#### **MEMORANDUM**

To:

**Dublin City Council** 

Dana L. McDaniel, City Manager

From:

Terry Foegler, Director of Strategic Initiatives/Special Projects

Jennifer D. Readler, Assistant Law Director

Date:

March 3, 2016

Re:

Update on the Creation of Community Entertainment Districts

#### I. Summary of Previous Information

At the January 25, 2016 City Council meeting, staff provided Council with information related to Community Entertainment Districts ("CEDs"). This information included general background information on CEDs, the process by which a CED is established, key state law provisions related to liquor permits and development investments within CEDs, and a request for direction from Council to move forward with assessing and proposing appropriate locations for potential CED boundaries.

After the presentation, Council authorized staff to meet and communicate with interested community members to seek input and provide information regarding this initiative, specifically with respect to proposed locations for the CED.

This memorandum outlines staff's progress with respect to Council's approval and direction. In sum, City staff is proposing the creation of two separate CEDs within the Bridge Street District.

#### II. Public Outreach

City staff initiated a communications and community engagement plan to educate and inform stakeholders, and to seek input from these constituencies. Specifically, staff reached out to Bridge Street District area business owners, developers, residents and the media, as well as to the general public to facilitate discussions and input about the proposed CEDs as an important tool in helping to attract new restaurants, entertainment and social venues within mixed-use development environments. At these sessions, it was noted that the commercial uses that are attracted by the creation of CEDs will help to attract new businesses and create jobs because they serve as important amenities for employers, workers and their customers.

The community engagement activities included the following:

- **Public Information Meetings**. City staff held two public meetings to discuss the proposed CEDs. The public meetings were held on February 11, 2016, and February 16, 2016, at City Hall. Staff provided a presentation on CEDs and answered all of the attendees' questions. The attendees were supportive of the creation of CEDs. These meetings were promoted on the website, online newsroom, eNews, social media posts and traditional media.
- Historic Dublin Business Association, Dublin Convention and Visitors Bureau and Dublin Chamber of Commerce. Staff reached out to representatives from these key stakeholders with a personal telephone call and follow up emails.
- **Dublin A.C.T. Coalition**. Staff is scheduled to meet with representatives of the Dublin A.C.T. Coalition on March 4, 2016.
- Communications Advisory Committee. Staff is scheduled to meet with the committee on March 10, 2016.
- **Dublin Website, Social Media, Traditional Media.** Staff posted all of the material presented to Council at the January 25<sup>th</sup> meeting, along with a series of FAQs, on the City's website and the City's other social media outlets. Calls were made to members of the press.

# III. <u>Formal Applications to Form Two Bridge Street District CEDs and Proposed Locations of Those CEDs</u>

As a result of Council's authorization to move forward, staff has developed applications for two new proposed CEDs. The CEDs will both be located in the Bridge Street District – one located on the east side of the Scioto River being named the "Bridge Park CED" and one located primarily on the west side of the Scioto River being named the "Historic Dublin CED," as depicted in the attached "Proposed Entertainment Districts" map. The Bridge Park CED was required as part of the Development Agreement with Crawford Hoying and is located east of Riverside Drive. This CED includes the shopping corridors of Bridge Park, as well as the new AC Hotel and the associated conference center. In addition to the Bridge Park development, the proposed Bridge Park CED includes the recently completed 83,046 square-foot senior housing campus – The Grand – and the existing 130,087 square-foot shopping center the "Shoppes at River Ridge," which includes two sit-down restaurants and one fast food restaurant. The Historic District CED includes the areas in and around Dublin's Historic District, including 11 existing restaurants, Bridge Park West, the new library and public and private redevelopment areas – the parks, Pedestrian Bridge and public plaza.

