



## MEETING MINUTES

# JOINT WORK SESSION

## Planning & Zoning Commission and Architectural Review Board

Wednesday, May 9, 2018 | 6:30 pm

### AGENDA

- 1. Bridge Street District Code Amendments, Phase 1  
18-005ADMC Administrative Request – Code Amendment**

The Chair, Victoria Newell, called the meeting to order at 6:33 p.m. and led the Pledge of Allegiance. She said this is a joint work session with the Planning and Zoning Commission and the Architectural Review Board to discuss the proposed amendments to the Bridge Street District Zoning Code.

### I. ROLL CALL

Other Commission members present:

Jane Fox, Council Representative  
Steve Stidhem, Vice Chair  
Bob Miller  
Warren Fishman  
William Wilson

Architectural Review Board present:

David Rinaldi, Chair  
Sharron Stenberg, Vice Chair  
Jeff Leonhard  
Gary Alexander  
Andrew Keeler

Staff present:

Vince Papsidero  
Jennifer Rauch  
Claudia Husak  
Phillip Hartmann  
Lori Burchett  
Flora Rogers

### II. PRESENTATION

Vince Papsidero said he would present a summary of the direction to which staff is proposing for Code changes. He said he would like to focus on any major items, questions, points of clarification or discussion. He said issues with grammar will be addressed in the next stage of the process when draft Code language is prepared.

Mr. Papsidero presented a graphic showing the structural change from a process standpoint, which reduces the number of steps. He presented the Table of Contents for which he planned to go through but it also represented the contents of the Zoning Code.



- A. Intent
- B. Review Procedure Summary
- C. Pre-Application
- D. Concept Plan (Work Session)
- E. Preliminary Development Plan
- F. Final Development Plan
- G. Minor Projects
- H. Administrative Departures
- I. Waivers
- J. Minor Modifications
- K. Other Applicable Reviews
- L. Appeals
- M. General Provisions

A. Intent – (a – e) No changes proposed.

Jane Fox said she had an issue with *b. Enhance Dublin's reputation for high quality development*. She suggested adding 'exceptional, carefully considered design' because high-quality development is too broad. She said there have been problems with receiving homogeneous design. She also suggested adding the word 'unique' so future Commissioners understand the design should be more distinctive. Mr. Papsidero agreed.

Mr. Papsidero said he would like to ensure group consensus on proposed changes. He said we will capture the comments and details for editing and then the group can decide if they agree with the edits.

B. Review Procedure Summary

Mr. Papsidero said this section focuses on the Summary Procedure Table. He said it reflects two major changes: 1) The ART not providing a recommendation; and 2) City Council not approving a Basic Plan as part of an Economic Development Agreement (EDA). He said these two significant process changes have been discussed since April 2016. He explained the table illustrated which body has the final decision on each process.

Steve Stidhem said what is being proposed here is the outcome and execution of the processes. He asked if Mr. Papsidero had considered the caseloads of the different bodies with the proposed changes. Mr. Papsidero said if the ART's role is eliminated, the Commission's case load would increase significantly.

Bob Miller noticed there is very little Administrative Appeal opportunities on the chart. He cited a Minor Modification Project as an example that comes to the Planning Director and there is no appeal process. He asked if that should be added. Mr. Papsidero said there is an appeal step but it is not reflected on this table. Claudia Husak said an example of a Minor Modifications would be an applicant request to switch a door to a window. She said they are very minor in nature and the Code is specific about what can be approved.

Mr. Miller asked what the process would be if someone disputes the approval. Ms. Husak said the applicant would submit an Administrative Appeal to the Board of Zoning Appeals (BZA).

C. Pre-Application

Mr. Papsidero explained this is an informal process where applicants meet with staff prior to filing to review the concept or proposal. He stated there are no Code changes proposed for this section.

D. Concept Plan (Work Session)

Mr. Papsidero said this is a new, formal step consistent with the approach taken in the PUD district. He said it provides a formal, non-binding review of a case between the applicant and the Required Reviewing Body. As proposed, he said, it is optional at the discretion of the applicant, although staff currently recommends this step for complex cases. Ms. Husak said in the Planned District it is required in three instances: the size of the development is over 25 acres, the proposed does not meet the Community Plan, or it is complex in nature.

