

Motion and Vote

~~Ms. Salay moved, Mr. Miller seconded, to recommend approval to City Council for a Standard District Rezoning with no conditions. The vote was as follows: Mr. Brown, yes; Ms. De Rosa, yes; Mr. Miller, yes; and Ms. Salay, yes. (Recommended for Approval 4 – 0)~~

**5. Historic Dublin – BSD Code Amendment
17-052ADMC**

**Historic Dublin
Administrative Request – Code**

The Vice Chair, Chris Brown, said the following application is for an amendment to Sections 153.058, 153.059, and 153.062 of the Bridge Street District Code to create the Historic South District and associated regulations within this new district. He said this is a request for a review and recommendation of approval to City Council under the provisions of Zoning Code Sections 153.232 and 153.234.

The Vice Chair stated cases 5 and 6 would be heard together but voted on separately.

**6. Historic Dublin – Zoning Map Amendment
17-074Z**

**Historic Dublin
Rezoning**

The Vice Chair, Chris Brown, said the following application is for an amendment to the Zoning Map for 25 parcels to establish Bridge Street District - Historic South as a new zoning district. He said the parcels are adjacent to S. High Street, south of Spring Hill and north of John Wright Lane. He said this is a request for a review and recommendation of approval to City Council under the provisions of Zoning Code Sections 153.232 and 153.234.

Nichole Martin explained the Code Amendment and Zoning Map Amendment cannot stand alone, therefore, a consolidated presentation is being provided this evening. She presented the background for these two applications:

May 2016: City Council directive to address character of new development within the southern Historic District

October 2016: Planning initiated the first public workshop which included four stations addressing transitional zoning, building character, parking, and infill development.

December 2016: A second public workshop built upon the first by surveying stakeholders to determine appropriate zoning district boundaries and development standards.

March 2017: An Architectural Review Board (ARB) Work Session was held to review the outcomes of the public meetings.

June 2017: Planning Staff and CodaMetrics held a public open house and an ARB Special Meeting to answer questions and receive feedback from the public and the Board.

July 2017: The ARB recommended approval with one minor condition.

Ms. Martin stated the Commission's charge this evening is to review the proposal, taking into account the Architectural Review Board's consideration and to make a recommendation to City Council, who will make the final determination.

Ms. Martin stated there are amendments requested for three sections of the Code:

§153.058 – BSD Districts Scope and Intent

- Creation of the Historic South District and identification of the sub-district's intent.

§153.059 - Uses

- Identification of permitted and conditional uses for the Historic South District.
- Application of use-specific standards for Eating and Drinking facilities, and Exercise and Fitness facilities.
 - Eating/Drinking facilities are size-limited, with limited hours of operation, and limited hours for commercial deliveries and refuse collections. The hours of operation can be modified as part of a request for a Conditional Use.
 - Exercise and Fitness facilities are size-limited.

§153.062 – Building Types

- Revisions to the building type standards for the Historic Cottage Commercial building.
- Building height is limited to two stories or a maximum of 24-feet to the eave; and one and half stories or a maximum of 18-feet to the eave within 50-feet of the rear lot line.
- A reduction in the footprint of any individual building to 1,800 square feet to ensure scale is consistent with the existing character of the sub-district (individual buildings on the same parcel can be connected via an "enclosed connection" or hallway).
- Maximum building coverage is limited to 50 percent of a site, and maximum impervious coverage has been reduced to 65 percent (from the earlier proposal of 75 percent).
- On-site parking cannot be visible from High Street; it must be located behind buildings.

Ms. Martin said the request is to Rezone 25 parcels (and portions of parcels) from BSD Historic Core to the BSD Historic South District. She presented the Proposed Zoning Map, showing the existing and proposed BSD zoning districts. She pointed out the new BSD Historic South District that will be applied to land generally along S. High Street, south of Spring Hill and north of John Wright Lane. She stated the new district will have more limited building types as well as more limited uses.

Ms. Martin noted that the Zoning Code does not contain specific review criteria for a Zoning Code Amendment, however, the Planning Report has outlined considerations that are appropriate to discuss when amendments and rezoning are under consideration. She reported that Staff found those guidelines to have been met based on the Council directive and consistency with the Bridge Street District Special Area Plan.

Ms. Martin stated the Architectural Review Board's recommendation to the Planning and Zoning Commission for a Code Amendment includes the following condition:

- 1) That the Use Table be updated to reflect that Parking Structures are not permitted or conditional as an Accessory Use in the Historic South District.