The Bridge Park CED is comprised of approximately 81 acres and the Historic District CED is comprised of approximately 94 acres. The required \$50 million investment threshold is easily being met in each of the proposed CEDs as a result of the extensive number of both public and private development projects moving forward within the two Districts. Since each district exceeds 75 acres, each is able to maximize the number of new D-5j permits (one permit per five acres in the CED, up to a maximum 15 permits per CED). Together, the CEDs will create 30

Memo re. Community Entertainment Districts March 3, 2016 Page 3

new D-5j liquor permits that will be available to qualifying business within the CED boundaries. Once the districts are created, existing restaurants located within the CED boundaries may apply for these D-5j permits, as well as new restaurants in the CED boundaries.

The boundary map for both proposed CEDs, the applications for the two CEDs and a map of the existing liquor permit holders located within the proposed CEDs are attached to this memorandum for Council's review and consideration.

#### IV. Conclusion

Pursuant to Council's authorization to move forward with the CED process, the CED applications will be submitted to the City. Pursuant to state law, notice of the filing of the application will be printed in the Dublin Villager for two consecutive weeks. The applications will then be forwarded to the Mayor for his review and recommendation of approval or disapproval. We plan to include the resolution establishing the two proposed CEDs on the agenda for Council's April 11, 2016 meeting. We will advertise that public hearing date on the City's website.

As always, please do not hesitate to contact us if you have any questions on the items discussed in this memorandum.



PLEASE SUBMIT THIS FORM WITH:	
<ul> <li>□ Application Fee Payment</li> <li>□ Application for Entertainment District Form</li> <li>□ Application Table of Contents, list all submitted materials</li> <li>□ Other Application Materials:         <ul> <li>Maps or exhibits, analysis, other supporting documents, etc.</li> </ul> </li> </ul>	This is the general application form for a Community Entertainment District (CED). The City has incorporated the Community Entertainment District as a financial and development tool to assist the community with the growth of mixed-use areas. Applicants may seek approval of a CED in order to assist prospective development through promoting entertainment oriented uses. For more information, please contact the Development Director's Office at 614.410.4600.
I. APPLICANT INFORMATION: Please provide the name a District.	nd address of the applicant for the proposed Community Entertainment
Dana L. McDaniel	
City Manager	
City of Dublin	
5200 Emerald Parkway Dublin, Ohio 43017	
Dubiiri, Offio 43017	
II. PROPOSED BOUNDARY: Please provide a map or surve property owned by the applicant within the proposed CED.  Attached to this application as Exhibit A is a map identify comprising approximately 81 acres including privately-owners.	
The City of Dublin owns a total of approximately 10.4 acr Land" on Exhibit A.	es within the proposed CED, shown as "City of Dublin Owned
III. ESTABLISHMENTS: Please provide a general statemen or will be located within the proposed CED, and any other est	t of the types of establishments described in R.C. §4301.80(A) that are ablishments not listed.
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	nning 30 acres along the Scioto River, Bridge Park will build
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Page 2 of 3 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 East development envisions the development of a high-value, entertainment and retail destination, with new river front parks and a iconic pedestrian bridge on the Scioto River located just west of the Community Entertainment District. Phase I will have 4 different blocks (A, B, C, D) of high-quality mixed-use developments including 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 East development is a key element in advancing the City's planning and economic development goals for its Bridge Street District initiative. The City envisions this development, and the related public projects, will serve as both a unique attraction and a catalyst to spur additional 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 The uses within the proposed Bridge Park 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's 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 Bridge Park CED includes several major public infrastructure projects and private redevelopment projects which are currently underway. The table, provided in Exhibit H, lists the summary of these planned financial investments, both from public and private sector. All investment numbers listed below are referenced from City of Dublin CIP (Ord. 54-15) and economic development agreement between City of Dublin and project developers (Ord. 44-15). (Exhibit F)

