



City of Dublin

**Planning Division**

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# Memo

**To:** Members of Dublin Planning and Zoning Commission

**From:** Jennifer M. Rauch, AICP, Director of Planning

**Date:** November 9, 2023

**Initiated By:** Sarah Tresouthick Holt, AICP, ASLA, Senior Planner

**Re:** Historic District Code and Guidelines Updates, Case 23-097ADMC

## Summary

At the August 2022 City Council Work Session, staff and our consultant, Greg Dale (McBride Dale Clarion) presented information to address City Council's 2022 goal regarding the preservation, composition, and management of the District. The discussion centered on how District properties should be addressed from a preservation perspective, specifically on the contributing/non-contributing terminology and how the demolition criteria applies based on that terminology. City Council requested additional information regarding the historic inventory and steps to address the direction provided. A revised map has been prepared which reclassifies the buildings within the district based on that request.

After initial research, staff brought the discussion to ARB in May and September of 2023. In May, the Board supported the replacement of the contributing/non-contributing nomenclature and the subsequent implications for the demolition criteria. The Board was also interested in exploring additional administrative approval responsibilities for staff.

On September 27, 2023, the Board reviewed and made a recommendation of the draft Code and Guidelines language (attached) that include the new terminology of "landmark/background" to replace contributing/non-contributing respectively. Additionally, the Board requested that site stabilization requirements be included for demolition of background buildings. The Board also requested that staff review Appendix G to ensure all City-owned properties and cemeteries are represented, which is also included herein. Additionally, staff clarified that the properties listed on Appendix G are considered "landmark" and subject to the higher burden of demolition review. Staff has also taken the opportunity to update related language and address minor scrivener's errors.

Staff requests the Planning and Zoning Commission review the proposed Code and Guidelines and make a recommendation to City Council for determination.

## Background

City Council's previous discussion centered on concerns that demolition review criteria are too onerous based on the contributing/non-contributing designations, and a different approach should be considered based on staff research. Council also confirmed the remainder of the recently-adopted Code and Guidelines should be in effect to allow for adequate time to evaluate outcomes, but did request staff identify additional opportunities for administrative approvals to streamline processing. That portion of the project is now intended as a second phase, in order to allow the

primary goals of contributing/non-contributing terminology and associated demolition requirements to be addressed most quickly.

The additional research performed by staff results in the attached maps. The NRHP – Dublin High Street District contains properties constructed between 1833 and 1920, as shown in green. There are a few properties within that district that were built within the last 50 years and would not be subject to the higher burden of consideration for demolition (shown in grey). Additionally, the map indicates the NRHP-individually-listed properties within the Architectural Review District, but outside the NRHP District, constructed between 1830 and 1901, shown in orange.

Based on the two ranges of dates, staff has determined that an overall time period of 1830-1920 should be the baseline to identify additional properties that ought to have the higher burden of consideration for demolition. This has resulted in the inclusion of addition properties shown in dark blue:

- Map ID 2 – 144 W. Bridge Street (1919) – 1919 Building
- Map ID 9 – 41 W. Bridge Street (1890) – commercial
- Map ID 35 – 45 N. High Street (1880) - commercial (Harvest Pizza)
- Map ID 38 – 8-12 E. Bridge Street (1900) – commercial (Domino’s Pizza)
- Map ID 43 – 40 N. High Street (1956) – commercial (Dr. LaPierre’s office)
- Map ID 85 – 45 Short Street (1800) - barn
- Map ID 91 – 138 S. High Street (1860-90) commercial
- Map ID 93 – 25 S. Riverview Street (1900) - residence
- Map ID 95 – 55 S. Riverview Street (1900) - residence
- Map ID 96 – 61 S. Riverview Street (1894) - residence
- Map ID 103 – 137 S. Riverview Street (1890) - residence
- Map ID 116 – 40 E. Bridge Street (1850) - residence
- Map ID 118 – 27 N. Riverview Street (1890) - residence
- Map ID 119 – 37 N. Riverview Street (1890) - residence
- Map ID 120 – 45 N. Riverview Street (1880) - residence
- Map ID 122 – 62 N. Riverview Street (1910) – residence
- Map ID 124 – Dublin Cemetery and Related Structures/Objects (1858) - cemetery

Staff identified properties that are more recent than 1920 yet should be considered for the higher burden given their context or character in the district (also shown in dark blue):

- Map ID 5 – 38 W. Bridge Street (1965) – Former Post Office
- Map ID 7 – 37 W. Bridge Street (1944) – Former Firehouse
- Map ID 33 – 24 Darby Street (1939) – Modern Male
- Map ID 80 – 155 S. High Street (1926) - residence
- Map ID 86 – 224 Dublin Road (1930) – Former Dr. Karrer Residence
- Map ID 117 – 17 N. Riverview Street (1927) - residence
- Map ID 121 – 53 N. Riverview Street (1932) – residence

Staff has also added the historic cabin reconstruction at the Dublin Arts Center to Appendix G:

- Map ID 21 – DAC Cabin (ca. 1830) - residence

The remaining properties within the Architectural Review District that are not outlined above would not require the higher burden of consideration for demolition, as shown in grey. Notably, this would

include the houses on Franklin Street and S. Riverview Street, east side. Nevertheless, all properties located within the District would remain under the purview of the ARB, Code, and Guidelines. The ARB affirmed this map in September.

