The city must:

- 1) Adopt an Ordinance or Resolution within 20 days after the petition is filed, that states the services to be provided, and an approximate date by which it will provide those services to the territory proposed for annexation.
- 2) File an Ordinance stating that if municipal zoning adopted would allow a clearly incompatible use as compared to the use in the surrounding unincorporated area, the city agrees to require a buffer between the uses.

If either the municipality or an affected township files an Ordinance or Resolution within the 25-day period objecting to the proposed annexation, the Board of County Commissioners must review the petition between 30 and 45 days after its filing, to determine if all of the following conditions are met:

- 1) A petition was properly filed pursuant to R.C. 709.021;
  - 2) All the appropriate landowners must have signed;
  - 3) The annexation territory does not exceed 500 acres;
  - 4) 5% of the perimeter of the annexation territory shares a contiguous and continuous boundary with the city;
  - 5) No islands of unincorporated territory are surrounded by annexed territory;
  - 6) The city has agreed to provide services; and
  - 7) The city has agreed to assume any road maintenance problems.
- Although the Board must determine if these conditions are met, the statute governing the process does not allow a hearing or appeals process.
  - If the Board finds that all of the above conditions have been met, it must grant the Annexation.
  - If the Board finds that any of the conditions have not been satisfied, it must enter upon its journal a Resolution that states, which of the conditions it finds has not been met and that denies the petition.

### **Expedited Procedures – Type 3**

#### Significant Economic Development Project Method – Expedited Type Three (R.C. 709.024)

The third expedited procedure is limited to annexation of territory for the purpose of undertaking a “significant economic development.” The requirements of a “significant economic development” project are as follows:

- 1) The project(s) must be classified as industrial, distribution, high technology, research and development, or commercial. The project may include ancillary residential and retail uses, but such uses may not be included in the minimum dollar amounts.
- 2) More than \$10 million must be invested in the project through land and infrastructure, new construction, reconstruction, installation of fixtures and equipment, or the addition of inventory.
- 3) The project must create additional annual payroll in excess of \$1 million.

#### Annexation of Property Owned by a Municipality, County, or State

- An annexation under this section begins with a vote of the legislative authority of the municipal corporation, which must pass an Ordinance authorizing the annexation.
- The Ordinance must direct the village solicitor or city law director or another person named in the Ordinance to take necessary action to accomplish the annexation.
- The Board of County Commissioners must act upon the petition within 30 days after the receipt of the petition. For city and state-owned property, the Board is given little discretion. For county-owned property, the Board is given significant discretion.

#### Non-Expedited Procedure – Regular Annexation (usually contentious)

- In order to grant a regular or “non-expedited” annexation petition, the specific statutory conditions of ORC 709.033(A) must be met.
- The law provides discretion to the Board in considering the impact an annexation may have on an unincorporated area located within one-half mile outside the territory proposed to be annexed (much more discretion than with the Expedited Annexation methods).
- Procedural Requirements
  - 1) Within 5 days after filing the petition, the Board of County Commissioners must set the date, time and place for the hearing and notify the agent of the petitioners.
  - 2) The hearing shall take place not less than 60 or more than 90 days after the petition has been filed.
  - 3) Notice to city, township and county – must be provided by the agent within 5 days of being notified of the date of the hearing.
  - 4) Notice of Owners – within 10 days of being notified of the date of hearing, to all owners of property within the annexation territory and to all owners of property adjacent to the territory.
  - 5) Newspaper Notice – must be published in a newspaper of general circulation “at least once and at least seven days prior to the date fixed for the hearing.”
  - 6) City’s statement of what services it will provide – In addition to adopting a statement indicating what services the municipal corporation will provide, the statement must also provide:
    - An approximate date by which the services will be provided; and
    - Be filed with the County Commissioners at least 20 days before the date of the hearing.