## 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.

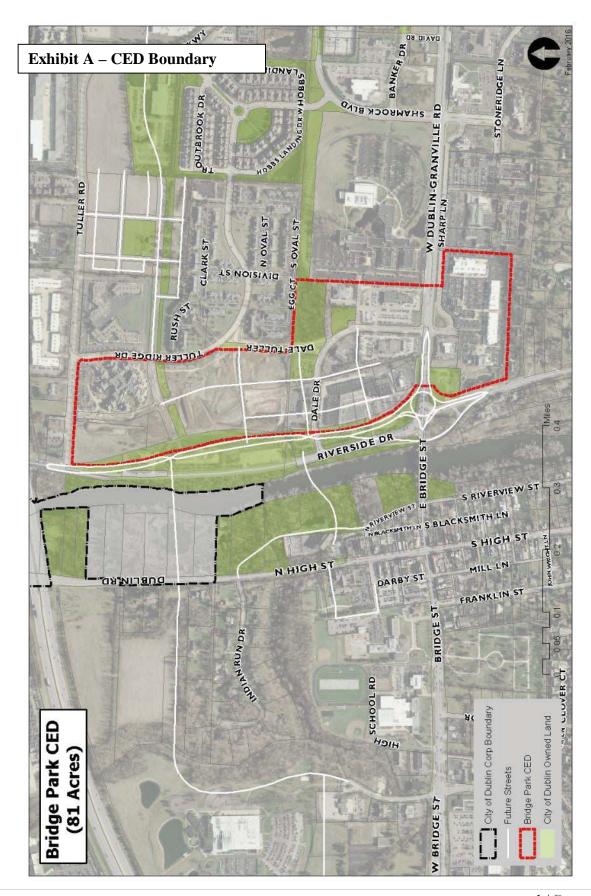
- Ohio Revised Code 4303.181(J): The D-5j permit shall be issued only within a community entertainment district that is designated under section 4301.80 of the Revised Code. The permit shall not be issued to a community entertainment district that is designated under divisions (B) and (C) of section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

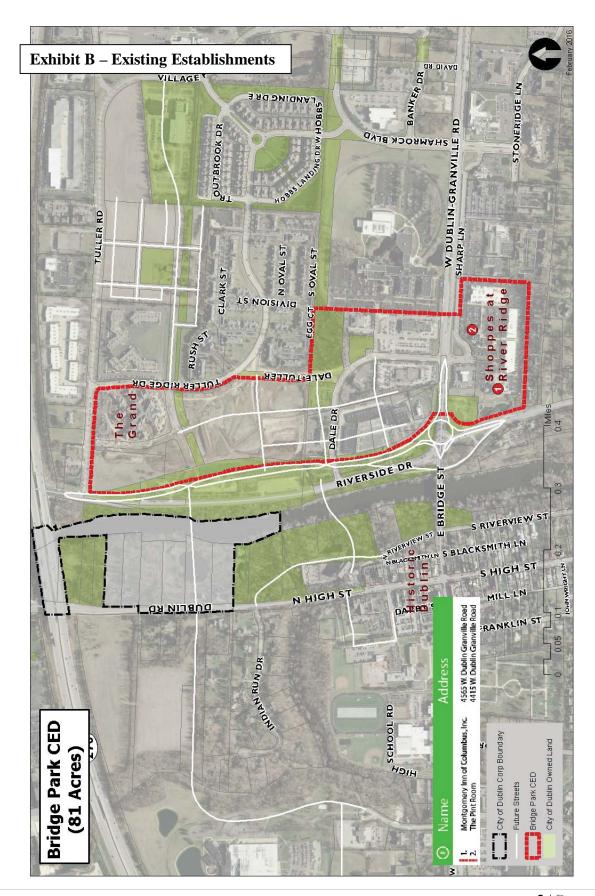
The location of a D-5j permit may be transferred only within the geographic boundaries of the community entertainment district in which it was issued and shall not be transferred outside the geographic boundaries of that district.