Mr. Papsidero said if there is a desire to make this a requirement then criteria must be established because not all projects should be subject to this step, particularly where this would be redundant with other steps.

Mr. Miller asked why it is optional. He asked how frequently someone would not execute a Concept Plan. Mr. Papsidero indicated there have been individual blocks in the BSD and individual buildings. Ms. Husak said in the Historic District a Concept Plan is used more because the District is more sensitive and a project would be more impactful in terms of the surroundings. Gary Alexander said a recent instance staff suggested an applicant come forward for a Concept Plan, but the applicant presented a finished product and there was extreme reluctance to make modifications. He said the professional should have known in most historic districts there is a preliminary review. He suggested the Concept Plan be required, because it results in a better outcome.

Mr. Miller asked Mr. Papsidero if there could be criteria to clarify when a Concept Plan would be required. Mr. Papsidero confirmed this was an option.

Mr. Stidhem restated he concern with the impact on the case load.

Mr. Papsidero said Concept Plans could be required, unless it is a very minor proposal. He added if there was interest in the addition of criteria, he would appreciate the Commission's guidance on what they would consider.

Mr. Miller asked if construction value could have any bearing on that requirement. Mr. Papsidero said we do not have that number until building permits. He said square footage would have to be the determining factor.

Ms. Fox said the Historic District has to be based on square footage, given the existing development. Mr. Papsidero agreed. He suggested requiring a Concept Plan for all new construction or expansion to any existing building would capture it all. Ms. Fox said many times Concept Plans and informal reviews are presented as fully created construction drawings. She requested Concept Plans come to the Board as concepts.

E. Preliminary Development Plan

Mr. Papsidero explained this is a new step in the process, consistent with the approach taken in the PUD district; however, it does not provide development rights through a rezoning, as occurs in PUDs. He said this submittal replaces the Basic Plan and portions of the Development Plan under the current BSD Code. By practice, he explained, a Preliminary Plat can be submitted concurrently. This step links the development proposal to the City's adopted code and policies (Vision Plan and Area Plan) through the formal staff analysis and decision of the Required Reviewing Body. He reported at the recommendation of Don Elliott, a provision be included under (1)d that provides an ability to waive this step for minor projects based on the following criteria:

1. Gross square footage is less than 25,000 whether new construction or an expansion of an existing building, provided the expansion is no greater than 10% of the existing building;
2. If the project meets the gross square footage standard in #1 but it does not qualify if it is located within 200 feet of a residential use; or
3. The project does not have significant community impacts that require additional public review.

Mr. Papsidero said the submittal requirements are below but are detailed in the example application forms (this provides staff the ability to modify those forms, as priorities change with the Required Reviewing Bodies without amending the Code).

- a. Application form, supporting material, and fee
- b. Vicinity Map
- c. Regional Context Map (2,000 feet)
- d. Existing conditions
- e. Development components and public facilities
- f. Access and circulation
- g. Off-site improvements
- h. Natural areas
- i. Development program
- j. Architectural and materials
- k. Landscaping
- l. Other materials as deemed appropriate

Mr. Papsidero said review criteria are specific and detailed in the Code. He said there will no longer be an ART recommendation provided, but a Staff Report provides a recommendation.

Mr. Papsidero stated these criteria apply to the entire Bridge Street District. Ms. Fox expressed concern, because even though the building or parcel may be small, there might be significant impact on the surrounding area. Mr. Fishman agreed. He said a very small project can have tremendous effect on future development or the character of the development. He said he would like the Commission see almost everything.

Mr. Papsidero explained the use of this criteria would allow an applicant to skip a Preliminary Development Plan, but a Final Development Plan would be required. He said the Final Development Plan would be reviewed by the Commission and allow the opportunity for public input. He said if the Board members are uncomfortable, this recommended change does not have to be made. He emphasized the intent was to expedite smaller projects.