Additionally, staff recommended the replacement language for the contributing/non-contributing nomenclature be "landmark" and "background", respectively, to be used in both the Code and the Guidelines. This, combined with the reclassifications and additions on the attached maps, would result in the directed changes related to demolition criteria. "Landmark" is already a term used by the City's Code, with the definition *"Any property or site which has special character, archaeological, historical, aesthetic or architectural value as part of the heritage, development or cultural characteristics of the city, state, or the United States designated as a landmark pursuant to the provision of this chapter, and including all property located in the city listed on the National Register of Historic Places"*. An expansion of that definition includes the pertinent language from the previous "contributing" definition as shown in the attached, proposed Code updates. The ARB affirmed this approach in October as well.

In order to legally tie the new nomenclature and status to the Zoning Code and Guidelines, staff recommends the acceptance of updated maps, which will replace the map in the *Historic Design Guidelines*, page 11 for Appendix G, and page 37 for the district. Staff has also simplified the terminology "building/s, property/ies" in appropriate locations in the Code to "resources". This allows an all-encompassing reference to either historic primary structures, historic outbuildings, objects, and other items, based on the anticipated Future Amendments described below. Minor scriveners' errors are also addressed.

### **Public Engagement**

Staff has conducted three opportunities for public engagement regarding the Historic District generally and the proposed changes specifically. These included background about the current Code and Guidelines, the review process, and the proposed amendments. The goal of these sessions has been to ensure continued dialogue with the residents and owners within the District.

On May 20, 2023, staff attended a neighborhood meeting to review City Council's direction regarding the contributing/noncontributing language and how that applies to demolition. Staff also shared background about the existing Code and Guidelines and the changes that have been made over time to address the development pressures facing the District. Discussion points and acknowledged challenges were:

- That recent amendments to the Code and Guidelines in 2021 followed a significant public engagement process and were approved by City Council. Discussion about how these documents direct actions of both staff and ARB within the District.
- That review process is too rigorous, challenging, and subjective.
- That there is frustration with the level of detail and scrutiny needed to get individual projects approved and the length of time to gain approval.
- Discussion about what could be built in place of a demolished structure, when demolition of one of the properties not requiring greater scrutiny occurs.
- Questions about whether properties that don't require greater scrutiny for demolition should continue to be located within the Historic District.

- Concerns about the subjective nature of reviews and a desire for clearer requirements. Discussion about the eclectic nature of the District and the difficulty of defining a one-size-fits-all solution.

On September 13, 2023, staff and Greg Dale conducted an informational meeting for all commercial and residential owners within the Historic District as a follow up to the May meeting. The meeting included a more detailed overview of: the Code, Guidelines, and review processes; the City Council-requested modifications regarding demolition and contributing/noncontributing language; the staff initiatives to address previous concerns and questions by residents; and an opportunity for attendees to provide feedback. See included presentation for reference. The following comments were provided:

- General concern about the discretionary nature of the process, especially for buildings that would not be considered "landmark" (fka contributing)
- Discussion about preservation versus transformation of the District
- Desire for staff to have greater latitude in decision-making
- Concerns about submission and review timelines. Opportunity for the Board to meet more often
- Concerns that additions and alterations reflect a faux history, instead of a progression of history
- Discussion about how the Code and Guidelines are applied to buildings that are not considered under the new landmark designation.

On October 11, 2023, a final public meeting was conducted with staff and Greg Dale to ensure that all issues had been heard from both residents and business owners within the district. See attached presentation for reference. Those attending confirmed that modifications should be considered to streamline the review process, affirmed the comments and concerns raised at the September meeting, and agreed staff office hours within the district would be beneficial. Staff and the consultant are reviewing the comments and recommendations.

### **Future Amendments**

Staff has identified the opportunity to address a number of additional minor items and clarifications with the Code that we will be undertaking as Phase 2. This will allow the Council-directed work to be completed first, and then staff and the Board may focus on: allowing additional administrative approvals, addressing any additional scrivener's errors, and providing additional clarifications within the Code. The topic of how the Code and the Guidelines would be applied to buildings newly considered "background" may also be discussed and altered as needed in Phase 2.

As previously noted, staff, with consultant support, is in the process of identifying a number of historic outbuildings and objects within the District that were not surveyed as part of the 2017 Historic and Cultural Assessment. The results of this research would also be included in Phase 2, thus providing greater clarity for the status of these resources, where currently none exists.

### **Recommendations**

Staff recommends the Planning and Zoning Commission review the proposed amendments and make a recommendation of approval to City Council. Staff also welcomes feedback or discussion about other topics that should be discussed as part of Phase 2.