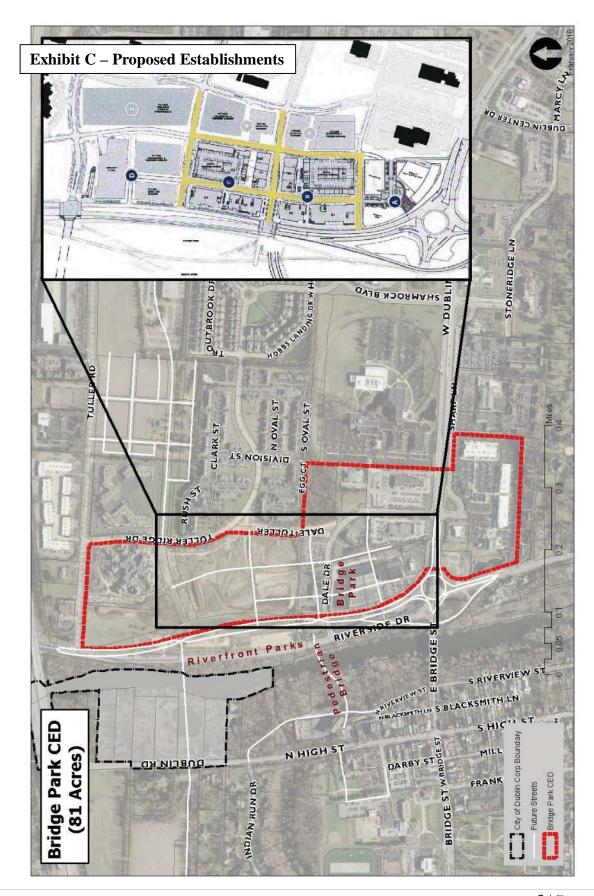
Not more than one D-5j permit shall be issued within each community entertainment district for each five acres of land located within the district. Not more than fifteen D-5j permits may be issued within a single community entertainment district. Except as otherwise provided in division (J)(4) of this 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 Se	ection 4301.80(C), the Mayor of the City of Dublin recommends that this action be
Approved	Disapproved
Mayor's Signature	Date
Resolution No.	Date







	]	Bridge Park E	Cast (Phase I)	Development 1	Program		
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	

#### **Exhibit D – Land Use Classifications**

The proposed Bridge Park 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 Bridge Park 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 onstreet spaces, building-integrated facilities, strategically-located surface lots and standalone parking structures. This classification allows for the widest mixture of uses and highest development densities within the City. (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.

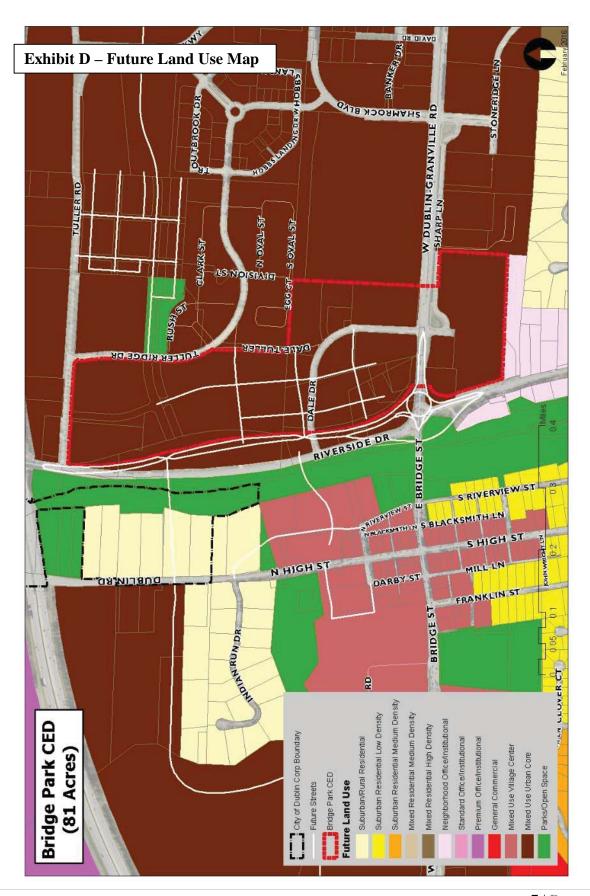
The Zoning Classifications within the Bridge Park CED include-