Mr. Fishman said the problem is when a developer comes before the Commission for a Final Development Plan assuming he has a great project. He said then with this last step the Commission recommends changes, but the applicant has spent \$180,000 on plans, etc. He said we have heard that before and he does not want to see the preliminary step eliminated.

Victoria Newell said that is why it is so important to have the Informal Review. She said it is a great opportunity for clients to hear feedback as well as receive general feedback before time and effort has been put into a project.

Mr. Papsidero asked if the Commission would be interested in a Concept Plan Review allowing the Commission to authorize an applicant to skip the Preliminary Development Plan for smaller projects. Mr. Fishman and Ms. Newell said they might consider that approach because they trust the staff, but would be uncertain of the future.

Mr. Alexander emphasized this is not going to be for projects less than 25,000 square feet or projects in the Historic District. Mr. Papsidero agreed. Mr. Papsidero suggested additional consideration on this topic.

Ms. Fox said Upper Arlington's Planning Commission meets twice a month and one of those is simply for concepts. She said that process provides efficiency. Mr. Alexander said he has participated in those meetings and clarified it is not the full Board that participates in each meeting. He said they try to have a quorum and they review concept plans. He said everything goes to their PZC no matter the size. Mr. Papsidero said if there was interest to do that in Dublin, a third meeting a month would probably have to be added given Dublin's case load.

Ms. Husak recalled Dublin did that with the PZC in the past. She said half the meeting was a work session and the other half was for formal cases with votes. She said they tried that out for a while but decided the informal option seemed to get them what they wanted without people having to come twice with a Final Plat.

Mr. Papsidero pointed out the handout had the submittal requirements in bulleted form, very simply listed. He said staff has posted the example application forms for reference. He indicated the Code itself will not go into a great detail but the application form does. He explained this gives staff flexibility to modify over time and without modifying the Zoning Code. He encouraged the members to review the applications as they can be revised as part of the Code Amendment.

Ms. Husak explained in the PUD, to differentiate between the Preliminary Development Plan within the BSD, which already has zoning in place and none of the zoning rules would change with that. In the PUD applications, she said they list it as a Rezoning with a Preliminary Development Plan to ensure everyone understands that the word part is the new zoning and the plan part is the Preliminary Development Plan. She said staff intends to continue to do that to ensure clarity between the two processes.

Mr. Papsidero emphasized, neither body will get a recommendation from the ART on these applications but a staff recommendation will be provided in the Planning Report because the ART step is being eliminated to simplify and shorten the process.

Ms. Fox said someone brought up earlier the possibility of staff providing questions or concerns instead of a recommendation. She asked if recommendations lead the Board or Commission in a certain way or if there is a better way for staff to bring the information forward without making a recommendation. Mr. Papsidero answered he did not think so. He reported he worked under three different approaches. He said he has felt staff should provide a recommendation with detail and conditions because that benefits each body and the public. He said the Board can continue in any direction it chooses, which could include changes or completely reversing the recommendation. He indicated we would not be doing a project justice if we did not provide a review and recommendation. He emphasized that degree of information analysis is really critical to decision making, regardless of whether one agrees or not.

Ms. Stenberg said the staff has done a very good job laying out exactly where a condition might be needed, examples of how something fits, or explaining why Waivers are being suggested, etc.

Ms. Fox said it is very helpful when staff provides discussion questions.

Jennifer Rauch indicated progress has been made over the years of trying to tie information and discussion questions to review criteria, especially with where ARB is concerned.

Ms. Newell said she likes the recommendation from staff. She said when she presented in front of the PZC as an architect, the provision of a staff report ensured the PZC was much better organized and it was not so much a free-for-all filled with opinions.

Mr. Miller said staff's recommendations are hugely valuable as well as the review comment. He said he does not ever remember having a disagreement with staff and that being a negative conversation; he applauded staff for that. He emphasized those recommendations, especially when he was brand new, were hugely valuable and they still are today.

Ms. Husak reported staff recently had on-boarding with Mr. Wilson and Mr. Keeler and one of their comments was what happens if members disagree with staff, have different findings, or come to a different recommendation. She stated this is part of the public process and along as Board and Commissions members defend their opinions and cite criteria, we are all moving forward towards the best outcome.