- Conditions for Annexation
  - 1) The petition must meet the requirements of R.C. 709.02.
  - 2) The persons who signed the petition are owners of real estate in the territory proposed to be annexed.
  - 3) The number of valid signatures constituted a majority of the owners of real estate in the territory as of the date the petition was filed.
  - 4) The municipality has complied with ORC 709.03(D), the requirement to adopt a statement indicating what services it will provide and an appropriate date it will provide the services to the territory proposed to be annexed.
  - 5) The territory is not unreasonably large. In re Annexation of 1,544.61 Acres, 14 Ohio App.3d 231, 470 N.E.2d 486 (1984) establishes the following criteria for determining what is "unreasonably large:"
    - The geographic character, shape, and size of the territory to be annexed in relation to the territory to which it will be annexed, and in relation to the territory remaining after the annexation is completed.
    - The ability of the annexing city to provide the necessary municipal services to the added territory.
    - The effect on the territory remaining in the township, if annexation is permitted.
  - 6) Balancing test is used:
    - Balancing Test – The County Commissioners can consider whether "the benefits to the territory proposed to be annexed and the surrounding area will outweigh the detriments to the territory proposed to be annexed and the surrounding area."
    - "Surrounding area" is defined as the territory within the unincorporated area of any township located one-half mile or less from any of the territory proposed to be annexed.
  - 7) No street or highway will be divided or segmented by the boundary line between a township and the municipality as to create a road maintenance problem, or, if a street or highway will be so divided or segmented, the municipality has agreed, as a condition of the annexation, that it will assume the maintenance of that street or highway.
  
- County Commissioners' Decision
  - The Board of County Commissioners' decision on whether a regular annexation petition meets the conditions for annexation under the non-expedited procedure must be entered no later than 30 days after the hearing.
  - The Board also is required to provide specific findings of fact as to whether each of the conditions for the non-expedited procedure has been met. The decision of the Board must be based upon a preponderance of the substantial, reliable, and probative evidence on the whole record.
  
- Acceptance of Annexation, if approved
  - The municipal corporation must act to accept or reject the Annexation petition once the papers have been provided to the clerk pursuant to R.C. 709.033(C)(1) or by R.C. 709.022(C).

#### Tax Implications of Annexation

- Annexations processed and approved under the expedited procedures or annexation of municipal-, county-, or state-owned property result in the territory annexed remaining within the township, and, therefore, the territory remains subject to the township's real property taxes.
- When land is annexed and removed from the township of origin under the non-expedited process, the law requires that the municipality receiving the territory provide compensation for lost property tax to the township of origin.



- The law provides for a 12-year declining payment schedule when land is excluded from the township.

#### Miscellaneous Provisions

- The First-Filed Rule:

The law provides that a board of county commissioners shall hear and decide annexation petitions in the order in which they were filed. If a petition is granted which contains territory in another petition, the particular territory in the second petition shall be deleted from the subsequently filed petition. Where the same territory is involved in multiple appeals, each court shall decide the appeal on the first filed petition before considering appeals of subsequently filed petitions.

- Substantial Compliance:

The law provides that the procedural requirements set forth in R.C. 709.02 to 709.21 are "directory in nature." That section provides that "substantial compliance with the procedural requirements of both sections is sufficient to grant the Board of County Commissioners' jurisdiction to hear and render its decision..." and that a Board shall cure a procedural defect rather than deny a petition solely on the basis of procedural defects.

Vince Papsidero thanked Ms. Readler for her presentation.

Claudia Husak said, we, as Planning and you, as Commissioners, did not used to look at development proposals at an informal step until annexation was completed but with our new leadership at the City Manager's office, that has been changed. She said now Planning is allowed to review development proposals prior to annexation and have the Commission also review those before they get to the Council level. She clarified it has only been permitted in the past couple of years. She emphasized the Commission could not vote during those reviews as Dublin did not have jurisdiction over the land before annexation so no real decisions were made at the concept level but at least the applicants could receive some feedback on whether or not what they were potentially planning was acceptable.

Bob Miller asked if the Commission would be able to ask questions about annexation when reviewing one of those types of proposals. Ms. Husak indicated, from a timing standpoint that would be acceptable. Ms. Readler said background or general information could be provided but it is not part of the criteria and not a reason to use in the review to make a determination.