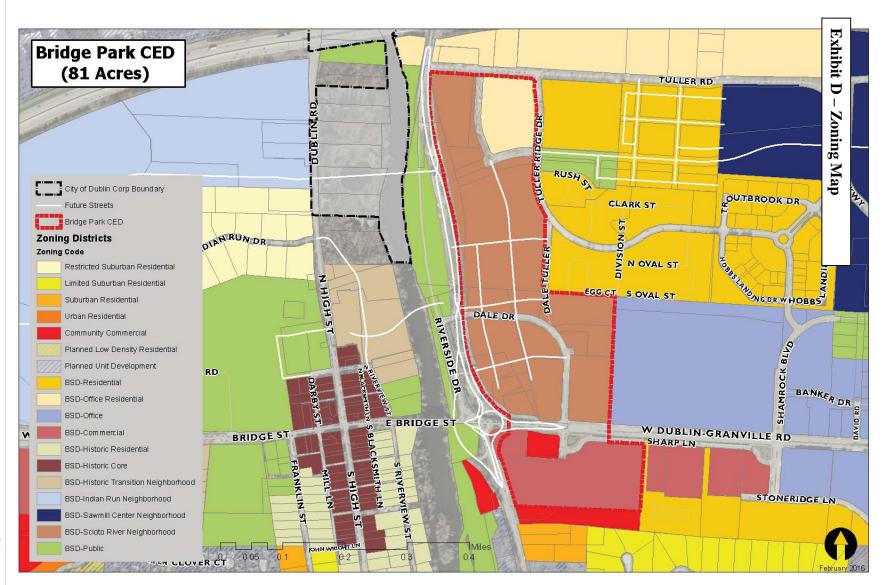
BSD- Office Residential: The intent of this district is to accommodate a mix of office and multiple-family residential development at higher densities and in larger buildings. This district offers great flexibility to take advantage of visibility and access for office uses, with opportunities to create 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- Commercial:* This district applies generally to existing retail centers and other low-rise commercial uses, including single use freestanding retail buildings. Properties initially zoned into this district may be eligible for rezoning to the BSD Vertical Mixed Use District or to other surrounding BSD zoning districts when future redevelopment to higher densities is desired.

Community Commercial: This classification is based on the existing zoning for a fast food restaurant. (Exhibit D-Zoning Map)





#### Exhibit E - Boundary Area

Engineering 5800 Shier Rings Road Dublin, Ohio 43016 To Whom It May Concern:

phone 614.410.4600

www.dublinohiousa.gov

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 Bridge Park CED located in Dublin, Ohio.

The area of the proposed Bridge Park 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 that area of the community entertainment districts to be greater than 20 acres. The community entertainment district is approximately 81.0 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

### $\label{eq:example_problem} \textbf{Exhibit F} - \textbf{Development Investment}$

	Planned Investments 2016-2026				
	Туре	Project	Bridge Park CED		
			(Millions)		
1	Public	Bridge Park Phase I Internal Roadways	\$11.10		
2	Public	Bridge Park Phase I Parking Structures	\$40.00		
3	Private	Bridge Park Development	\$175.00		
		TOTAL	\$226.10		