Mr. Stidhem said he is not a lawyer, an architect, or a planning professional and he likes to have the technical details to make sure he has a deeper understanding of the project and is better informed. He said the Planning Report does not bias him but rather it fully informs him.

#### F. Final Development Plan

Mr. Papsidero said this is a new step in the process, consistent with the approach taken in the PUD district. He said this submittal combines portions of the Development Plan and all of the Site Plan requirements under the current BSD Code. He added this submittal ensures the final details are consistent with the Code, policies and the Preliminary Development Plan through the formal staff analysis and decision of the Required Reviewing Body. By practice, he said, a Final Plat can be submitted concurrently.

Mr. Papsidero stated the submittal requirements are summarized here, but are detailed in the example application forms (this provides staff the ability to modify those forms, as priorities change with the Required Reviewing Bodies without amending the Code).

- a. Application form, supporting material, and fee;
- b. Project Area Map;
- c. Land use and building details;
- d. Lots and blocks details;
- e. Neighborhood district details, as applicable;
- f. Access and circulation details;
- g. Parking and loading details;
- h. Grading details;
- i. Utility details;
- j. Tree survey;
- k. Landscape plan;
- l. Open space details;
- m. Architecture and material details, including samples;
- n. Site management details;
- o. Sign details, if applicable; and
- p. Other materials as deemed appropriate.

Mr. Papsidero said review criteria are specific and detailed in the Code. He said there will no longer be an ART recommendation, but the Planning Report will provide a recommendation. He indicated he did not think there were any substantial changes; the review criteria is taken from the current Code and builds upon the Preliminary Development Plan.

G. Minor Projects

Mr. Papsidero noted there are no changes proposed in this section of the current Code. He recalled there have been discussions in the past in terms of the role of the ART. He clarified staff and Don Elliott are suggesting retaining the ART's role in approving Minor Projects because of the types of projects that come through (defined in subsection 2) within the BSD (excluding the geography of ARB's authority) in order to expedite these smaller projects. He said the exception would be in the Historic District where ARB would approve Minor Projects. He added the ART can "kick up" an application to PZC under specific Code provisions (see subsection 3).

Mr. Papsidero showed a list compiled of Minor Project Reviews from a two-year window that have come through the ART. He noted these are generally in Bridge Park but not exclusively and tend to be signs and patios. Lori Burchett reviewed the projects. She noted Minor Projects are everything that meets the requirements in the Code, but are relatively very minor, and the ART can make those decisions.

The Minor Projects are defined in the Code and that list has not changed as follows:

- a. Individual single-family detached dwelling units;
- b. Multiple family and townhouse buildings of eight or fewer dwelling units in a single building on an individual lot and not part of a larger development complex;
- c. Development of mixed use and nonresidential principal structures of 10,000 square feet or less gross floor area (GFA) and associated site development requirements;
- d. Principal structure additions limited to 25% GFA or 10,000 square feet, whichever is less, and associated site improvements;
- e. Principal structure exterior modifications limited to 25% of any individual façade elevation;
- f. Signs, landscaping, parking, and other site improvements that do not involve construction of a new principal building; and
- g. Accessory structures and uses.

Mr. Papsidero asked if the members are comfortable with the process that has been in place or should changes be made. He asked if they wanted to see more of this type of work.

Ms. Newell said they talked a lot about the sign for Big Sandy because that came before the PZC but the architecture was approved through the ART. She said some changes have come about because of that project and it was in a center that had an overall design scheme. She asked how that fell under the MPR or if that would have been excluded. Ms. Husak said the modifications were limited to 25% of an individual façade, which were met.

Mr. Papsidero said the work on the larger amendment has detailed changes under applicability to ensure existing buildings are treated differently relative to the newer Code as they are not a walkable urban form, etc. He said the degree to which a façade is proposed to be changed could be a trigger as to whether it should go to a higher reviewing body. Ms. Newell said that is her suggestion.