Victoria Newell suggested the Annexation conversation should be put on Nextdoor to explain it to most of the citizens of that area. She also suggested putting a video presentation on the City's website or present it during those neighborhood coffee chats with the City Manager. Ms. Readler said they could do that. She indicated the City Manager has had extensive conversations with residents during his "Walks in the Park".

## **2. Bridge Street District Code Update**

Vince Papsidero said this has been a major update to the BSD Code. He said the City of Dublin has had five years of experience administering the Code. He said there have been three groups of consultants working with staff: Clarion, Codametrics, and LandPlanStudios. He said staff has completed interviews with stakeholders and work sessions were held with City Council and the Planning and Zoning Commission. Independent analysis, he said, has been conducted by the consultants. He reported that staff is currently working on the draft versions of the recommended Code updates and the development and design guidelines. He noted that while the substance of the Code is working, some issues have come to the forefront:

- Building design standards can lack flexibility, which can discourage creativity, and may create a degree of monotony.
- Development standards can inhibit good design; some standards are not applicable to existing buildings.
- The development review process has become too lengthy and requires too much detail early in the process.
- Some standards should be moved to guidelines to encourage flexibility and creativity.

Mr. Papsidero indicated that at this point, staff is suggesting the following to:

- Reduce the single, three-step process into three separate tracks in response to the complexity of a specific proposal.
- Reduce the role of the Administrative Review Team (ART) while increasing the role of the Planning and Zoning Commission (PZC) and maintain the role of the Architectural Review Board (ARB).
- Eliminate City Council's review of projects with an Economic Development Agreement.
- Change application terminology to be consistent with Planned Unit Development (PUD) terminology such as "Concept Plan", "Preliminary Development Plan", and "Final Development Plan" instead of "Basic Plan" and "Site Plan" as this has become confusing for the applicants.

Mr. Papsidero presented the BSD Process Proposal that showed the current process that consists of a Basic Plan, Development Plan, and Site Plan. He also presented the proposed processes in the form of three separate variations:

- A. Base Process that includes a Concept Plan and Final Development Plan;
- B. Shortened Process that is just the Final Development Plan; and
- C. Extended Process that consists of a Concept Plan, Preliminary Development Plan, and a Final Development Plan.

Mr. Papsidero explained the process selected and used will depend on the type of application received so not every applicant has to be run through the same process gauntlet. He said the PZC and the ARB would approve the following:

- Concept Plan
- Preliminary Development Plan
- Final Development Plan (including amendments)
- Waivers
- Master Sign Plans
- Signs in Historic District (ARB)

Staff has in place now, Mr. Papsidero stated, a General Staff Review where a Planning Report is created and the departments come together to review the applications as a group. He said that would stay the same. He explained the ART would be the next step, which they are proposing to eliminate. He added the ART would only be kept for very specific types of applications:

- Minor Project Reviews (except for ARB in Historic District)
- Administrative Approvals
- Wireless Communications

Mr. Papsidero presented the current process and the proposed process for comparison.

➤ Current process involves 5 steps:

1. General Staff Review
2. Planning Report
3. ART Review
4. PZC or ARB Review
5. City Council Review

➤ Proposed process involves 3 steps:

1. General Staff Review
2. Planning Report
3. PZC or ARB Review

Mr. Papsidero indicated by eliminating the steps to the ART and City Council, it should not change the results by going to the three-step process.

Mr. Papsidero reported staff is not substantially changing the BSD Code, but rather shifting items to the design guidelines but what remains in the Code is the same as it has been but with the addition of small items. He said there will be no changes to the chapter structure and the Code will continue to emphasize dimensional standards.