	Development Director's Office   2016
(D) 111	
City of Dublin COMMUNITY ENT	TERTAINMENT DISTRICT APPLICATION
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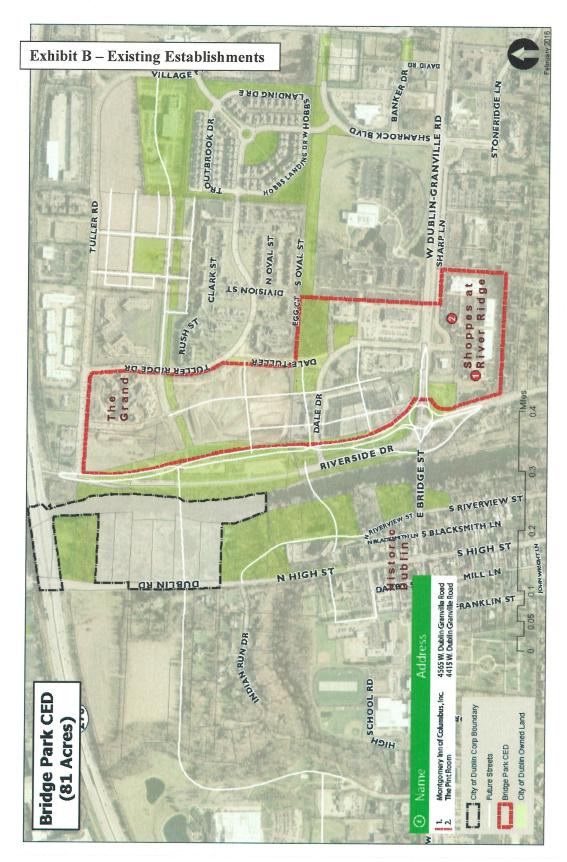
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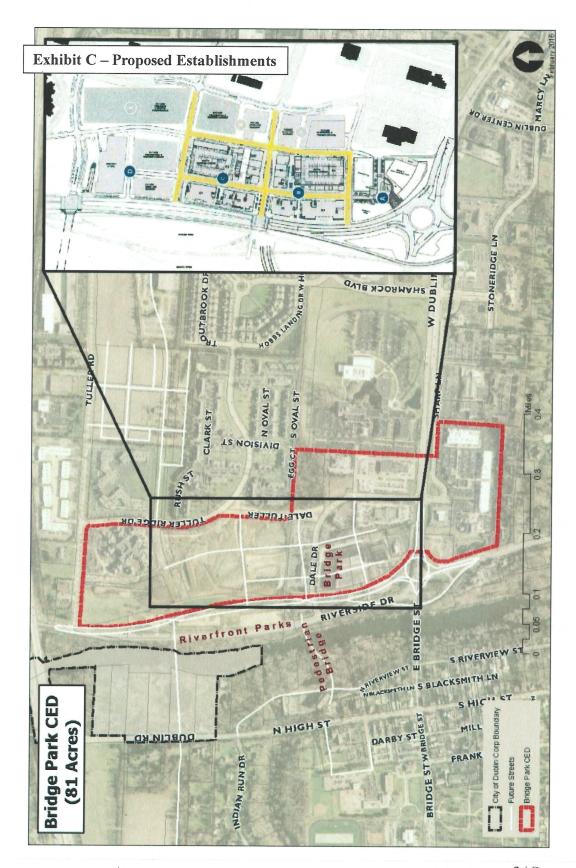
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FOR CITY USE ONLY	
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Mayor's Signature	Date
Resolution No.  For questions or more information, please con	Date  ntact the Development Director's Office at 614.410.4600   www.dublinohioUSA.gov







		Bridge Park F	East (Phase I)	Development	Program		
Bridge	Park- A	Bridge	Park- B	Bridge	Park- C	Bridge Pa	ark- D
Use	Sq-Ft/Amt	Use	Sq-Ft/Amt	Use	Sq-Ft/ Amt	Use	Sq-Ft/ Amt
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#### Exhibit D – Land Use Classifications

The proposed Bridge Park 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 Bridge Park 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 onstreet spaces, building-integrated facilities, strategically-located surface lots and standalone parking structures. This classification allows for the widest mixture of uses and highest development densities within the City. (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.