Mr. Stidhem said he was a fan looking a principal intent of a project than explicit hard numbers. He said if the limit is 25,000SF and a proposal is 24,999SF, it would not qualify. He said we know when we make this change it will have an impact later on something else. He referred to the Code E1, bullet 3 – suggested including wording about a project's impact to allow flexibility to be able to move something along the in process if it does not quite meet the intent. Mr. Papsidero said he would defer to the Law Directors because we have to be careful with those broad statements like community impact because it is open to interpretation. Phil Hartmann agreed it should not be too board. Mr. Papsidero said he would want something well defined to ensure clarity. He said measurements are used often because they are clean, easy, specific, and legally defensible. He said he likes the idea of having additional criteria that can help build upon that.

Mr. Fishman said he is concerned about the idea of window film and how it should be treated. He said window film has a bigger impact than we think it does. Mr. Papsidero said, window film is a perfect subject for the design guidelines. He suggested that issue be addressed and built into the guidelines and is one of the many aesthetic issues that are best treated in that fashion.

Ms. Fox reiterated she was concerned about the breadth of these MPRs not coming before the Commission. Knowing that Council is going to talk about this next week, she said, she wanted everyone's opinion about that. She asked the group if they were comfortable with a. - g. as definitions of Minor Projects.

Mr. Wilson expressed staff has done a great job. He said it seems there may be concerns about cases that were not kicked up, but that is always going to be there no matter how well we define it. Ms. Burchett said if there is a deviation from the Code, such that it would require a Waiver that would go before the reviewing body.

Mr. Fishman said we do not witness the conversations with the developer, and sometimes the Planning Reports indicate that staff did not get everything they wanted. He said it has been valuable for them to review and allow the Commission to be the villain when the developer has told staff they are not going to do something. Mr. Papsidero indicated the catchall provision would help staff to do that. He said there are some things staff cannot push because they are legally bound, but there may be an issue or topic staff know the Board or Commission is concerned with and this would allow for the higher reviewing body's review. He said many times the issues can be addressed better because that Board or Commission have more latitude but it is not something staff can provide a heads up about. He said understanding each other and knowing how each functions is the part of the relationship that is critical between staff and the Boards and Commission.

Ms. Rauch said part of this is ensuring the regulations are right. She said if the issues, for example, is too many signs, then the we revise the Code to reduce the number of signs permitted, not make the process longer and create more procedures. She said we should look at addressing the specific issue.

Mr. Papsidero said when you review the list of Minor Project they are very small in nature.

Mr. Miller said there have been times when cases have been kicked up to the Commission on purpose and they know by the way it is stated, this is being brought to them because staff had concerns. He said he reviews all the MPR via the ART minutes and very rarely does he sees anything. He said the whole body of work is solid, in terms of the way it works today.

Ms. Newell said she agreed with Mr. Miller. She said she also looks at these cases and there are a couple on that list that bothered her because of an aesthetic issue, but she did not think it should be difficult for people to bring signs that meet the basic requirements.

Andrew Keeler suggested there needs to be more specificity on items that would trigger a review by one of the Boards. Mr. Papsidero said staff is suggesting more criteria could help define that and perhaps the Planning Director could have the opportunity to kick it up, as well as the ART.

Ms. Fox said staff is doing such a great job on this but suggested that the wording for the future is included as staff and board members change. Mr. Papsidero agreed the Code needs to be very clear; there should also be very clear guidance in the *Guidelines*, too.

#### H. Administrative Departures

Mr. Papsidero said they are not suggesting any changes to this section. He referred to the handout that showed what the ART has approved in the way of Administrative Departures.

Mr. Papsidero noted, typically, these will be handled by the Required Reviewing Bodies, except when a request is associated with a Minor Project that is eligible to be reviewed by ART. Lori Burchett said the ART has the ability to approve an Administrative Departure and they are usually within 10% of the Code requirement so there may be 14% transparency on the ground story where 15% is required for example. She said very rarely would they see a project that would need a Waiver that would be approved at another point.

Mr. Papsidero asked if they were comfortable with the smaller departures or Waivers and whether they sit at the ART or not. He indicated a group of these may go away as we move these towards the design guidelines. He said it should be the intent and not necessarily focusing on the measurement in those instances.