She said since the ARB meeting, Staff has addressed the typographical error. Therefore, she said Staff is recommending that the PZC recommend approval to City Council with no conditions.

Ms. Martin stated Planning and the ARB's recommendation to the PZC for a Rezoning Map Amendment for the inclusion of the Historic South Zoning District is recommended with no conditions, which they also recommend to City Council with no conditions.

Cathy De Rosa inquired about the design guidelines. She asked if the guidelines that cover the entire Bridge Street District would apply here.

Mr. Martin explained that back in May 2016, Council gave Planning two specific directives with respect to the BSD Code: 1) Sign Code Amendment; and 2) Amendment for development character in the southern Historic District. Hopefully soon, she said the Commission will see large scale amendments to the BSD Code, and as part of that, they will be creating design guidelines for the entire BSD, including specific standards that speak to the Historic District. She added that any application that came forward today would still be reviewed under the current BSD Code and the existing *Historic Dublin Design Guidelines*.

The Vice Chair called for public comment.

Steve Rudy, 129 S. Riverview Street, Dublin asked to read from a letter that was drafted from The Historic Dublin Neighborhood Association, of which he is the president, and was addressed to the Commission and Staff. All of these comments were already presented to the ARB on July 26 (reference those minutes for additional detail) but he wanted it on record for this PZC meeting. He said they like that amendments are being made to the Code to ensure historic structures in the Historic District are not slowly erased. Preserving the Historic District with its charming architecture, cottage scale, lawns, and views is a community asset that is a goal we should all share. He said a lot of input from the residents has been shared at each of the meetings related to this topic. The nine concerns for the new district are summarized below:

1. Limit overall building height to 22 feet and do not make the requirement only about number of stories permitted.
2. The second story of a 1.5-story structure should be limited in floor space to one half the floor space permitted for the first floor.
3. New buildings should not front any alleys. Alleys and streets should not be considered street frontage, therefore, not subject to street frontage requirements.
4. Density and parking are linked problems. Adequate parking must be required on site because street parking is already in use. Buildable area and rear yard setbacks should be 25 feet not 5 feet. Parcels may not be combined. Maximum building coverage should be 50% not 40%. Impervious coverage should be a maximum of 40% and semi-pervious coverage should be a maximum of 75%.
5. The appeal of this district is the village-like appearance and many of the buildings were once residences and they have lawns, gardens, large trees, and views to other properties. Dense urban should be kept in the north and east and not south of Bridge Street.
6. Include the southeast corner of Bridge and High down to Spring Hill alley in this new district so the homeowners east of Blacksmith Lane can have the same protection; this block of historic buildings should not be left out.
7. Permitted building type chart needs to be amended.
8. *Old Dublin Design Guidelines* should be kept intact and in force.
9. Prohibition of combining lots was restated and buildings should not be linked.

Chris Brown addressed the history of the area because he said every quaint village area grew that way because of particular characteristics from their history. He said there was a house, outhouse, little barn or shed and that actually contributed to that open character Mr. Rudy is talking about now but at the time, he has seen enough old pictures and renderings and plaques that showed a particular density to that area. He indicated part of the question becomes how to keep that integrity. He noted the scale of the building is crucial. He added the nature of that area to him, fit their needs and requirements at the time and some of that has become not required as technology, plumbing, electricity have come along and livestock is no longer needed. He said he did not want to inhibit the growth and the maintenance of that natural character of the history of the community. He suggested that sometimes, a creative architect, can utilize what would have been an outbuilding and create a structure that responds to the community. He concluded he understood what Mr. Rudy was discussing but what Staff is trying to create with everyone is that there is latitude that the area stays attractive to people for a long time that can afford to maintain it, contribute to the character, and contribute to the community feel.

Mr. Rudy said economic prosperity is part of it.

Mr. Brown said he has a hard time codifying good architecture and what works as a community and there are some very good examples of communities that are built from ground up that have stayed modest in scale. He explained the goal is to preserve the nature and the character of that village and codify that in some way, shape, or form.

Mr. Papsidero said Staff had a direct charge from City Council to propose amendments to the Code that would ensure that the southern part of the district would be protected from any new development that was out of scale or character with the existing pattern and Staff has fulfilled that charge with this proposal.

Mr. Brown said that is what this is about – preservation, to which Mr. Papsidero agreed. He said Mr. Rudy is stating this is not necessarily responding to that level with setbacks, height of buildings, and everything else. Mr. Brown asked if that is something that could be developed and modified as the character guidelines are developed or whether that needs to be part of this proposal.