Mr. Papsidero said staff is recommending changes/updates to major topics and presented some examples such as:

- Use Table (*minor tweaks because these are not currently addressed*)
  - Residential sales offices in a multi-family development, adding artisan production, rooftop use, and small batch alcohol production.
- Use-specific standards (*minor clarifications*)
  - Conference center in Indian Run Neighborhood must provide a plaza – there are inconsistencies.
- General Block and Lot Layout (*minor clarifications*)
  - Requiring a pedestrian/bike connection to be provided when a street is eliminated from the Road Network Map.
- Street Types (*major clarifications*)
  - Update Road Network Map with a lot more detail that includes clarifying Street Families and Street Types.
- Building Types (*major clarifications*)
  - Some standards shifting to guidelines that include transparency on upper floors along with some of the façade requirements
  - Transparency of a ground floor use versus a storefront use
  - Shopping Corridors
  - Applicable standards for lots with multiple building types
  - Building type illustrations to be simplified (aspirational images included in guidelines)
- Neighborhood Standards
  - Section will be simplified with greater policy emphasis in the guidelines

- Open Space (*major clarifications*)
  - Recalculation of open space set aside, including land appraisal for fee-in-lieu payments
  - Qualitative standards moved to guidelines, including aspirational images
- Site Development Standards
  - Parking: On-street parking space widths are currently under review (*minimal changes*)
  - Stormwater Management (*no changes*)
  - Landscaping and Tree Preservation (*no changes*)
  - Fencing and Walls (*minor clarifications*)
  - Exterior Lighting (*minor clarifications*)
  - Utility Undergrounding and Screening (*no changes*)
  - Signs (*no changes*)
- Review Procedures and Criteria (*major clarifications*)
  - Previously discussed process changes
  - Application types retitled and modified for consistency with PUD application types (submittal requirements)

Mr. Papsidero reported staff is proposing boundary modifications to certain districts within the BSD. He presented the BSD Zoning Map that captures all the districts within the overall BSD. He said there are a number of locations where issues and questions have been found, of which he highlighted (14). He clarified the questions have been about policy and provided some examples:

- Bridge Street out SR 161 towards Sawmill Road - lot patterns, density and height that the market is pushing towards
- Shoppes at River Ridge – allow for higher density in relation to Bridge Park and possibly extend to the south
- New district proposed for the south end of the Historic District (currently under CC review)
- Library and Garage site
- W. Bridge Street Framework Plan – areas west of the school’s property and cemetery

Mr. Papsidero said the outcome may be these sort of tweaks to the map, which he presented and the policies that speak to the issues being raised in those areas to provide that clarity. He said the effects would directly impact those property owners but these are important issues staff would like to discuss.

Cathy De Rosa inquired about the boundary changes and if there would be changes to the road networks because she suggested the road grid will need an update to support the new boundaries. Mr. Papsidero answered the road network itself might not be updated but he will check with Engineering. Ms. De Rosa said the road network is tough today to meet development as it is. Mr. Papsidero noted that there are major segments to the grid that have not been built yet. For an example, he said, the John Shields Bridge is critical to Bridge Street Development almost more than any other improvement; if that did not happen, then the other densities would come into question. He clarified timing would be a huge factor.

Mr. Papsidero summarized the BSD Development and Design Guidelines:

- Relocate and expand the material from the Code
- Emphasize policies, the more subjective standards, and City expectations
- Draw heavily from the adopted 2010 Vision Plan, which would provide a strong policy connection with the regulations
- Illustrate heavily
- Provide examples of “do this” and “do not do that”

The Major Topics for the Development and Design Guidelines were presented by Mr. Papsidero:

- Users Guide (Chapter 1)
  - Explains the purpose, role and applicability of the guidelines
- Vision
  - Reiterates (and updates) the vision statement and principles from the 2010 Plan
    - Enhance economic vitality
    - Integrate the new center into community life
    - Embrace Dublin’s natural setting and celebrate a commitment to environmental sustainability
    - Expand the range of choices available to Dublin and the region
    - Create places that embody Dublin’s commitment to community
- Lots and Blocks (*minor revisions*)
  - Block configuration
  - Block access policies
  - Mid-block pedestrian way policies
- Street Types (*major revisions, working with Engineering*)
  - Provides policy connection to the Street Network Map
  - Specifications for streets, bicycle paths/routes, parking, crosswalk, curb radii, building access zone, streetscapes, and seating areas
  - Incorporate and update Streetscape Character Guidelines (2014)

Mr. Papsidero presented two pages from the guidelines that focus on streetscapes.