Ms. Fox referred to the Code section that defines Administrative Departures as follows:

- a. Building setbacks;
- b. Parking requirements;
- c. Landscaping;
- d. Building materials; or
- e. Other similar features or elements.

Ms. Fox noted "e. Other similar features or elements" seems anything could fit in there. Ms. Burchett said she did not think staff ever looked at that as an Administrative Departure option. She said she would have to go through the Code to see where that would apply because usually it is within a calculable standard, falling within that 10% deviation. Mr. Papsidero agreed that appeared too undefined and would prefer to eliminate it. Mr. Hartmann agreed.

#### I. Waivers

Mr. Papsidero said they are not suggesting any changes to this section. He indicated staff expects a number of these to be reduced with the creation of the design guidelines. He said the ART recommendation will be eliminated so it will just be in the Planning Report and it rests with the PZC and the ARB.

#### J. Minor Modifications

Mr. Papsidero said they are not suggesting any changes to this section. He said Minor Modifications rest with the Planning Director. He noted there have been some issues administratively dealing with these, in Bridge Park specifically in the field. Ms. Burchett explained if there was ever a Minor Modification that would require a Waiver, then an application would need to be filed. She provided the following example of a typical Minor Modification – there is a door approved in this location and it needs to be moved two feet, or there is a window and the applicant would like it to be replaced with a door in this location and these typically do not change the façade and still meet the character aesthetic of the building. She said staff closely reviews what the applicant is proposing. Mr. Papsidero noted material changes have to be equal or better than what was approved like a balcony railing or a hardscape pattern change for additional examples of what was happening in the field.

Mr. Keeler referred to (2)(a)(6) under Minor Modifications defined:

6. Relocating fencing, walls or screening (but not screening walls);\*

\* Not included in the ARB code.

Mr. Keeler reported at the last ARB meeting, they reviewed a case that proposed moving a historic stone wall. Mr. Papsidero said that is an example where the Planning Director could not authorize the relocation of that stone wall. He said this protects that historic resource and it is up to the ARB to determine the appropriateness, not staff. Mr. Keeler asked about the asterisk note. Ms. Rauch explained the ARB has its own separate section of Code, which also outlines Minor Modifications and these do not line up. She suggested staff could modify the Code to align with the Zoning Code. Mr. Papsidero indicated there is a higher standard in the Historic District.

Ms. Fox referred to the same section in the Code where it states the following:

8. Changes in building materials or colors that are similar to and have the same general appearance comparable to or of a higher quality as previously approved material;

Ms. Rauch explained that under the ARB Code, the Planning Director would not be allowed to approve that administratively. Mr. Papsidero asked if there was an example of that where staff approved a material change. Ms. Rauch gave the example of an approved red brick by one manufacturer not being available, and the administrative approval would allow for the same red brick from another manufacturer; it would not be exchanging a red brick for a cream colored brick. She added staff is very conservative about when to approve requests administratively. She stated if staff had any questions or concerns the request would be sent forward to the ARB.

Ms. Fox said she would like material changes under the ARB's purview and not allow the Planning Director to make those decisions in the Historic District. She said it would give more control to the ARB. Mr. Papsidero said if that is what everyone wants, staff would change two Codes but staff can change that here. Ms. Rauch suggested another option is to leave the ARB the way it is and say it is not applicable. She said if you want to know what happens in the ARB you refer to the ARB Code, not the BSD.

K. Other Applicable Reviews

Mr. Papsidero said they are not suggesting any changes to this section and it is considered standard operating procedure.

Mr. Alexander said he meant to bring this up earlier. He said it is back to the Concept Review. He asked if wording could be changed because there is nothing in here that states "provide non-binding and recommendations". He asked if this is really what you want out of a Concept Review. He said he has seen a few cases where the applicant comes to a meeting with a concept and they are given what they thought was input to develop a project in a certain way. He said the applicant returns at the next meeting and a Board member who was not present at the earlier meeting provide additional comments, or someone asks for another change and blindsides the applicant and staff. He said the applicant has been given some input, it has not been counterproductive, and everybody loses in this situation. He suggested a way of strengthening the wording under purpose and applicability to make it clear what the goal is for a Concept Plan, which is to give concrete recommendations and guidance. He said that possibly could avoid these kind of situations.