Mr. Papsidero said some of the communities recommendations are very specific such as height of floors and setbacks, etc., which is part of the Zoning Code. He said if the Commission were to support the Code Amendments, staff recommends that the Commission refers staff back to the ARB so they can review that because they are the reviewing body based on location.

Lori Burchett reported that the ARB felt that the response from Staff adding maximum height requirements and reducing the building footprint, was responsive to the concerns of the community. She said the ARB was very supportive and there was one dissenting vote from one board member, the rest of the Board was supportive of what Staff and the Consultant have brought forward. She added there have been a variety of comments from other interested parties in the area that were also taken into consideration to find the best solutions.

Jane Fox, 6193 Dublin Road, said it is wonderful that City Council asked that the character of the historic district be preserved. She reported she served on the ARB for a little while so she understands where this direction has gone and Planning has spent a lot of time trying to listen to everybody's input. The area that we are talking about, she said, only impacts a certain number of residents, very few, and most of their properties abut the backs of these properties. When residents came together, she said the primary concern was to absolutely preserve the historic character. She said a lot of elements can be codified but character cannot be and that is not being addressed in this proposal. She said it will be but believes it should be done congruently. She said the *Historic Dublin Design Guidelines* have not been able to hold the line on what has been happening in the Historic District and maybe it is because they are a little outdated and contradict the BSD Zoning Code. She emphasized if we do not have this hand-in-hand now, preservation of historic character is not guaranteed. She noted that the Zoning Code is very difficult for residents to understand because it is so complex. She said they are coming to the City with specific revisions because it is the best suggestion they can make. She restated the City needs hand-in-hand *Guidelines* to go along with the Code Amendments to guarantee character preservation.

Ms. Fox said the alleys are a huge problem. In the BSD Code, she said alleys are defined as service streets. She noted Blacksmith Lane and Pinney Hill Lane are alleys/service streets and cannot be used as principle or non-principle streets. She said when we start building on them, the traffic burden is increased, it is difficult for fire and safety to have access, the density and infill is increased, parking is reduced, and this proposal does not address parking. She asked if this level of infill is permitted as she questioned where the people would park. She emphasized that the alleys be defined as alleys and the lanes are alleys. She restated parking should be addressed. She said the Historic Dublin Business Association has been reaching out to Planning for more parking. She indicated the Historic Dublin Business Association has a wonderful plan that provides a lot of parking back there. She said if parking is not addressed, both the businesses and the residents will be hurt. She said the one declining vote in the ARB was by the Board Member that lives in the area because he believes this proposal is not quite there, either. She emphasized parcels cannot be permitted to be combined because then it changes the character. Lastly, and most importantly she said, the percentage of coverage needs to be seen in context and the typical footprint in Historic Dublin now needs to be understood. She asked the Commission to consider what they are trying to preserve, and manage. She said she would support an organic incremental developmental pattern. A five-foot setback on the alleys is not enough room and concluded that if the few neighbors sat down with Planning they could come up with a plan to make everyone happy.

Tom Holton, 5957 Roundstone Place, said the proposed changes do not preserve the character of the Historic District or consider Dublin's quality of life for those moving to Dublin to raise a family. He said that is important because this is a special place. And at one time, he said Dublin was divided into quadrants. He indicated this is the last quadrant of that Historic District that has not been fully developed. He said that Franklin Street and S. Riverview Street are special places; in the spring and fall, there is hardly better places in Dublin to walk as it is magical. He stated the Historic District itself used to be defined by the boundaries of the Old Village of Dublin and the center of that is the intersection of Bridge and High Streets.

Mr. Holton said if growth is the factor for this area, it will be at the cost of the character and at the cost of the residents who live there now including their quality of life, which we say we value.

Brian Jones, 37 S. Riverview Street, said at the last ARB meeting, Staff said they intend to go back and visit the *Guidelines* after the Zoning Code was amended. He said the Code should support the *Historic Dublin Design Guidelines*. The most definable characteristic of old Dublin, he said, is its intimate, small, village-scale buildings. He said they are located close together along the sidewalk, range from 1 – 2.5 stories in height, and nearly all of the buildings have a residential quality; buildings are not linked. He concluded this Code update is changing the character, dramatically.

Mr. Brown said we have an Architectural Review Board and a Historical Society, and it seems we are trying to restrict development that might potentially get out of scale. He explained each new proposal would be reviewed to make sure it fits the character and the scale, which we are trying to set guidelines for.