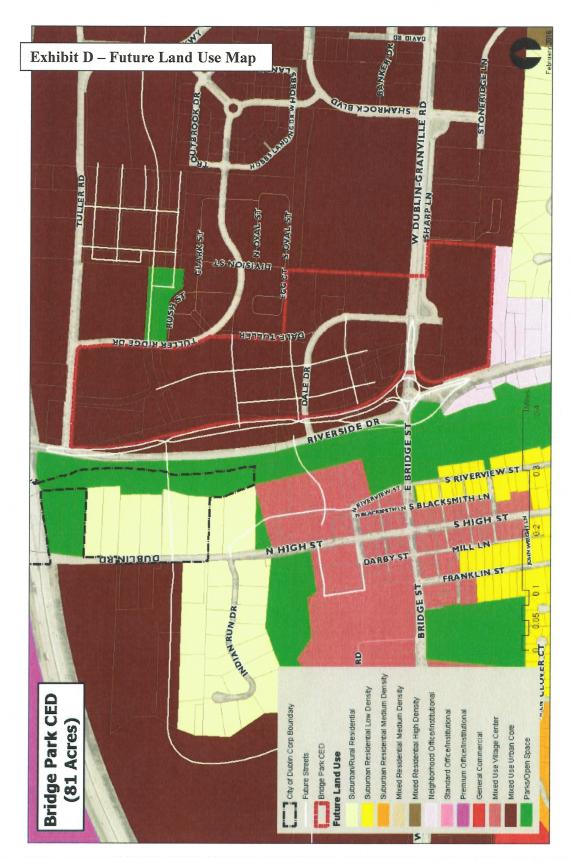
The Zoning Classifications within the Bridge Park CED include-

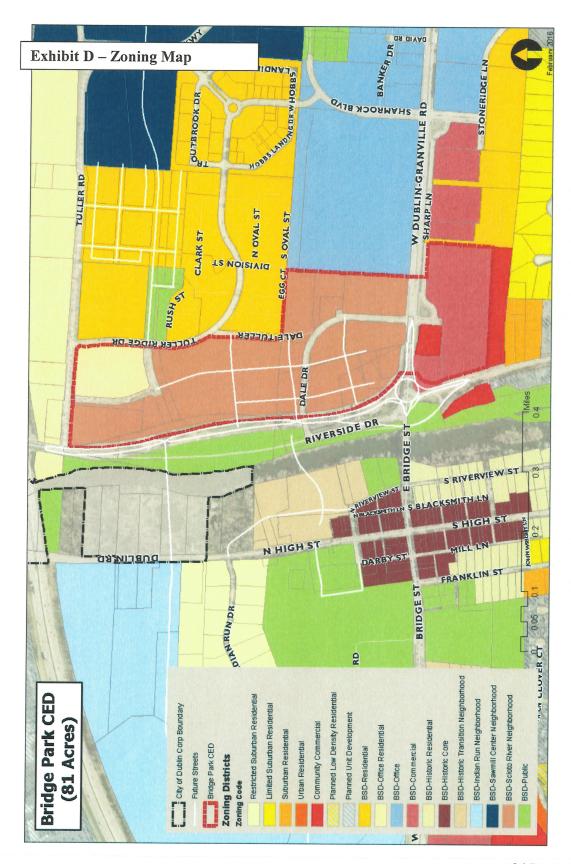
BSD- Office Residential: The intent of this district is to accommodate a mix of office and multiple-family residential development at higher densities and in larger buildings. This district offers great flexibility to take advantage of visibility and access for office uses, with opportunities to create 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- Commercial: This district applies generally to existing retail centers and other low-rise commercial uses, including single use freestanding retail buildings. Properties initially zoned into this district may be eligible for rezoning to the BSD Vertical Mixed Use District or to other surrounding BSD zoning districts when future redevelopment to higher densities is desired.

Community Commercial: This classification is based on the existing zoning for a fast food restaurant. (Exhibit D – Zoning Map)





### Exhibit E - Boundary Area

Engineering 5800 Shier Rings Road Dublin, Ohio 43016 To Whom It May Concern:

phone 614.410.4600

www.dublinohiousa.gov

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 Bridge Park CED located in Dublin, Ohio.

The area of the proposed Bridge Park 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 that area of the community entertainment districts to be greater than 20 acres. The community entertainment district is approximately 81.0 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

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### $Exhibit \ F-Development \ Investment$

Planned Investments 2016-2026				
Туре		Project	Bridge Park CED	
			(Millions)	
1	Public	Bridge Park Phase I Internal Roadways	\$11.10	
2	Public	Bridge Park Phase I Parking Structures	\$40.00	
3	Private	Bridge Park Development	\$175.00	
		TOTAL	\$226.10	