Mr. Papsidero said staff could do that but the intent is still to work within non-binding feedback. He said staff can strengthen what that means and how that should be implied moving forward with the Preliminary Development Plan discussion to ensure it is consistent with the feedback provided by the

Board or Commission. He indicated two places where staff can force that. At the same time, he said a Board or Commission Member can always add additional input because they have that right, He agreed it would be good to balance the two. Mr. Alexander said it is difficult for the design professional and the resident who expects input and they think they do what they are told and then no, it turns out they have not done what they had been told. He reiterated, if there is a way to strengthen that, he said, these kind of situations can be avoided.

Mr. Fishman said the Concept Plan can work both ways. He said when you are making definite commitments on a concept many times the developer interprets that differently than we do when finalizing details and that can be a problem. He said sometimes we say we want this to look this way or this is going to be the use, and it comes back it really looks different than you imagined, and we need the flexibility to say this is not what we imagined.

Mr. Alexander suggested writing it differently for the two boards because there are so many issues with scale in the ARB versus scale for the PZC. He said a design professional in many cases has done elevations of a building and you get a sense of what that building is going to look like but they have not done the details a construction drawing might require. He said on a smaller scale, it is easy to present a lot more detail early on.

Mr. Fishman said he sees Mr. Alexander's point. He said with PZC an applicant submits a subdivision and the Commission imagines it one way and then when the applicant returns and it does not look like the Commission imagined. He said that happens often because the applicant had a different picture in their mind than the seven on the Commission did.

Mr. Papsidero said for the ARB, the Concept Plan could be subject to a decision and then add an informal step before that.

Mr. Rinaldi said that would add another step but definitely agrees the Concept Plan should be mandatory for the ARB. Mr. Papsidero asked then if the ARB would want to approve it or disapprove it. Mr. Alexander said that might be difficult to do. He said wants to ensure that if someone is given feedback, and there appear to be recommendations that will lead to approval, then those recommendations cannot change significantly later. Mr. Rinaldi said another problem exists if we do not have a consensus and an applicant may hear the loudest voices in that meeting and follow that, but that may not be the majority of the board.

Ms. Rauch suggested as a policy that as a Chair and as a Staff, where a summary is provided at the end of the discussion that outlines "this is what I heard you need to address". She said this happened the other night at City Council where the Mayor outlined what was said and then as a group CC went point by point to see if there was consensus on the direction that should be taken. She said that was very helpful and very clear to a Staff, on how to address the Council's concerns. Mr. Papsidero noted it would be more of a practice to gain consensus. He said that gets to Mr. Alexander's point without having to mandate a decision on a Concept Plan. Mr. Rinaldi said the Concept Plan would be too premature to render a decision. Mr. Rinaldi said the ARB has had several cases where there is a 3 – 2 decision and he expressed concerns with the informal review giving the applicant opposing feedback.

Ms. Fox said the Concept Plan could be based on the review criteria.

Mr. Papsidero said review criteria for Concept Plans for both bodies makes a lot of sense and current Code does not do that. He said maybe that would help give everyone a comfort level.

Ms. Fox emphasized the applicant has an expectation that they are going to walk away with an answer or direction.

Mr. Keeler asked if a Concept Plan is like an Informal Review. Mr. Papsidero answered affirmatively.

Mr. Wilson asked if minutes are taken at those meetings. Mr. Papsidero answered affirmatively. He said if the Boards and Commissions could receive those minutes between the first and second meeting that would be important, especially to the ARB because they could then follow up on some of the issues. He said everyone would be acquainted with what was specifically discussed. Mr. Papsidero said the minutes have to be approved at that meeting (preferably the next meeting) but occasionally there could be a delay.

Mr. Papsidero asked the group if they had any issues with the way they have been handled regarding Master Sign Plans, Parking Plans, or Fee-In-Lieu of Open Space.

#### L. Appeals

Mr. Papsidero said Appeals is very straightforward and staff is not suggesting any changes. He asked if there were any questions about the appeal process in general. Ms. Newell said she could not recall any appeals. Ms. Husak recalled one about the street connection from Penzone's into Greystone Mews.