Mr. Papsidero said historic districts have review-applied design guidelines that try to massage a proposal but zoning standards are still needed relative to dimensional standards – height, square footage, lot coverage, and impervious coverage; both tools are needed. He said the *Historic Dublin Design Guidelines* are not changing any time soon and are in place. He restated staff was directed by Council to come up with Code Amendments that would reduce the mass and scale of any new development. As a result, he reported staff has presented:

- A reduction in height;
- A reduction in the maximum square footage of any individual building;

- A way to connect those structures together;
- A maximum of 50% building coverage; and
- 65% maximum total impervious coverage.

Mr. Papsidero emphasized this proposal is still constraining the amount of development, regardless of the individual form. He added the smaller boxes are much more in character with the existing historic cottages than previous development proposals. He said that those proposals included a much bigger box than would be allowed under these proposed regulations.

Mr. Papsidero explained the building links were a recommendation by the City's consultant, because she was concerned that we still needed to balance design sensitivity and character with the ability of an individual property owner to do certain things with their property and saw linkages as a viable way to accomplish that.

Mr. Brown said when he first read the proposal he noted how much more restrictive it is compared to what is required currently.

Mr. Papsidero reported that staff debated internally regarding the impact of these proposed regulations. He indicated it is the general opinion that these proposed amendments will not prohibit any kind of new investment.

Bob Miller asked for staff's perspective on the residents concern about the alleys. Ms. Burchett said the alleys are actually not a principle frontage street as part of this Code so those will be somewhat protected.

Ms. Martin said the BSD Code is not a standard residential zoning district and therefore, it is a denser, urban environment, which is why the setback is proposed at five feet as opposed to 25 feet and it is based on building type. Mr. Papsidero confirmed that has been on the books and is not being changed. He said the change here is the idea of reducing the height within 50 feet of that rear yard line, again to minimize the physical impact on the adjacent residences. He pointed out that with the 1,800-square-foot maximum building footprint, the building form that could result from this proposed Code is smaller in some cases than some of the more recent single-family construction, which is much larger.

Ms. De Rosa asked if the concerns brought forward this evening about the five-foot setbacks, etc. had been discussed because she had not seen comments in any of the notes from prior meetings. Ms. Martin said Denise Frantz King had read the entire letter at the July ARB meeting that Mr. Rudy was referencing this evening. She reported the Chair of that meeting did not request staff respond to each of the comments. A number of the items highlighted in that letter, she said, were based on a document from June, which was not what the ARB was tasked with reviewing that evening; and that is not what has been presented to the Commission tonight. She noted some of the items requested were already incorporated and updated. From staff's perspective, the Chair thought the other items had been discussed at length at the ARB Special Meeting in June and that the items that we reached consensus on between the public and the ARB, those were reflected in the update and the three members that recommended approval felt comfortable with that.

Mr. Papsidero added that the first public workshop had well over 50 residents in attendance at which stage they all spent a lot of time discussing details. At the second workshop, he said, there were approximately 30 residents and changes were made after that workshop. He said there has been a great deal of community dialogue in a public setting including one-on-one conversations with residents as that has been the focus of the process from the beginning – very transparent. Ms. Martin added 30 people attended the Open House in June.

Ms. De Rosa asked if the connectors were discussed in those meetings or if it is staff's view that the residents by-in-large are supportive. Ms. Martin noted some residents are not supportive but others may be. She restated the linkages were a recommendation from the City's consultant. She emphasized they are limiting building size significantly – a maximum of 1,800 square feet is a fairly small footprint. She explained the connectors are meant to be set back from the structure and there is a maximum width requirement. She added the form is heavily dictated and begins to speak to the passage that was read out of the *Historic Dublin Design Guidelines* about the residential character at a story and a half to two and a half stories although this one is a maximum of 2 stories, which is less than the *Historic Dublin Design Guidelines*.

Ms. De Rosa said the graphic examples of buildings appear to be more than 50% lot coverage. She said she is a visual person and context matters but this does not appear in character. Mr. Papsidero noted the graphics are meant to be illustrative and not of the development capacity of the ground. He said from a graphic example standpoint, they included two graphics where there might have been 12 graphics. He said they demonstrate ways in which all different measurements are depicted graphically in a 3-D rendering. He said they tried to avoid 6, 8, or 10 different drawings.

Ms. De Rosa suggested that it would be more helpful to really show that the character is actually going to be maintained by these standards. She said the drawings do not currently depict what she is hearing staff articulate or what she has read in the Code. In fact, she said, just the opposite because it appears dense and out of character as they are not demonstrating a cottage feel.