Steve Stidhem suggested staff envision the future and consider pick-up/drop-off zones as part of the streetscape for commercial areas.

Mr. Papsidero indicated signs will be erected in Bridge Park in a few weeks that regulate parking and designate loading/unloading zones. He said some of the issues we have had are the width of that lane so they will probably be increased by six inches and the loading/unloading space needs to be wider and the specifications do not currently reflect that.

Major Topics for the Development and Design Guidelines continued...

- Building Types (*major revisions, new illustrations*)
  - Specifications for roof types, materials, entrances, mid-block pedestrian ways, windows and shutters, awnings and canopies, balconies, porches, stoops and chimneys, Required Building Zone treatment, terminal vistas, building variety, vehicular canopies, and individual building types
  - Ohio School Facilities Commission/other standards
- Neighborhood Standards (*greatly expanded*)
  - Address all 11 neighborhood districts
  - Update development policies
- Corridor Standards (*new*)
- Open Spaces (*greatly expanded*)
  - Goals and intent (2010 Vision Plan)
  - Incorporate and update the Open Space Network Framework Plan (2010 Vision Plan)
  - Open Space Types and specifications (*slight revisions*)

- District-Level Guidelines (*minor revisions*)
  - Gateways
  - Shopping Corridors
  
- Site Development Guidelines (*minor revisions*)
  - Parking and loading
  - Landscaping and tree preservation
  - Signs (incorporate adopted Sign Guidelines document)
  - Sustainability specifications that could include solar, wind, charging stations, etc.
  
- Illustrations and Aspirational Images
  - Currently compiling a list of issues/policies to be illustrated
  - Update mapping
    - Street Network Map
    - Open Space Framework Map
    - Building Height Map - minimum/maximum
    - Bicycle Route Map
    - Sidewalk Map

Mr. Papsidero presented two graphics that speak to the character and level of detail of the illustrations staff wants to use, which was an example that was created by Dan Phillabaum for a previous client.

Mr. Papsidero presented the 11 next steps (*steps 1 – 3 completed*):

1. Staff Analysis
2. Stakeholder Interviews
3. Consultant Analysis
4. Staff Review #1 (*this initial cut*)
5. Staff Review #2 (*fill in missing pieces*)
6. Prepare InDesign Documents – winter 2017
7. Available for Public Comment – spring 2018
8. Revise Documents (*from the compilation of data obtained from focus groups, stakeholders, architects, engineers, developers, and landscape architects*)
9. Adoption Process beginning with ARB – summer 2018
10. Adoption Process PZC
11. Adoption Process City Council

Mr. Papsidero concluded his presentation and invited questions.

Ms. Newell asked if staff has considered removing the Historic Preservation District from the BSD Code. Mr. Papsidero indicated that topic had been discussed internally but staff has not received direction to remove that district.

Ms. Newell stated there is very specific guidelines from the Secretary of Interior that outlays how a historic district should be enforced and ruled. She said there are things in the BSD Code where building models are included over that area and it appears like one size shoe will fit all, which takes away flexibility and does not allow each site to be treated individually. She said more things need to be considered when planning in the Historic District such as: what is across the street; what is next door; and what is being done to the pieces of property next door to the district. She noted, in the BSD Code, a model is shown to say what building types are appropriate. The problem with that from a legal standpoint, she said, is if an application comes in that staff feels is a detriment to the surrounding property; there are no means or a remedy to say no without it potentially coming back. She stated the

BSD Code is good but when it gets to the Historic District, it could be detrimental to the area south of the Historic District.