#### M. General Provisions

Mr. Papsidero said that is section is also very straightforward and staff is not suggesting any changes.

Ms. Fox said she had a suggestion about "e. Public reviews shall require notice of the public meeting not less than 10 days prior to the meeting to be mailed to property owners within 300 feet of the subject parcel.", which falls under the applications section. She said she has heard a lot from residents that say a 300-foot radius is just too short of a distance. She asked if that radius could be expanded. Mr. Papsidero indicated it could be done but there was a cost factor involved. He noted the distances vary in the Code.

Ms. Fox said in the Historic District, it could just reach two doors away. Ms. Rauch said in the Historic District more people would be reached at 300 feet than most areas of the city. Mr. Papsidero said 150 feet and 300 feet are the requirements in the Code, depending on application type. Mr. Rinaldi said notification signs are placed on the properties when there is an application being reviewed. He said there is no reason for residents not to be aware of something in the Historic District. Ms. Husak said if the radius was 1000 feet, and every resident receives a notice every time for everything that comes forward, at some point, they will feel like they are being bombarded. Mr. Alexander said 300 feet is the largest radius he has seen for notifications in Central Ohio.

Ms. Stenberg indicated there are other avenues people are getting the information like "Nextdoor" or other social media sites. Ms. Newell said she has suggested this before that meetings should be posted regularly on "Nextdoor". Mr. Papsidero said he was wondering about the new Alexa service the City is doing. He offered to reach out to Communications and Public Information. He said when the City provides citizens with too much printed material, it can be overlooked. He said investigating alternative forms may be far more effective. Ms. Fox reported they are working on the Community Engagement piece so if there is any way for people to have the opportunity to know what is going on, than rather having to search for it.

Ms. Husak reported Planning has one staff member in our office that has responsibilities for transcribing minutes. She said the ART meets every two weeks, ARB once a month, BZA once a month, and two PZC meetings a month. She said person listens and types all sets of minutes and staff reviews and edits as needed. She said staff strives to ensure the previous meeting minutes are included into the next meeting packet. She said certain cases take priority because the case is being forwarded to Council for review, or cases will not be ready in time because we do not have the overhead to get them in the packet. She said

we do not post minutes that have not been approved by the reviewing body. She suggested if a person needed something, staff could provide drafts but if we go outside of our steps then everything just falls apart. Ms. Fox said she appreciated that as she knows how hard that is.

Mr. Papsidero noted that Dublin posts physical signs on properties and that is not done by many communities. Mr. Fishman said the signs placed on the site are useful.

Mr. Hartmann said with respect to notices, we should explain who gets those because that is going to come up more and more with the condominium and apartment complexes, whether it is the owner of the building or every tenant. Mr. Hartmann said the Code is unclear. Mr. Papsidero agreed.

Mr. Papsidero asked if there were any remaining issues, questions, or comments. [Hearing none.] He said staff will take tonight's input and draft actual Code changes, which will be redlined, plus a clean version, and get that to each of you separately for review. In terms of sequence, he said ARB would be first, then the Commission, then on to Council. He said staff may get both bodies the same draft up front so everyone will have a few weeks in advance to review. If anyone, individually has any questions, please do not hesitate to contact Planning.

### **III. COMMUNICATIONS**

Claudia Husak asked everyone if they were able to resolve their IT issues.

Jennifer Rauch said ARB's meeting in May will include one minor application for a patio and a site visit to 30-32 S. High Street. She said a tour of the district would follow to see projects that have been approved. She said the meeting will be held at the Dublin Chamber for the formal meeting to review the application and then the tours will follow. She said the meeting will start at the same time at 6:30 pm but at that different location. Mr. Papsidero said the May ARB meeting will function as a public meeting and staff will be take notes. He said it be awkward if the public was there and the Board will have to manage public comment. He said the intent of the site visit and tour it for the Board's benefit to provide feedback about past projects both good and bad.

### **IV. ADJOURNMENT**

The Chair adjourned the meeting at 7:38 pm.

As approved by the Planning and Zoning Commission on June 21, 2018.