Amy Salay said she is also not an architect and is a very visual person. She said pictures really help her to understand what is being discussed.

Ms. Salay said she agreed with Mr. Rudy about the setback in those backyards that do not back up to an alley.

Ms. Salay said overall, she is concerned this is going to chill investment in that part of the district. She said several of the existing empty buildings are suffering from what she calls, benign neglect, where they are rotting on their foundations and it comes to a point where it will not be safe as it will be in danger of collapse - then it is condemned, torn down, and gone forever.

Ms. Salay said there have been huge houses built in the Historic District but that is the only way it makes economic sense to invest all that money. She said there are very few people that want to invest a lot more than what they could ever expect to get in return. She indicated that everyone likes the little gift shops that go into these buildings but it is hard to make it work, long term and it is more a labor of love than an economic decision.

Ms. Salay stated there is a real delicate balance we have to be cognizant of. The residents down there need to know they will not have a mammoth building in their backyard. By the same token, we need to figure out what we want up on High Street and the kind of business we want to try to incent. Otherwise, we are going to lose it all just from structures falling in and being demolished. She concluded that the City is not quite there yet with this proposal but she does not know how to fix it.

Mr. Brown said this is not normally under the Commission's purview but the ARB and Staff have reviewed and discussed the proposal; it is not perfect but he does not feel he is in a position to come up with the answer. He said he understands limiting the size, footprint, and height but it is always hard to quantify and codify character and the preservation is fundamental and that in itself is an economic driver. He suggested the graphics are deceptive from what the verbiage states. He asked how organic development should be codified because all of this is a throwback to the agricultural times where there was just a little community pop up and different sectors serve different needs and some of those buildings were linked.

He said there were also a lot of auxiliary structures at the time. He said now it is a different dynamic with different economic drivers; people live far differently and need the ability to do that. He said he is not opposed to bridging buildings together. He said he understands the residents want to preserve all that and he also feels it is very important.

Ms. De Rosa said we have two choices: 1) recommend that this proposal go back to the ARB to have further conversations; or 2) the PZC can forward this proposal onto City Council. She indicated she sees a little more scrubbing will be done but in terms of moving it forward, it might make more sense to now get Council involved in the conversation. She said she only sees 5 or 6 different points this evening that probably need more work along with revised drawings to assist further discussion. She stated the *Historic Dublin Design Guidelines* are an important perspective to use with this as well since character is so much of the conversation for this part of the City.

Ms. Salay agreed to the second approach.

Ms. Salay encouraged the residents to consider the economic realities and what could happen to some of those historic buildings.

Mr. Brown said he believes staff, the ARB, and the Commission have done their due diligence and this should be forwarded now to Council. He emphasized the Commission would be forwarding the proposal to City Council because they believe Council is in a better position to build upon this.

The Vice Chair called for a motion on Case 5.

Motion and Vote

Mr. Brown moved, Mr. Miller seconded, to recommend approval to City Council for the Administrative Request Code Amendment with a recommendation that City Council hear further input from the community and the Architectural Review Board. The vote was as follows: Ms. De Rosa, yes; Ms. Salay, yes; Mr. Miller, yes; and Mr. Brown, yes. (Recommended for Approval 4 – 0)

Motion and Vote

Mr. Brown moved, Mr. Miller seconded, to recommend approval to City Council to approve this Rezoning to amend the Zoning Map for the inclusion of the Historic South District with a recommendation that City Council study and work with the community and the Architectural Review Board to further study setbacks, height restrictions, and connectors. The vote was as follows: Ms. Salay, yes; Ms. De Rosa, yes; Mr. Miller, yes; and Mr. Brown, yes. (Recommended for Approval 4 – 0)

Motion and Vote

Mr. Brown moved, Mr. Miller seconded, to waive the 10:30 p.m. rule. The vote was as follows: Ms. De Rosa, yes; Ms. Salay, yes; Mr. Miller, yes; and Mr. Brown, yes. (Approved 4 – 0)

Communications

Bob Miller said Celtic Crossing is a good example where a lot of those patios are just wood stair stringers hung off the back of the house. He asked if there is a way to put that into the Code where it is a requirement that the patio or deck be developed to some degree. Vince Papsidero said staff can look into that and sometimes it is specific to Development Text but it could be a Code Revision. Mr. Brown agreed that he hates the tagalong stairs that are installed just to meet Code.

Adjournment

The Vice Chair asked if there were any additional comments. [Hearing none.] He adjourned the meeting at 11:18 pm.

As approved by the Planning and Zoning Commission on September 21, 2017.