Mr. Papsidero noted the Code provides a couple of building types that are unique and only allowed in the Historic District, which was meant to respond to that. He stated the system is extra complex for the Historic District because there are three layers to navigate through: the BSD Code, the ARB Code, and the *Historic Dublin Design Guidelines*.

Ms. Newell said it is hard enough for the residents in that district because they have to get approval just for a paint color before they can paint their home whereas other neighborhoods do not have to deal with those types of requirements, besides putting it inside the BSD Code, too. For that particular area, she said she can see it really complicating the process and potentially hurting that area by regulating development so stringently.

Deborah Mitchell said she agreed but the one thing that bothers her is the idea of that area being included in the BSD. She indicated the area is so heterogeneous anyway because of the way it is developed with everything from mid-century modern to structures that are more than 100 years old. She said the idea in a historic area is that each property/parcel can be considered whereas when there is a code that includes all this, she is concerned Dublin will lose that flexibility. She indicated that when you give people "some types to think about", research has shown that people will start to gravitate towards those types so Dublin will lose the idiosyncrasy and the really site-specific focus. She said prototypes are helpful to demonstrate what is desired and what is not but she wonders if it is too late to pull the Historic District from the BSD. She stated that everything that Ms. Newell just said, resonated with her because that has been in the back of her mind for a while.

Mr. Papsidero said staff would definitely raise this issue with the ARB and get their position. He said there is no reason to say we cannot do that because we are opening the door to any topic to explore as part of the update. The ARB may agree, he said, and this has been discussed internally as well. He said zoning was simpler under the old zoning than they are with BSD that adds another layer. He affirmed the proposed amendment that will go to Council, that the PZC has already seen, will do a lot in terms of at least broadly speaking, protect the southern part of the district from anything that Bridge Street currently allows; drawing it down is an important improvement. He pointed out the form though is still defined; it is the detailing that creates the characters and that will not change.

The other thing with the form, Ms. Newell said, it takes a risk that if one looks at the Historic District as a whole, where there is a lot of different aged structures, so one is at risk when vernacular buildings that are just part of that fabric are threatened to be demolished. Ms. Newell expressed concerns that with the BSD Code, you are risking someone having to make a decision that that building is not historic by the age, even though it is part of that fabric and that is why in the Historic District we have to look at each site individually and not simply put a form over it.

Mr. Papsidero referred to the area called "South Franklin" in Columbus and noted staff is not providing for a ranch building type in the BSD but that is its own unique character.

Claudia Husak said all of the residential regulations that are in the BSD Code for the Historic District, are verbatim what the Historic Residential Code was but she emphasized that only applies to residential.

## **Communications**

Claudia Husak said Council is having a Work Session on October 16 at 6:00 pm and the two topics are the Code Update for the Historic District South area and the Dublin Corporate Area Plan for the Metro-Blazer area. She reported there were people in Waterford Village and Llewellyn Farms that were concerned about some details of that plan so Council decided to have a work session to facilitate a more

detailed dialogue on both of those subjects. Victoria Newell asked if the Commissioners were invited to the Work Session. Ms. Husak answered it is a public meeting but it is not a joint work session but Council wants the Commission informed.

Ms. Mitchell thanked Mr. Papsidero for his presentation as she found it very helpful.

Steve Stidhem inquired about re-routing Riverside Drive going north to the roundabout at SR 161. Vince Papsidero answered Public Works has proposed some modifications to the roundabout for the northern movement but he did not know the timeline. He referred Mr. Stidhem to Megan O'Callahan.

Ms. Husak said potential meeting dates were provided in the packets for next year. She said Council just adopted theirs. She noted there was a typo on the Memorial Tournament, which is actually the 28<sup>th</sup> of May but it does not affect the dates staff is proposing for the PZC. She suggested a vote be entertained at the next meeting.

Ms. Husak asked who on the Commission has joined OneDrive. Ms. Newell said she was not and explained why.

The Chair asked if there were any additional comments. [Hearing none.] She thanked everyone for the great presentations and adjourned the meeting at 8:11 pm.

As approved by the Planning and Zoning Commission on November 2, 2017.